



State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

September 25, 2024

New Shoreham Town Council
New Shoreham Town Hall
P O Box 220
New Shoreham, RI 02807

RE: CRMC File 2022-01-046 – Town of New Shoreham Harbor Management Plan

Dear Honorable New Shoreham Town Council:

I am writing to inform you that the CRMC has conducted a consistency review of the *Town of New Shoreham Harbor Management Plan Final Draft as adopted by the New Shoreham Town Council* (HMP) and found it to be entirely consistent with CRMC's requirements for municipal harbor management plans.

Regarding other required Rhode Island state agency reviews, the Department of Environmental Management has issued a Water Quality Certificate (WQC File No. 21-009) approving the HMP with the following stipulations:

- 1) The town shall commit to assessing all mooring areas within their jurisdiction each year to confirm that the use of moorings does not include live aboard activity, which is the case with destination type mooring fields.
- 2) The management of all harbor activities under the Town of New Shoreham's authority shall be managed in accordance with the regulations and ordinances contained in the above-referenced HMP.
- 3) This WQC does not relieve your obligation to obtain and adhere to any other applicable local, state, or federal permits.

In addition, the Division of Statewide Planning has submitted an August 29, 2023 letter approving the HMP with no stipulations. The Town of New Shoreham Solicitor has also submitted a January 10, 2024 letter regarding the New Shoreham Town Council's lawful adoption of the HMP consistent with the requirements of the Rhode Island Coastal Resources Management Program.

Finally, please be aware that the US Army Corps of Engineers also reviews HMPs for consistency with federal requirements on a separate track from state agencies. Please contact the U.S. Army Corps of Engineers New England District, Regulatory Division, 696 Virginia Rd, Concord, MA 01742, (978) 318-8238, to schedule the federal review of the HMP.

New Shoreham Town Council
CRMC File 2022-01-076
September 27, 2024
Page Two

Per the preceding discussion I hereby grant a full five-year approval of the HMP per the date of this letter, through its expiration on September 25, 2029.

Sincerely,



Jeffrey M. Willis, Executive Director
Coastal Resources Management Council

/lat

cc: Laura Miguel, CRMC Deputy Director
Anthony DeSisto, CRMC Legal Counsel
Kevin R. Cute, CRMC Marine Resources Specialist
Anthony Sawaia, Environmental Scientist II
Maryanne Crawford, Town Manager
James M. Callaghan, Town Solicitor
Patrick Evans, Chair, New Shoreham Harbors Committee
Kate McConville, New Shoreham Harbormaster

CRMC Application Review Sheet

File Number: 2022-01-076
Owner Name: Town of New Shoreham
Site Address: Plat: n/a; Lot: n/a

Administrative Review

Reviewer: Kevin R. Cute, Marine Resources Specialist Completed on 3/15/22 <input type="checkbox"/> Application Complete <input type="checkbox"/> Application Deficient <input type="checkbox"/> FONSI <input type="checkbox"/> Enforcement compliance _____	_____ Application n/a _____ Fee _____ Proof of Ownership _____ Building Permit _____ Site Plans	As Applicable: _____ CHA Worksheet _____ Stormwater Calcs _____ Structural Lot Calcs _____ OWTS _____ RI Fortified Home Pg
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EXTENSION (Enforcement review)

Notes: CRMC consistency review of Town of New Shoreham harbor management plan

Team Review for Acceptance

Application Deficient

- Deficiency Letter Required
- Notified Via Phone Call – waiting for _____

() Application Accepted	Assigned To		Date Completed	Denial Recommendation	Management Sign-off
Date: 1/3/22	Project Manager				
	Engineer				
	Biologist				
	Geologist				
	Aqua				
	Dredge				
	Other	krc/policy	3/15/22	Rec. 5 yr. app.	

Category: _____

Project Type: 64 Harbor Management Plan

Water Type: 1,2,3,4,5

Water Area: Block Island Sound

PGP Category: SV PCN IP Public Access 355 Public Access Easement

Project Description: Update of New Shoreham harbor management plan by municipal harbor commission



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF WATER RESOURCES
235 Promenade Street, Providence, Rhode Island 02908-5767

March 4, 2024

Town of New Shoreham
Maryanne Crawford
P.O. Box 220
New Shoreham, RI 02807

**RE: Water Quality Certificate (WQC) Renewal - Town of New Shoreham Harbor
Management Plan (HMP)
WQC No.: 21-009**

Dear Ms. Crawford:

The RIDEM-Office of Water Resources has reviewed the above referenced project for compliance with the State Water Quality Regulations. We have reviewed the subject application and document entitled "Town of New Shoreham, Harbor Management Plan, Final Draft", date stamped by the Department with final edits February 5, 2024.

It is the determination of the WQC Program that said project is compliant with the requirements of the State Water Quality regulations provided that the applicant adheres to the above-referenced HMP and associated municipal ordinances, and the following conditions:

1. The Town shall commit to assessing all mooring areas within their jurisdiction each year to confirm that the use of moorings does not include live aboard activity, which is the case with destination type mooring fields.
2. The management of all harbor activities under the Town of New Shoreham's authority shall be managed in accordance with the regulations and ordinances contained in the above referenced HMP.
3. This WQC does not relieve your obligation to obtain and adhere to any other applicable local, state, and federal permits.

In addition to any necessary enforcement actions stemming from the violation of any of the terms or conditions of this WQC, issuance of this WQC does not bar the Department, nor any of its various Divisions, from instituting any investigation and/or enforcement actions that it may deem necessary for violations of any and all applicable statutes, regulations and/or permits, including but not limited to violations of the terms or conditions of any previous WQC(s) issued to you as an applicant.

This is the State's WQC, which shall have the full force and effect of a permit issued by the Director. Violation of the terms and conditions of this Certification may result in violation of the State's Water Quality Regulations and appropriate enforcement action. This WQC is valid for a period of five (5) years ending March 6, 2029, at which time the Town of New Shoreham must submit an application for a new WQC for an updated HMP.

If you have any questions regarding the contents of this extension letter or original WQC, please contact me at the email or phone number listed below.

Sincerely,



Neal Personeus

Neal.personeus@dem.ri.gov (401)-537-4263

Federal 401/State WQC Program; GWD/UIC Program

Office of Water Resources

Rhode Island Department of Environmental Management

ec: Kathleen McConville, Town of New Shoreham Harbormaster
Kevin Cute, RI CRMC
Joe Haberek, Administrator, Surface Water Protection & Water Quality, RIDEM
David Borkman, Environmental Scientist III, Shellfish Program, RIDEM
Charles Horbert, Deputy Administrator, Groundwater and Wetlands Protection, RIDEM



STATE OF RHODE ISLAND



Department of Administration
DIVISION OF STATEWIDE PLANNING
235 Promenade Street, Suite 230
Providence, RI 02908

Office: (401) 222-7901
Fax: (401) 222-2083

August 29, 2023

Kevin Cute, Marine Resource Specialist
Coastal Resources Management Council
Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879

RE: Review and Determination of State Guide Plan Consistency for the 2023 Town of New Shoreham Harbor Management Plan

Dear Mr. Cute:

Thank you for the opportunity to review the Town of New Shoreham Harbor Management Plan. I am pleased to notify you that the Division of Statewide Planning has completed its review of the 2023 update for the Town of New Shoreham Harbor Management Plan and determined it to be in conformance with all applicable elements of the State Guide Plan. As you indicated, the Town of New Shoreham Harbor Management Plan has already met the Coastal Management Resource Program Section 300.15 requirements, *Municipal Harbor Regulations* and the Town continues to comprehensively plan for the controlled growth and development of harbor and shoreline areas as indicated in this Plan update. We applaud the Town of New Shoreham for meeting all state requirements for this five-year plan update.

If you have any questions regarding our determination, don't hesitate to contact me at any time.

Regards,

A handwritten signature in blue ink, appearing to read "Meredith E. Brady".

Meredith E. Brady
Associate Director

CC: Roberta Groch AICP, Assistant Chief
Josh O'Neill, AICP Supervising Planner
Benny Bergantino, Principal Planner



TOWN of NEW SHOREHAM

TELEPHONE (401) 466-3213
FAX (401) 466-3219

January 10, 2024

Jeffrey Willis, Executive Director
Coastal Resources Management Council
c/o Kevin R. Cute
Marine Resources Specialist
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

Re: Town of New Shoreham
Harbor Management Plan

Dear Director Willis and Specialist Cute,

I hope you are both well. Please be advised that the New Shoreham Town Council did lawfully adopt the New Shoreham Harbor Management Plan (NSHMP) consistent with the requirements of the Rhode Island Coastal Resources Management Program.

We hope that you approve the NSHMP and grant full five-year approval. The Town of New Shoreham has long been looking forward to this approval. If you have any questions or concerns please contact me at your earliest convenience.

Thank you for your time and consideration.

Sincerely,

James M. Callaghan
Town Solicitor
Town of New Shoreham



MUNICIPAL HARBOR MANAGEMENT PLAN CONSISTENCY REVIEW CHECKLIST

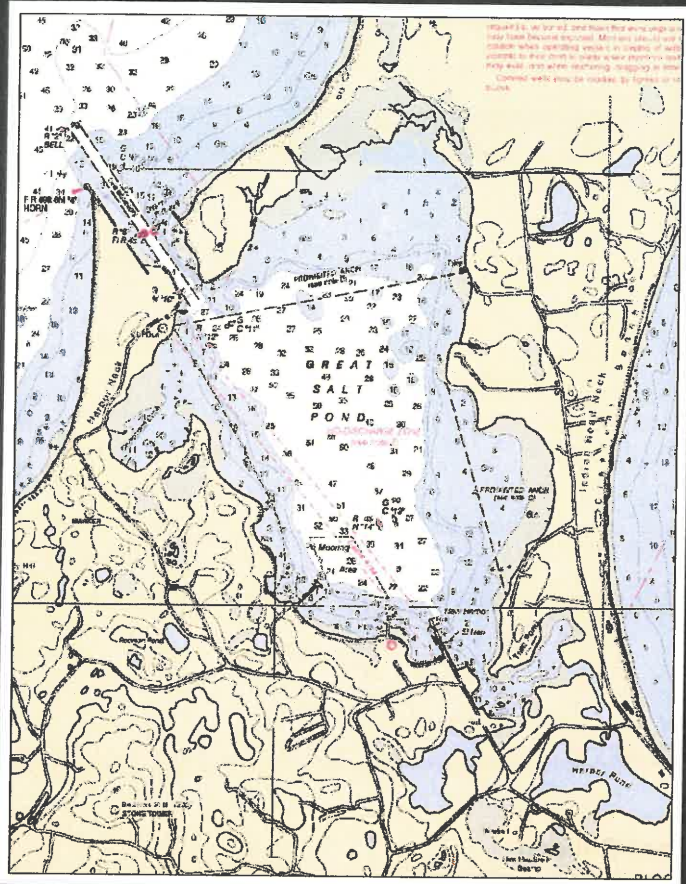
The “Required Elements” column of this table lists the topics that must be addressed in municipal harbor management plans to meet CRMC consistency requirements. It is mandatory to correct any deficiencies listed in **red font** in the “Deficiencies” column. HMP page numbers or sections of the harbor ordinance listed in the “HMP page(s); ordinance §” column indicate where the Required Element is successfully addressed in the draft HMP. In cases where the CRMC reviewer inserts “**not addressed**” in this column, the municipality must add the necessary information indicated in the Deficiencies column to the draft HMP or ordinance. During the subsequent review of the revised HMP or ordinance, the CRMC reviewer will indicate where such additions occur in the “Corrections” column. Please refer to the CRMC’s *Guidelines for the Development of Municipal Harbor Management Plans* for detailed information on the various required elements.

CRMC CONSISTENCY REVIEW OF NEW SHOREHAM DRAFT HARBOR MANAGEMENT PLAN (COMPLETED 3/15/22)			
Required Elements	HMP page(s); ordinance §	Corrections	Deficiencies
I. RESOURCE INVENTORY:			
A) Physical Setting (for detailed information on required elements related to the Physical Setting see the <i>Guidelines</i> at pp. 12-13)			
1. Water Depths	pp.12-13; Appendix B		
2. DEM Water Quality Classifications	p.21		
3. FEMA V-Zones	Appendix 5		
4. Shoal/Dredged Areas	p.11, 14		
5. Navigational Hazards	p.11, 14		
B) CRMC Water Use Designations (for detailed information on required elements related to CRMC Water Use Designations see the <i>Guidelines</i> at pp. 12-13)			
1. Map/ID Areas by CRMC Water Types	pp.18-22		
2. List Priority Uses for Each Area	pp.18-21		
C) Current Uses Inventory (for detailed information on required elements related to the Current Uses Inventory see the <i>Guidelines</i> at pp. 12-13)			
1. Harbor Structures			
a) marinas (pub., priv., comm.)	p.30		
b) boatyards (pub., priv., comm.)	p.30		
c) comm. fish. facilities	p.30		
d) docks, wharves	p.30		
e) boardwalks	p.30		

f) launching ramps	pp.13,30,51	
2. Federal Navigation Areas		
a) channels	pp.10-11	
b) turning basins	pp.10-11	
c) anchorages	pp.10-11	
d) special anchorage areas	pp.10-11	
3. Moorings and Mooring Areas		
a) count of current moorings	p.34	
b) describe fields of 5 + moorings;	Appendix B	
c) ...& water area encompassed by;	Appendix B	
d) ...& ownership type;	Appendix B	
e) ...& name of owners	Appendix B	
f) list designated mooring areas	Appendix B	
4. Other Use Areas		
a) swimming areas	p.65	
b) public beaches	p.11, 65	
c) windsurfing areas	p.65	
5. Municipal Shoreline Zoning Districts	P.120	
D) Natural Resource Areas (for detailed information on required elements related to the Natural Resources Inventory see the Guidelines at pp. 12-13)		
1. Wildlife or Conservation Areas		
a) reserves (pub., priv.)	p.26	
b) areas ID'd by studies or programs	p.26	
c) intensive scientific research areas	p.26	
2. Recreational/Comm. Fishing Areas		
a) anadromous fish runs	p.28	
b) spawning areas	p.27	
c) shellfish beds	p.26	
d) traditional fishing grounds	p.26	
3. Biological Habitats		
a) submerged aquatic vegetation	p.24	
b) intertidal flats	pp.11,26	
c) tidal wetlands	p.26	
II. ISSUE IDENTIFICATION ELEMENTS		
A) Public Access (for further information on required elements related to Public Access see the Guidelines at pp. 21-24)		
1. Inventory CRMC ROWs	Appendix A	

2. Describe condition CRMC ROWs	Appendix A	
3. Identify potential CRMC ROWs	pp.41-45	
4. Preserve, protect, enhance ROWs	pp.41-45	
5. Town ROW maintenance program	pp.41-45	
6. Prioritize CRMC ROW improvements	pp.41-45	
7. State parks and launching ramps	p.30	
8. Municipal paper streets	pp.41-45	
9. Dedicated easements	pp.41-45	
10. Drainage outfalls	pp.41-45	
11. Buried cables	pp.41-45	
B) Water Quality (for further information on required elements related to Water Quality see the <i>Guidelines</i> at pp. 25-27)		
1. Programs to minimize water pollution	Sec.9-95	
2. Organic waste disposal plan (pumpout)	Sec.9-95	
3. Inorganic waste disposal plan (municipal)	Sec.9-95	
4. Encourage marina OMP measures	p.38	
5. Restrict boats at shallow water habitat	p.38	
C) Mooring Management (for further information on required elements related to Mooring Management see the <i>Guidelines</i> at pp. 27-31)		
1. 3:1 res./non-res. allocation policy	Sec.9-86 (b)	
2. Federal "open to all policy"	Sec.9-86(a)	
3. Mooring areas in State Plane Coordinates	Appendix B	
4. Reference mooring areas to landmarks		
5. Total area (acre, ft ² , m ²)	Appendix B	
6. All boats w/in mooring area perimeter	Sec.9-86(b)(9)	
7. Mooring area setbacks	9-86(b)(2)	
8. No uses restricted by mooring area siting	9-88(c)	
9. No commercial moorings in FNPs	9-86(a)	
10. Ensure flushing at sig. moor expansion	9-88(c)	
11. Ensure no adverse effects on H2O quality	9-86 (b)(11)	
12. No swimming/ water skiing in moor.area	9-91(c)	
13. Mooring permit & waiting list ordinance	9-87(j)	
14. Moor. siting not to obstruct access to:		
a) designated shellfish mgmt. areas	9-88(c)	
b) traditional fishing grounds	9-88(c)	
c) public recreational areas	9-88(c)	
d) conservation areas	9-88(c)	

15. Siting of mooring areas not to significantly adversely effect:	
a) fish/shellfish resources	9-88(c)
b) wetlands	9-88(c)
c) submerged aquatic vegetation	9-88(c)
d) other aquatic habitat areas	9-88(c)
16. Operationally maintained pumpouts	9-95(b)
17. Mooring transfer ordinance	9-86(b)(6)
The Town practice of permitting a one-time transfer of a mooring permit will expire December 31, 2023. The waters of Block Island are State property, and under the State of Rhode Island public trust doctrine, as codified in Article 1, section 17 of the state constitution, one individual cannot monopolize or hold exclusive jurisdiction over public property.	
18. Outhaul ordinance	9-82 thru 9-85
D) Storm Preparedness (note: see the <i>Guidelines</i> at pp. 33-39 for recommended methods to achieve each policy below)	
1. Develop policies to address following issues:	
a) risk assessment	Appendix D
b) strategies to prepare, respond, recover	Appendix D
c) identify long term mitigation projects	Appendix D
d) coordinate local/other implementation	Appendix D
III. ORDINANCE	
IV. HARBOR WATERS BOUNDARIES	
	Ord. Sec. 9-41



TOWN OF NEW SHOREHAM HARBOR MANAGEMENT PLAN FINAL DRAFT

BLOCK ISLAND, RHODE ISLAND

January 11, 2022

ACKNOWLEDGEMENTS

PREPARED BY:

THE TOWN OF NEW SHOREHAM

Harbors Committee

H. Dennis Heinz, *Chair*
William Koch
Patrick Evans
Gary Pollard
Carl Kaufmann
Charles Gustafson
Robert Littlefield, *Alternate*

Town Manager

Maryanne Crawford
Edward Roberge, *Former*

Harbormaster

Kate McConville
Stephen Land, *Former*

Town Planner & GIS Administrator

Alison Ring

WITH ASSISTANCE BY:

RI Coastal Resources Management Council
Kevin Cute, Marine Resources

APPROVED BY:

New Shoreham Harbors Committee, March 18, 2021

ADOPTED BY:

New Shoreham Town Council, XXXXX, 2020
Andre' Boudreau, First Warden
Sven Risom, Second Warden
Martha Ball, Councilor
Keith Stover, Councilor
Mark Emmanuelle, Councilor

APPROVED BY:

RI Coastal Resource Management Council, XXXXX, 2020

January 11, 2022

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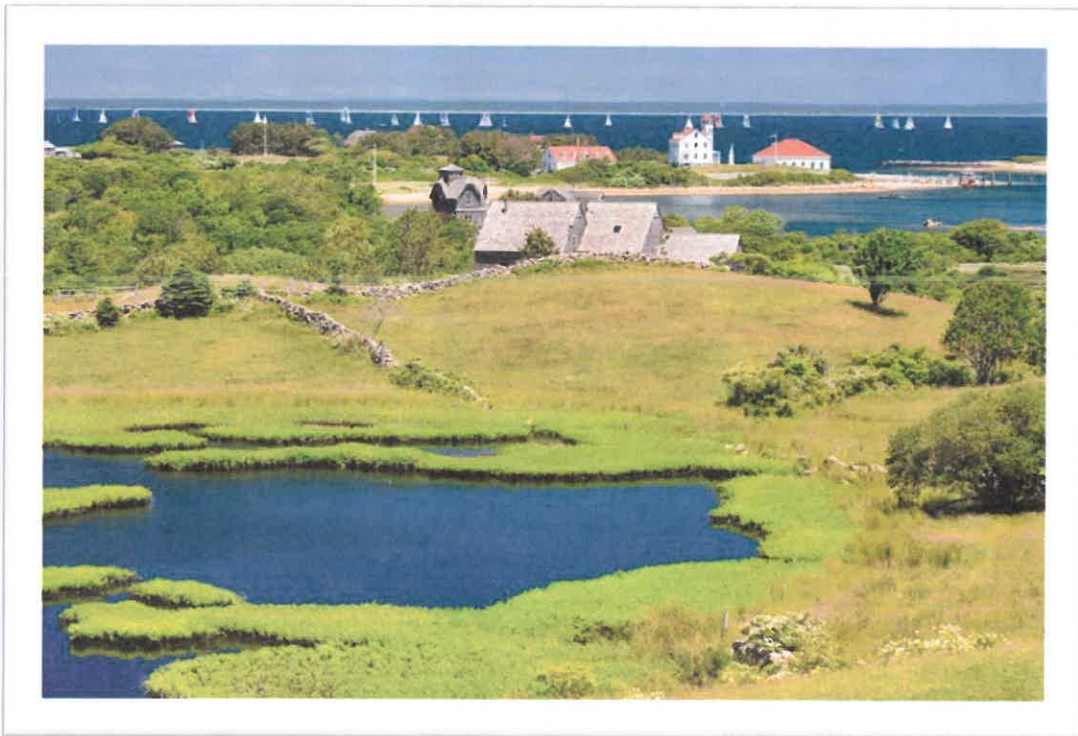
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1.0 OVERVIEW

STATEMENT OF PURPOSE

IT IS THE PURPOSE OF THIS HARBOR MANAGEMENT PLAN TO PROMOTE PUBLIC HEALTH, SAFETY AND WELFARE BY REGULATING AND CONTROLLING THE USE OF THE HARBORS AND HARBOR FACILITIES IN THE TOWN OF NEW SHOREHAM IN ACCORDANCE WITH RHODE ISLAND GENERAL LAWS, SECTION 46-4-2 AS AMENDED: AND IN ACCORDANCE WITH SECTION 46-4-6.10, TO ESTABLISH THE AUTHORITY AND DUTIES OF THE HARBORMASTER AND HARBORMASTER ASSISTANT(S). THIS PLAN WILL PROVIDE GOALS, POLICIES, AND IMPLEMENTATION RECOMMENDATIONS FOR THE PRESERVATION, FUTURE PROTECTION, AND MANAGEMENT OF THE HARBORS OF BLOCK ISLAND.

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BACKGROUND

The New Shoreham Town Council, in recognition of the valuable environmental and economical asset provided by the Harbors of Block Island, has endeavored to formulate a comprehensive management plan for the uses of these Harbors.

The New Shoreham Harbor Management Plan (HMP) was originally prepared in part, under the funding and auspices of the State of Rhode Island Coastal Resources Management Program (CRMP) and Federal Coastal Community Assistance Program (CCAP).

The HMP serves as the primary guide to establish and amend management ordinances for the overall benefit of waterway users within the jurisdictional boundaries of the waters managed by the Town of New Shoreham. The HMP is founded on compatible and relevant management and regulatory policy of both Federal and State programs. The Plan establishes the Town of New Shoreham as the principal authority for implementation of the HMP.

The HMP follows the Guidelines for the Development of Municipal Harbor Management Plans prepared by the Coastal Resources Management Council, 2009, and includes:

- A description of the current physical and environmental conditions and uses of the Town's waterway resources;
- An identification of the issues associated with access to and use of the Town's waterway resources;
- Goals, objectives, and policies for guiding the public and private use of land and water within the jurisdictional waterway resource areas, and;
- Recommended actions for the Town of New Shoreham to undertake to achieve the goals, objectives and policies set forth relating to the following:
 - Water Quality
 - Public Access
 - Storm and Hazard Preparedness
 - Marine Facilities
 - Mooring Management
 - Marine Safety
 - Aquaculture
 - Channel and Harbor Management

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JURISDICTION AND AUTHORITY

FEDERAL AUTHORITY

US ARMY CORPS OF ENGINEERS (ACOE)

The U.S. Army Corps of Engineers, under regulatory authority outlined in Section 10 of the Rivers and Harbors Act of 1899, requires permits for all work seaward of the mean high water line in the navigable waters of the U.S. In Rhode Island, navigable waters are those subject to the ebb and flow of the tide. Therefore, harbor management plans that identify requirements for improvements to the harbor waters of the municipality such as public boat ramps, docks, or commercial moorings, may require the municipality to obtain permits from the Corps' New England Division.

The Corps' regulatory program seeks to ensure that unobstructed access to harbor channels is maintained, and that harbors that have been dredged or maintained with federal funds by the Corps (federal navigation projects) are made available on a policy of "open to all on a fair and equitable basis." Under provisions of this policy, moorings located in harbor areas that were dredged or maintained by the Corps are considered integral elements of the accessibility issue, and are subject to the Corps policy that access to these moorings be non-exclusionary.

STATE AUTHORITY

RHODE ISLAND COASTAL RESOURCES MANAGEMENT COUNCIL (CRMC)

The CRMC is the state's primary agency for planning and management of coastal resources and the uses made of tidal waters. The CRMC was given jurisdiction over all activities taking place in tidal waters of the state and along the coastline by the General Assembly in 1971 (RIGL 46-23). CRMC was charged with "preserving, protecting, developing and, where possible, restoring the coastal resources of the state through comprehensive and coordinated long range planning and management". It was the aim of the General Assembly that these charges be implemented so as to produce the maximum benefit for society.

Goals, policies and regulatory standards are established for each of these areas and the activities taking place within them. Adjacent shoreline features are also considered as part of the overall determination of activities which are allowed. In sum, the Water Type classifications and Shoreline Features, as well as other regulations, direct what uses may be made of an area and how these uses may be carried out.

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The Coastal Resources Management Program (CRMP) provides an overall "blueprint" for activities occurring on or within coastal areas and the CRMC carries out certain coordinating functions in order to promote and insure the CRMP objectives. These functions include: serve as a binding arbitrator for disputes involving coastal resources and the interests of two or more municipalities and state agencies; consult on and coordinate actions with local, state, regional and federal agencies and private interests; conduct and sponsor coastal research; and advise the Governor, General Assembly and the public on coastal matters. Additionally, all departments and agencies of state government are required to cooperate with the Council in discharging its responsibilities.

The approval of municipal harbor management regulations and plans is regulated under Section 300.15 of the CRMP. This section establishes that "all rules or management functions that apply to the use of tidal waters adjacent to a municipality" are considered Municipal Harbor Regulations and subject to review and approval by the CRMC. While the primary responsibility for developing and implementing harbor management remains at the local level, regulations to ensure that actions taken by the municipalities are consistent with the overriding management programs are reserved by the state.

RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (DEM)

The Department of Environmental Management (DEM) has primary responsibility within the state for implementing requirements of the Federal Clean Water Act, managing living resources of the state's waters, and for overseeing federal and state land acquisition and open space programs.

DEM has promulgated specific regulations and water quality standards to implement its authority under the Clean Water Act, through its Division of Water Resources. Water Quality Classifications and Standards are designed to protect and improve the quality of the state's waters where these may be threatened or impaired by pollutant discharges. The regulations specifically identify concentrations of vessels, as in a marina or mooring area, as a potential source of pollution.

The DEM Division of Fish and Wildlife, in conjunction with the Marine Fisheries Council, manages the fin and shellfish fisheries within the state. Current programs include the regulation of commercial fisheries, shellfish propagation and transplanting, and establishing and protecting shellfish management areas. The Division also provides comment to CRMC on proposals which may impact coastal resources. RIDEM also issues other permits which regulate development of shoreline areas, including: RIPDES, ISDS, underground injection control, and freshwater wetlands.

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MUNICIPAL AUTHORITY

LOCAL HARBOR ORDINANCES AND HARBORMASTER AUTHORITIES

Chapter 4 of Title 46 of the General Laws of Rhode Island (Harbors and Harbor lines) confers upon the coastal municipalities of the state certain powers concerning the regulation of public waters within their jurisdiction. These powers can be segregated into management of vessel operations within harbors, including the removal of wrecks and derelict or abandoned boats or docks, management of anchorages and moorings, and regulation of activities such as water-skiing, skin diving, regattas, and marine parades.

The enabling legislation clearly grants towns these powers to ensure the orderly development of the harbor areas within their jurisdictions, particularly as applied to the use of these areas by vessels. Specifically, municipalities are granted authority and power to enact, through ordinance and an appointed Harbormaster, rules and regulations to control activities on or in the waters under their jurisdiction. They may also impose penalties for violations of such ordinances. In addition, municipalities are empowered to enact zoning ordinances, wastewater management districts, erosion and sediment ordinances, and storm water management ordinances, each of which can enhance the management of shoreline areas. However, the powers and duties granted through the enabling legislation may not be construed to abrogate the powers and duties of the CRMC.

The Harbormaster oversees all marine activity in the Great Salt Pond and Old Harbor. The Harbormaster is responsible for safe navigation within the harbor, for rental of moorings and the location of boats in the anchorage, and for the operation of sewage pumpout and refuse removal vessels.

While the Harbormaster is in day-to-day control of the Great Salt Pond, jurisdiction is shared with other agencies and groups. By the ruling of the Rhode Island Supreme Court, the Rhode Island Coastal Resources Management Council (CRMC) has primary jurisdiction of the shoreline of the pond and the 200-foot contiguous landward area, including tidal water. CRMC's authority extends to docks, piers, launching ramps, buildings, aquaculture, the size and configuration of marinas and any other proposed alterations in tidal waters, the shoreline or the 200-foot contiguous area.

Numerous federal as well as state laws and regulations apply, notably in the areas of navigation and environmental protection. The channel into Block Island Sound, cut in the late 19th Century, turned the Great Salt Pond from an isolated pond into navigable waters and a harbor of refuge. Thus it is subject to oversight by the U.S. Army Corps of Engineers.

In fulfilling its mission to maintain navigation, the Army Corps of Engineers occasionally

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conducts maintenance dredging projects at the channel to the Great Salt Pond. Natural shoaling processes reduce available depths in the entrance channel making navigation to and from the pond hazardous. At times, shallow depths have led to the grounding of some vessels and the need for additional navigational buoy.

State law delegates the power to regulate fishing in the Great Salt Pond to the Town of New Shoreham (RIGL 20-3-7). Block Island's Shellfish Commission and its Shellfish Wardens are responsible for management of the shellfish and finfish populations in the Great Salt Pond, encompassing the regulation of commercial and private shellfish licenses, quantities, methods and timing of shellfishing, the opening and closing of shellfish beds and enforcement.

PRIORITY GOALS AND OBJECTIVES

The priority goals and objectives of the Harbor Management Plan are as follows:

- A. MAINTAIN A PROGRAM WHICH PROTECTS THE RESOURCES OF THE GREAT SALT POND (NEW HARBOR) AND OLD HARBOR WHILE SUPPORTING APPROPRIATE PRODUCTIVE USES BY BOTH MARINE AND LAND SIDE INTERESTS.**
- B. ENSURE THAT THE HARBOR MANAGEMENT PLAN IS FINANCIALLY SOUND. THAT COSTS AND USES ARE FAIRLY DISTRIBUTED AMONG DIFFERENT CLASSES OF USERS; THAT REVENUES ARE USED APPROPRIATELY TO COVER BOTH DIRECT AND INDIRECT COSTS; AND THAT FUNDS ARE AVAILABLE TO IMPROVE FACILITIES AS NEEDED.**
- C. MAINTAIN AN INVOLVEMENT IN ALL GROWTH AND DEVELOPMENT ACTIVITIES TO ENSURE THEY MEET THE CRITERIA OF LOCAL, STATE AND FEDERAL AUTHORITIES.**
- D. MAINTAIN THE HIGHEST POSSIBLE WATER QUALITY STANDARDS.**
- E. SUPPORT THE SHELLFISH COMMISSION AND OTHER PUBLIC AND PRIVATE ORGANIZATIONS IN THEIR EFFORTS TO DEVELOP AQUACULTURE PROJECTS AND EXPAND SHELLFISH AND FINFISH RESOURCES.**
- F. PROMOTE MARINE SAFETY.**
- G. IMPROVE PUBLIC ACCESS AND FACILITIES.**

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2.0 HARBORS DESCRIPTIONS & RESOURCES



THE GREAT SALT POND / NEW HARBOR

One of Block Island's greatest assets is its beautiful sheltered harbor, known as the Great Salt Pond. Historically an enclosed pond, this now 673 acre tidal harbor, known as New Harbor, opens to Block Island Sound providing vessels with shelter from heavy seas. New Harbor was created in 1895, when a channel was dug to connect the Great Salt Pond to Block Island Sound through the northwestern side of the island.

The federal channel accessing the Great Salt Pond was authorized through the U.S. Rivers and Harbors Act of June 3, 1896 (modified in 1902 and 1945) which allows for the construction, repair, and preservation of certain public works on rivers and harbors and specifically cites the Great Salt Pond on Block Island.

After the opening of a permanent breachway to Block Island Sound in 1895, Block Island attracted passenger steamers, commercial fishermen, and a number of recreational boaters and tourists to the New Harbor. Subsequently, developmental pressures have affected the Great Salt Pond to varying degrees. Not until recent years have these pressures exceeded the resiliency of the water bodies' ecosystem.

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The Great Salt Pond serves as a shared-use harbor. Roughly one-half, the northern sector, is reserved for recreational use. This is a “no anchoring” area, kept open for sailing, swimming, fishing, kayaking, canoeing, kite boarding, rowing and wakeboarding. The Great Salt Pond is readymade for paddling, with flat water surrounded by scenic salt marsh and estuaries perfect for bird and wildlife sightings.

The central and southern deep-water areas of the Great Salt Pond are set aside as anchorage and mooring areas. The mooring field contains both private and rental moorings. The town owns and manages 90 rental moorings. The 290 private moorings in the Great Salt Pond are controlled by permit issued by the Town. The mooring area is at or near capacity and there is a long list of island residents and nonresidents on the waitlist for mooring permits. Commercial launch services operate throughout the Great Salt Pond, serving both the anchorage and mooring areas. Up to three vessels are allowed on a private mooring when tackle is over 800 pounds and swing room is adequate. Rafting is not required on Town moorings, but a two vessel maximum is permitted as long as the mooring and swing room are adequate. Vessels are permitted to anchor overnight in designated anchorage areas and are also permitted to raft together. Three large private marinas provide over 400 slips for private yachts, dockage for the high speed ferry from Montauk, New York, and on occasion, host small cruise ships. Surrounding the three large marinas are shoreside restaurants and inns within walking distance. Two of the marinas have bars and eating establishments on the piers.

The southwest corner of Great Salt Pond is Cormorant Cove, a 32 acre cove bordered by private residences, some with piers. Part of Cormorant Cove is deep enough for anchorage, but it is separated from the main body of the harbor by a shoal, and there is only a narrow entry with water deep enough for boats with four to five feet of draft.

Northwest of Cormorant Cove, on the edge of the channel joining Block Island Sound, is a former U.S. Coast Guard station. Its building and dock are now owned by the Town and future uses are being explored.

The northern recreational area by Beane Point is bordered to the west and the north by dunes, tidal flats and salt marshes. This is an undeveloped conservation area and wildlife preserve. It is owned in part by local entities and in part by the US Fish and Wildlife Service.

Along the eastern shore of the recreational area is a public beach, Andy's Way with a small parking area off of Corn Neck Road. Dozens of small craft are pulled up on the beach here during the season.

Cultural Asset

The Great Salt Pond has provided a home, habitat, and recreation for thousands of years. The shores of the pond have a long history of human use, as it once was a primary

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area of residence by Native Americans both before and after contact with Europeans. Due to its significance, the area was added to the National Register of Historic Places in 1990 and is referred to as the Great Salt Pond Archeological District.

Ecological Asset

Covering about one square mile in area, the Great Salt Pond is surrounded by a scenic watershed and is home to a wide variety of plants and animals. Its waters, shoreline and coastal wetlands provide important habitat for birds, seals, lobsters, crabs, shellfish and fish.

Recreational Asset

The Great Salt Pond is one of the most popular yacht harbors in the northeast with approximately 1,000 visiting boats moored in New Harbor on a typical summer weekend. It is navigable by vessels with up to 12 feet of draft and offers a large anchoring area and rental moorings. The pond is also popular for paddling and fishing.

Economic Asset

Together with the nearby beaches, the Great Salt Pond/New Harbor is the island's prime attraction for tourists. On summer weekends, visiting boaters are estimated to represent a waterborne community of 3,000 to 6,000 people making New Harbor a major economic asset not only for the Town but also for the State. The local businesses established to support this waterborne community provide jobs for residents and contribute significantly to the local tax base. Permits and fees associated with the recreational uses on the pond also represent a significant revenue source for the town.

While there are homes along this shore, most buildings are set back from the water's edge, leaving the shoreline untouched. One exception is the Block Island Club, a community nonprofit that focuses on sail training for juniors. The club has a building near the water, a small swimming beach and a pier (the only pier permitted in the recreational area). The club has a fleet of more than 40 sailboats, kayaks, canoes and rowboats. To the south of the club is a public dinghy beach, known as Mosquito Beach, which provides visiting boaters with access to the ocean beaches and town facilities on the eastern side of the island, across Corn Neck Road.

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In the southeast corner of the Great Salt Pond there are linked salt-water ponds, Trim's Pond and Harbor Pond. Part of this area is used for commercial aquaculture. This is mostly shallow water, navigable by kayaks or canoes, but with deeper water along an entrance channels where there is a public launch ramp for small craft, the only one in the Great Salt Pond. Also located along the channel is a docking station for pumpout boats to transfer waste from boats in the harbor to the town's sewage treatment system. Commercial facilities in this area include kayak and paddleboard rental stations, a boat launch, repair and winter storage facility, with rental slips for small craft, and a bait and tackle shop with rental cabins and a dock for small fishing boats. One other organization located on the water here is the BI Maritime Institute, a nonprofit which has slips for a dozen boats.

Today, the Great Salt Pond is a popular multiple use recreational and economic asset. Providing for those uses while also protecting ecological communities, water quality, and sensitive archeological sites is a great challenge. This magically scenic natural feature demands our protection. A balance of appropriate uses must be achieved in order to provide an optimal habitat, superior water quality and a recreation zone for water based activities in keeping with this special place.

OLD HARBOR (HARBOR OF REFUGE)

Prior to the 19th century, Block Island was famous among mariners for not having a natural harbor. This was not lost on the people who had settled the island. Various efforts, dating back to the late 1600s, to build harbors and piers in various locations failed either due to lack of funding or they were destroyed by storms after being built.

In the middle of the 19th century, however, the federal government's River and Harbor Act, regularly updated by Congress to address waterway issues along the eastern seaboard, commissioned a survey of Block Island to "best determine the manner of forming an artificial harbor there." The Army Corps of Engineers undertook the survey with

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the goal of establishing a harbor that would accommodate the needs of islanders and general coastal commerce.

In September 1867, two locations were identified, Sands Landing (now Old Harbor) and the Great Salt Pond. Sands Landing was eventually chosen, and it was proposed that what is known as a rubble-mound breakwater — extending in a north-northeastward direction — would be constructed from the shore.

The U.S. Congress adopted the project in an updated River and Harbor Act vote in 1870, and construction began in October of that year. What is now known as the “Block Island Factor” — weather — slowed progress. A temporary basin was constructed in 1871/1872, and dredging and the initial wharf construction was completed in 1873. By 1877, the main breakwater was more than 1,300 feet long, and by the time it was completed in 1878, the main breakwater was 1,875. The project also included an east wall for the basin.

Shoaling in the harbor required constant maintenance and dredging throughout the following decades, and continues to this day. The main breakwater has undergone several major repairs. Most recently, it was heavily damaged by Superstorm Sandy in 2012, the Army Corps of Engineers oversaw a major rebuilding that was completed in 2016. Today, Old Harbor maintains its status as a critical component of island life by accommodating lifeline ferry services throughout the year, docking space for the island's fishing industry, and for recreational boating during the summer months.

Cultural Asset

Lacking a natural harbor, it wasn't until the breakwater was built in 1873 that Block Island became a resort destination. Old Harbor's historic significance lies in the transformation from a landing site for an early agrarian and fishing community to one of the most popular resorts in the country. Today this dense walkable 19th century village remains defined against its surrounding rural countryside of farm cottages and vacation homes.

Block Island includes two National Register Historic Districts (Great Salt Pond Archeologic District and Old Harbor Historic District) and five National Register Sites (US Weather Bureau Station, Hygeia House, Peleg Champlin House, North Light, and Southeast Lighthouse).

Ecological Asset

The primary function of the Harbor is not ecological, but to maintain its health, the Army Corps of Engineers regularly dredges the basin so that it remains open to maritime vessel traffic, which is essential to the island's economy.

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Recreational Asset

Old Harbor is a busy, popular spot to moor, anchor and dock privately-owned boats during the tourist season. Its docks are crowded with island guests, and it is the first and last stop of island visitors who have arrived from the mainland by ferry. It is the location of the island's Welcome Center and Chamber of Commerce. The island's small fishing and charter boats also dock there.



Economic Asset

The economic value of Old Harbor to the island cannot be overstated. The Harbor is literally the island's lifeline during the off-season because it is home to the year-round dockage for the island's ferry service. It is where a significant percentage of the island's seasonal visitors disembark for their visit.

PRIORITY GOALS AND OBJECTIVES – NEW HARBOR/OLD HARBOR

Ensure that the Harbor Management Plan is financially sound. That costs and uses are fairly distributed among different classes of users; that revenues are used appropriately to cover both direct and indirect costs; and that funds are available to improve facilities as needed.

1. Conduct an annual survey to determine the competitiveness of our fees and charges with those of other popular destination harbors in the region.
2. Use this same survey to measure the opinions, favorable and unfavorable, that visiting boaters have regarding Block Island, together with an assessment of their likely

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expenditures while here. Use this to measure the economic contribution made by these visitors.

3. Maintain and execute an equitable program for the allocation and distribution of mooring permits to resident and non-resident alike in conformance with the R.I. Coastal Resources Management Program.

REGULATORY SETTING – PHYSICAL BOUNDARY

GREAT SALT POND BOUNDARY

The physical boundary of New Harbor can be described as follows:

North side of Bean Point break water to the north side of the southern break water across the channel.



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OLD HARBOR (HARBOR OF REFUGE) BOUNDARY

Main Harbor: West end of break water perpendicular across the channel to the east break water.

Inner Basin: the east red sandstone break water perpendicular across to the west red sandstone break water.



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CRMC WATER TYPE CLASSIFICATIONS AND PRIORITY USES

TYPE 1 CONSERVATION AREAS

INCLUDED IN THIS CATEGORY ARE ONE OR MORE OF THE FOLLOWING: (1) WATER AREAS THAT ARE WITHIN OR ADJACENT TO THE BOUNDARIES OF DESIGNATED WILDLIFE REFUGES AND CONSERVATION AREAS, (2) WATER AREAS THAT HAVE RETAINED NATURAL HABITAT OR MAINTAIN SCENIC VALUES OF UNIQUE OR UNUSUAL SIGNIFICANCE, AND (3) WATER AREAS THAT ARE PARTICULARLY UNSUITABLE FOR STRUCTURES DUE TO THEIR EXPOSURE TO SEVERE WAVE ACTION, FLOODING, AND EROSION.

GOALS AND OBJECTIVES FOR TYPE 1 WATERS

The Town of New Shoreham's goal is to preserve and protect Type 1 waters from activities and uses that have the potential to degrade scenic, wildlife, and plant habitat values, or which may adversely impact water quality or natural shoreline types.

The mooring of houseboats and floating businesses, the construction of recreational boating facilities, filling below mean high water, point discharge of substances other than properly treated runoff water, and the placement of industrial or commercial structures or operations (excluding fishing and aquaculture) are all prohibited in Type 1 waters.

In Type 1 waters, activities and alterations including dredging, dredged materials disposal, and grading and excavation on abutting shoreline features are all prohibited unless the primary purpose of the alteration or activity is to preserve or enhance the area as a natural habitat for native plants and wildlife or a beach re-nourishment/replenishment project.

Activities and alterations subject to Town of New Shoreham jurisdiction contiguous to public parks, public beaches, public rights-of-way to the shore, and conservation areas abutting Type 1 waters shall not significantly interfere with public use and enjoyment of such facilities.

A majority of waterfront on the Great Salt Pond is designated Type 1, Conservation Areas, which does not permit the construction of new docks.

TYPE 2 LOW-INTENSITY USE

THIS CATEGORY INCLUDES WATERS IN AREAS WITH HIGH SCENIC VALUE THAT SUPPORT LOW-INTENSITY RECREATIONAL AND RESIDENTIAL USES. THESE WATERS INCLUDE SEASONAL MOORING AREAS WHERE GOOD WATER QUALITY AND FISH AND WILDLIFE HABITAT ARE MAINTAINED.

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GOALS AND OBJECTIVES FOR TYPE 2 WATERS

The Town of New Shoreham's goal is to maintain and, where possible, restore the high scenic value, water quality, and natural habitat values of these areas, while providing for low-intensity uses that will not detract from these values.

New or deepened dredged channels and basins; new or deepened dredged channels and basins at existing marinas that result in an expansion greater than 25 percent of their capacity; new marinas and expansion of pre-existing marinas in excess of 25 percent of their capacity; the mooring of houseboats and floating businesses; industrial and commercial structures and operations (excluding fishing and aquaculture); and filling are all prohibited in Type 2 waters. The Town of New Shoreham's intent for pre-existing marina operations located in Type 2 waters is to allow for their continued maintenance and viability as such operations. Maintenance dredging, dock reconfigurations, activities such as travel lift operations and other best available technologies, and other ancillary activities necessary to maintain the operational viability of the facility, should be expected to occur at pre-existing marina operations in these waters. Structural shoreline protection facilities should not be prohibited. Such allowances will only be instituted at marina facilities with approved marina perimeters.

Residential boating facilities, public launching ramps, and structural shoreline protection facilities may be permitted in Type 2 waters, provided it can be demonstrated that there will be no significant adverse impact to coastal resources, water dependent uses or public's use and enjoyment of the shoreline and tidal waters of the Town.

TYPE 3 HIGH INTENSITY BOATING

THIS CATEGORY INCLUDES INTENSELY UTILIZED WATER AREAS WHERE RECREATIONAL BOATING ACTIVITIES DOMINATE AND WHERE THE ADJACENT SHORELINES ARE DEVELOPED AS MARINAS, BOATYARDS, AND ASSOCIATED WATER-ENHANCED AND WATER-DEPENDENT BUSINESSES.

GOALS AND OBJECTIVES FOR TYPE 3 WATERS

The Town of New Shoreham's goal is to preserve, protect, and, where possible, enhance Type 3 areas for high-intensity boating and the services that support this activity. Other activities and alterations will be permitted to the extent that they do not significantly interfere with recreational boating activities or values.

The highest priority uses of Type 3 waters and adjoining land areas within the Town's jurisdiction are (a) mooring areas, marinas, public launching ramps, navigation channels, fairways, and other facilities that support recreational boating and enhance public access to tidal waters; and (b) boatyards and other businesses that service recreational boaters.

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TYPE 4 MULTI - PURPOSE WATERS

THIS CATEGORY INCLUDES (1) LARGE EXPANSES OF OPEN WATER IN NARRAGANSETT BAY AND THE SOUNDS WHICH SUPPORT A VARIETY OF COMMERCIAL AND RECREATIONAL ACTIVITIES WHILE MAINTAINING GOOD VALUE AS A FISH AND WILDLIFE HABITAT; AND (2) OPEN WATERS ADJACENT TO SHORELINES THAT COULD SUPPORT WATER-DEPENDENT COMMERCIAL, INDUSTRIAL, AND/OR HIGH-INTENSITY RECREATIONAL ACTIVITIES.

GOALS AND OBJECTIVES FOR TYPE 4 WATERS

The Town of New Shoreham's goal is to maintain a balance among the diverse activities that must coexist in Type 4 waters. The changing characteristics of traditional activities and the development of new water-dependent uses shall, where possible, be accommodated in keeping with the principle that the Town of New Shoreham shall work to preserve and restore ecological systems.

The Town of New Shoreham recognizes that large portions of Type 4 waters include important fishing grounds and fishery habitats, and shall protect such areas from alterations and activities that threaten the vitality of Rhode Island fisheries.

Aquaculture leases shall be considered if the Town of New Shoreham is satisfied there will be no significant adverse impacts on the traditional fishery.

The Town of New Shoreham shall work to promote the maintenance of good water quality within Type 4 Multipurpose waters.

TYPE 5 COMMERCIAL AND RECREATIONAL HARBORS

THESE WATERS ARE ADJACENT TO WATERFRONT AREAS THAT SUPPORT A VARIETY OF TOURIST, RECREATIONAL, AND COMMERCIAL ACTIVITIES. THEY INCLUDE ALL OR PORTIONS OF THE OLD HARBOR AREA.

GOALS AND OBJECTIVES FOR TYPE 5 WATERS

The Town of New Shoreham's goals are to maintain a balance among diverse port-related activities, including recreational boating, commercial fishing, restaurants, and other water-enhanced businesses; to promote the efficient use of space; and to protect the scenic characteristics that make these areas valuable to tourism.

The highest priority uses of Type 5 waters and adjoining land areas within Town of New Shoreham jurisdiction are (a) berthing, mooring, and servicing of recreational craft, commercial fishing vessels, and ferries; (b) water-dependent and water-enhanced commerce, including businesses catering to tourists; (c) maintenance of navigational

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channels and berths, and removal of obstructions to navigation; and (d) activities that maintain or enhance water quality and scenic qualities, including the preservation of historic features. The Town of New Shoreham shall suitable modify or prohibit activities that significantly detract from or interfere with these priority uses.

RIDEM WATER QUALITY CLASSIFICATION

The RIDEM Office of Water Resources (OWR) implements the state's Water Quality Standards Program. The Water Quality Standards Program is responsible for ensuring compliance with the Federal Clean Water Act (CWA). The purpose of this program is to restore, preserve, and enhance the water quality of Rhode Island waters, to maintain existing uses and to protect the waters from pollutants so that the waters shall, where attainable, be fishable and swimmable, and be available for all designated uses and thus assure protection for the public health welfare, and the environment. These objectives are implemented through the water quality standards which are a fundamental element of the state's Water Quality Regulations. The water quality standards are developed to define water quality goals for state's waters by deciding what their uses will be (designated uses) and by setting criteria necessary to protect those uses.

The surface waters of the State are assigned to one of the classes listed below. Each class is defined by the designated uses, which are the most sensitive and therefore governing water uses which it is intended to protect. Surface waters may be suitable for other beneficial uses, but shall be regulated to protect and enhance the designated uses.

Seawater:

Class SA - These waters are designated for shellfish harvesting for direct human consumption, primary and secondary contact recreational activities, and fish and wildlife habitat. They shall be suitable for aquacultural uses, navigation and industrial cooling. These waters shall have good aesthetic value.

Class SB - These waters are designated for primary and secondary contact recreational activities; shellfish harvesting for controlled relay and depuration; and fish and wildlife habitat. They shall be suitable for aquacultural uses (other than shellfish for direct human consumption), navigation, and industrial cooling. These waters shall have good aesthetic value.

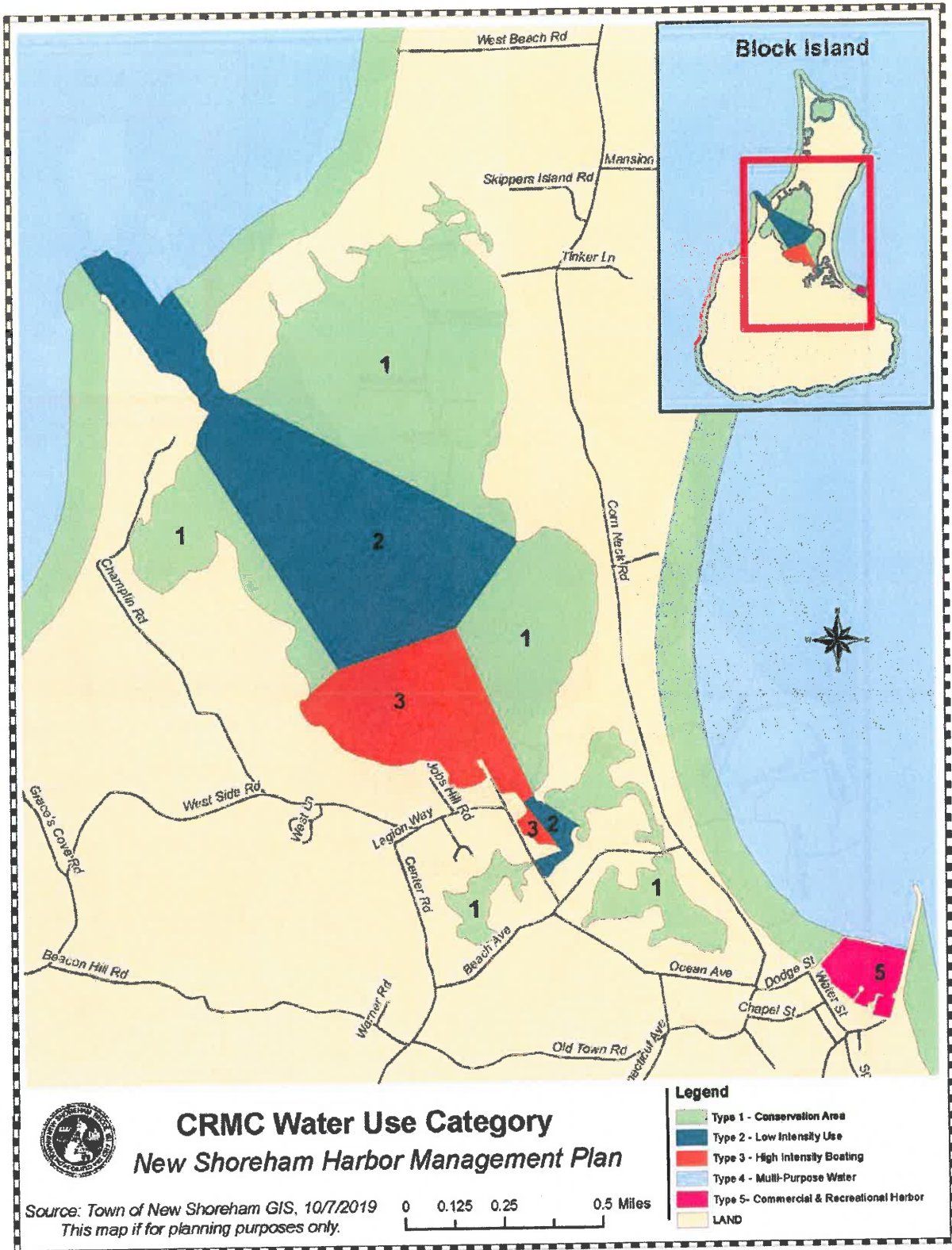
Class SB1 - These waters are designated for primary and secondary contact recreational activities and fish and wildlife habitat. They shall be suitable for aquacultural uses (other than shellfish for direct human consumption), navigation, and industrial cooling. These waters shall have good aesthetic value. Primary contact recreational activities may be

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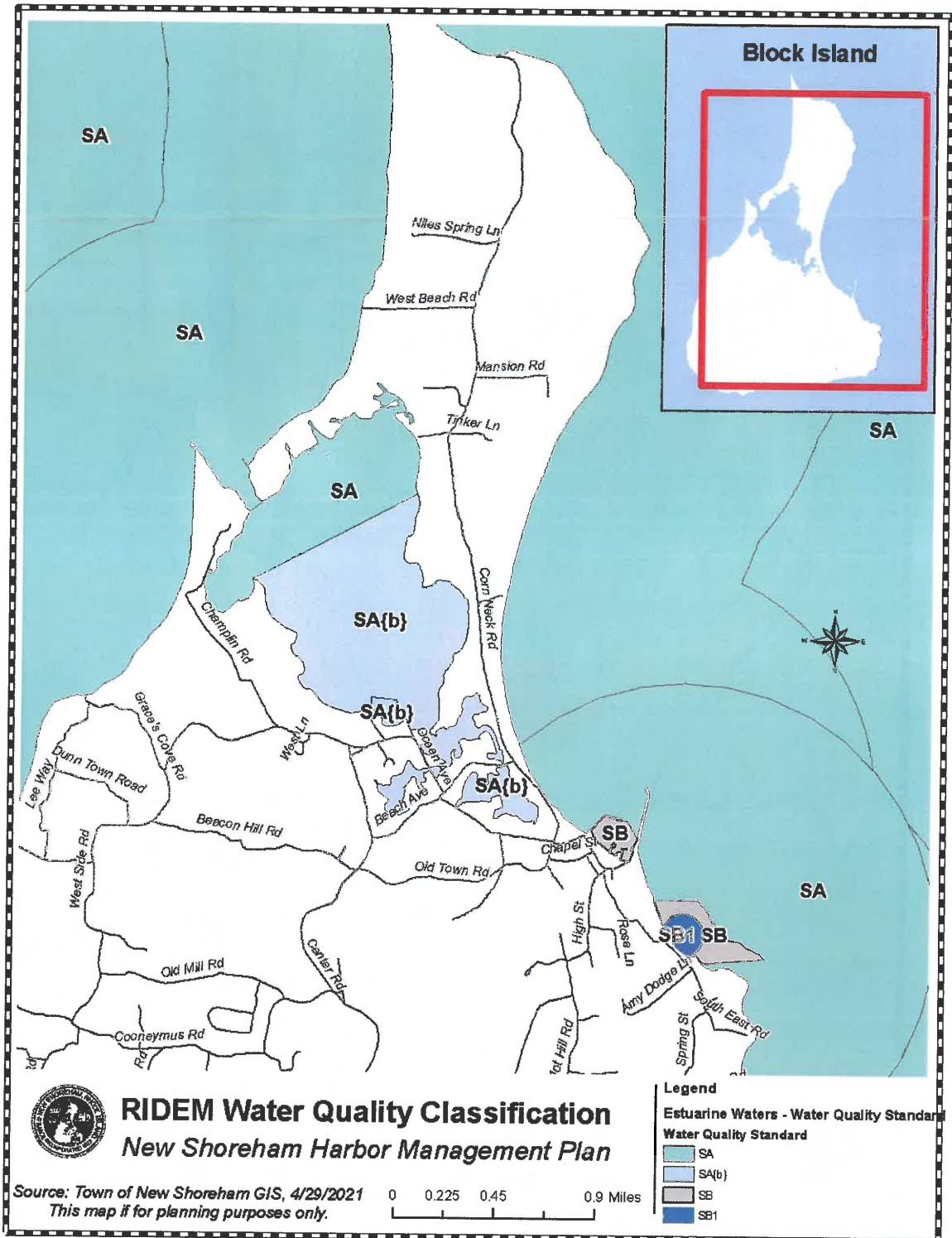
impacted due to pathogens from approved wastewater discharges. However all Class SB criteria must be met.

See Appendix A for RIDEM Water Quality Classifications for Block Island waters.

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RESOURCES AND USES

NATURAL RESOURCES

THE FUTURE WELLBEING OF THE ISLAND DEPENDS ON THE WISE AND SUSTAINABLE USE OF ITS TWO HARBORS.

The intention of the Town has been and continues to be that New Harbor be dedicated to recreational boating use, commercial fishing, shellfishing, and aquaculture but not to other commercial activities such as freight, ferries, major transportation and other uses that might conflict with those intended uses or the scenic and natural qualities of the Great Salt Pond. A clear distinction must remain between uses appropriate for Old Harbor and New Harbor.

The marine and transportation activities associated with each harbor are somewhat different. Old Harbor is best suited to serve as the island's principal transportation center with docks, parking and storage areas capable of supporting large capacity stern-loading ferries carrying passengers, vehicles and freight. Another area of the Old Harbor, the Inner Basin, is suited for a limited number of commercial fishing and sport fishing craft.

New Harbor in the Great Salt Pond is one of the most popular yacht harbors in the northeast. New Harbor is a major economic asset not only for Block Island but for Rhode Island tourism generally. Uses can put stress on the pond's water quality and ecosystem with its potential for pollution from boats. Protecting the water quality of the Great Salt Pond, a critical natural and economic resource (see Great Salt Pond chapter), is a major priority of the Town.

The intention of the Town has been and continues to be that New Harbor be committed to recreational boating and limited ferry use (passenger only), as well as to commercial fishing, shell-fishing and aquaculture uses, but not to other commercial activities such as ferries carrying vehicles and freight, or boat manufacture and major repair. It is also the intention of the Town to control the level of recreational boating capacity in the pond by limiting mooring and significant dock expansion.

Concern over potential overdevelopment or inappropriate uses that could forever negatively impact this important natural and economic asset drives a significant amount of civic attention and volunteerism and, as such, appropriate public policies and protective measures should follow. Public policies affecting the Great Salt Pond and its watershed should be based on a long-term view, a clear understanding of the pond's ecosystem and the utilization of tools to forecast and evaluate environmental impacts. It is important that the Great Salt Pond be protected and managed in a way to prevent future harm while allowing for the current uses to continue.

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Submerged Aquatic Vegetation New Shoreham Harbor Management Plan

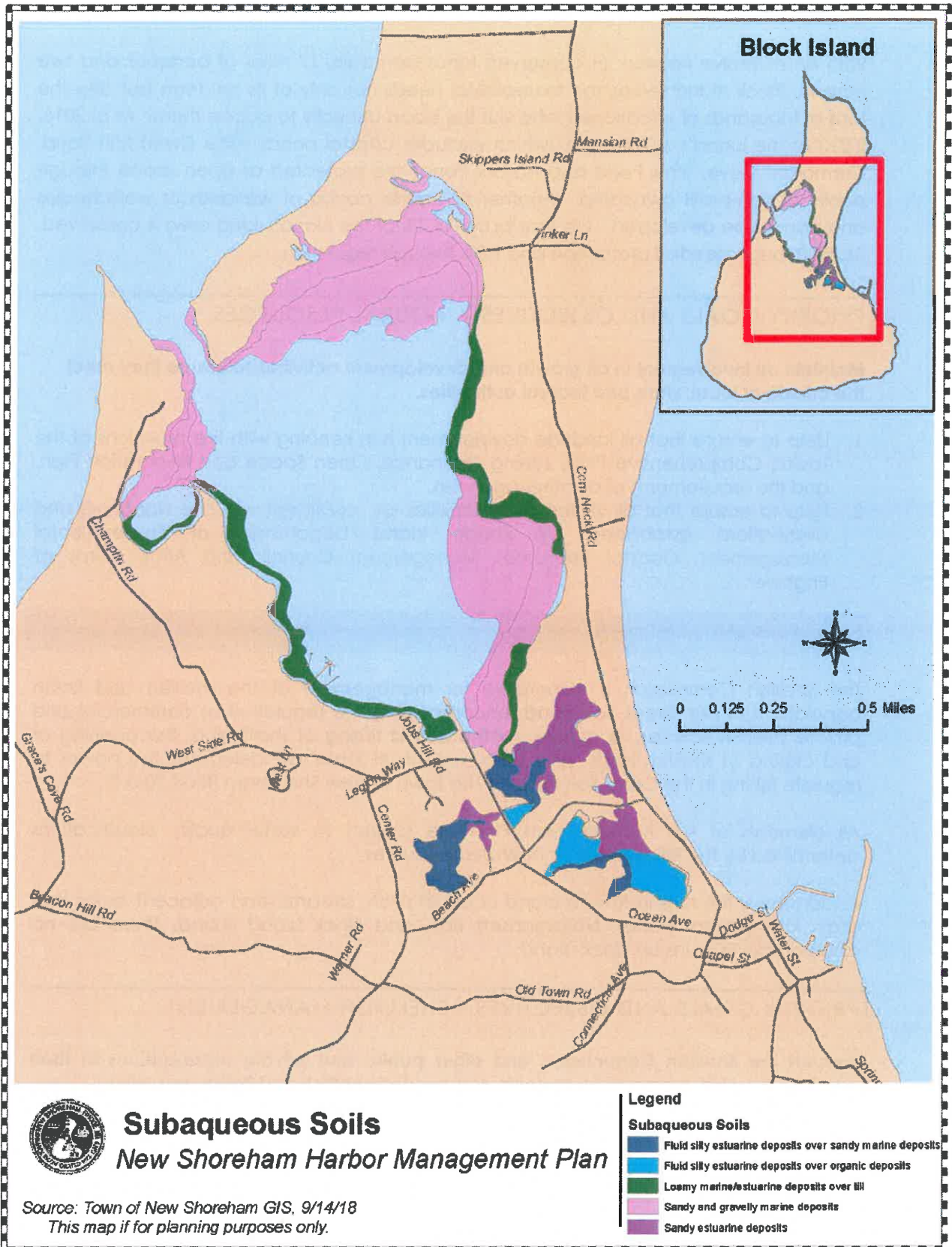
Source: Town of New Shoreham GIS, 8/13/18
This map is for planning purposes only.



Legend

- Submerged Aquatic Vegetation 2012

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RECREATION AND CONSERVATION AREAS

With an extensive network of conserved lands and trails, 17 miles of beaches and two harbors, Block Island serves the recreational needs not only of its residents but also the tens of thousands of vacationers who visit the island annually to access them. As of 2015, 2,210 of the island's 6,076 acres (which excludes coastal ponds – the Great Salt Pond, Cormorant Cove, Trims Pond and Harbor Pond) are protected as open space through public or non-profit ownership. Another 597 acres consist of wetlands or waterbodies and cannot be developed. On that basis, 46.2% of the island's land area is conserved, 36.4% through deeded protection and 9.8% through regulation.

PRIORITY GOALS AND OBJECTIVES – NATURAL RESOURCES

Maintain an involvement in all growth and development activities to ensure they meet the criteria of local, state and federal authorities.

1. Help to ensure that all landside development is in keeping with the provisions of the Town's Comprehensive Plan, Zoning Ordinance, Open Space and Recreation Plan, and the requirements of all other agencies.
2. Help to ensure that all waterborne activities are consistent with the standards and delineations established by Rhode Island Department of Environmental Management, Coastal Resources Management Council, and Army Corps of Engineer.

SHELLFISH MANAGEMENT AREAS

The Shellfish Commission is responsible for management of the shellfish and finfish populations in the Great Salt Pond, encompassing the regulation of commercial and private shellfish licenses, quantities, methods and timing of shellfishing, the opening of and closing of shellfish beds, and enforcement. RI State law delegates the power to regulate fishing in the Great Salt Pond to the Town of New Shoreham (RIGL 20-3-7).

All elements of this Management Plan are subject to water quality classifications determined by the RIDEM Division of Water Resources.

Anadromous fish runs in Rhode Island occur in rivers, streams, and adjacent areas that drain into coastal ponds, Narragansett Bay, and Block Island Sound. There are no anadromous fish runs on Block Island.

PRIORITY GOALS AND OBJECTIVES – SHELLFISH MANAGEMENT

Support the Shellfish Commission and other public and private organizations in their efforts to develop aquaculture projects and expand shellfish and finfish resources. Ensure and enhance the health of the shellfish and finfish populations in the Great Salt Pond.

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1. Help establish resource enhancement techniques (transplanting, seeding) to alleviate pressure on natural stocks.
2. Provide greater opportunities for commercial and recreational shellfishing and aquaculture.
3. Protect finfish spawning habitat and nesting and feeding habitat areas for birds.
4. Develop and maintain adequate aquaculture, shellfish and finfish enforcement program.
5. Look beyond current aquaculture practices through creativity and innovation to support the aquaculture industry on Block Island.

2022 SHELLFISHING CLOSURE DATES AND CLOSURE AREA DESCRIPTIONS FOR BLOCK ISLAND

Closure A: **Sunset of May 29 – Sunset of June 24**

In effect at sunrise of the Saturday immediately prior to Memorial Day through sunrise of the last Saturday in June - the waters of Great Salt Pond south of a line from the northern most extremity of Cormorant Point to the western most extremity of Harris Point including all waters of Trims Pond and Harbor Pond (Closure Area 1).

Closure B: **Sunset of June 24 – Sunset of September 19**

In effect at sunrise of the last Saturday in June through sunrise of the third Monday in September - all waters of Great Salt Pond, south of a line from the northern most extremity of Cormorant Point to the northern most landward dock located at the Block Island Club, including all waters of Trims Pond and Harbor Pond (Closure Area 1 & 2).

Closure C: **Sunset of September 19 – Sunset of October 10**

In effect at sunrise of the third Monday in September through sunrise of the Tuesday immediately following Columbus Day - the waters of Great Salt Pond south of a line from the northern most extremity of Cormorant Point to the western most extremity of Harris Point, including all waters of Trims Pond and Harbor Pond (Closure Area 1).

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RECREATIONAL BOATING

The majority of recreational boating activity takes place at New Harbor (Great Salt Pond), with services and boat slips provided by commercial marinas. The Town has 90 rental moorings in the Great Salt Pond. In addition to the town-owned moorings, and commercial slips there are 290 private, permit moorings. There is also a large anchorage area in the eastern portion of the pond.

Old Harbor provides a small anchorage area to the west of the ferry docking area, a town-operated marina with two docks providing 80 slips, and one private marina. Some of the slips at the town-owned Old Harbor Dock are leased to commercial fishing and charter boat operators, but most are available for public use by transient boaters.



Block Island has a number of private companies offering water-related recreational services. These include sailing and fishing charters, as well as parasailing, kayaking and canoeing tours and rentals, and surf and paddle board lessons and rentals.

PRIORITY GOALS AND OBJECTIVES – RECREATIONAL BOATING

Improve public access and facilities.

1. Continue to develop and expand Town-owned facilities for visiting boaters in response to their comments. Including but not limited to public bathroom and shower facilities, dingy dockage, boat ramps, garbage disposal, and pump out facilities.

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MARINAS AND WHARVES

Block Island features two harbors, Old Harbor and New Harbor / Great Salt Pond. Old Harbor accommodates ferry docks, a private marina, and limited dockage, mooring and anchorage for personal watercraft at town-owned docks and anchoring field. The large majority of private vessels arriving to Block Island anchor in the Great Salt Pond or dock at one of the private marinas in New Harbor. The Great Salt Pond can support up to approximately 2,000 recreational boats, which includes both dockage and mooring space.

Below is a summary of marinas and wharves on Block Island.

Marina/Wharf	Location	Number of Slips
Harbor Road Yacht Basin	Hog Pen	23 non-transient
Payne's Fort Island Marina	Hog Pen	17
Payne's Hog Pen Marina	Hog Pen	12
BI Maritime Institute	Hog Pen	12 non-transient
Payne's New Harbor Dock	End of Ocean Avenue	150
New Harbor Boat Basin	West Side Road	80
Champlins Marina & Resort	West Side Road	250
TOTAL	NEW HARBOR	544
Ballards Marina	Old Harbor	8
Old Harbor Dock	Old Harbor	80
TOTAL	OLD HARBOR	88
TOTAL	BLOCK ISLAND	632

BOAT YARDS

Harbor Road Yacht Basin, Ocean Ave
Features: Marine fork lift– boats up to 27 ft. with limitations

COMMERCIAL FISHING FACILITIES

Old Harbor Dock, West Dock Old Harbor, 9 slips

CHARTER FISHING FACILITIES

Old Harbor Dock, South Dock Old Harbor, 6 slips

BOARDWALKS

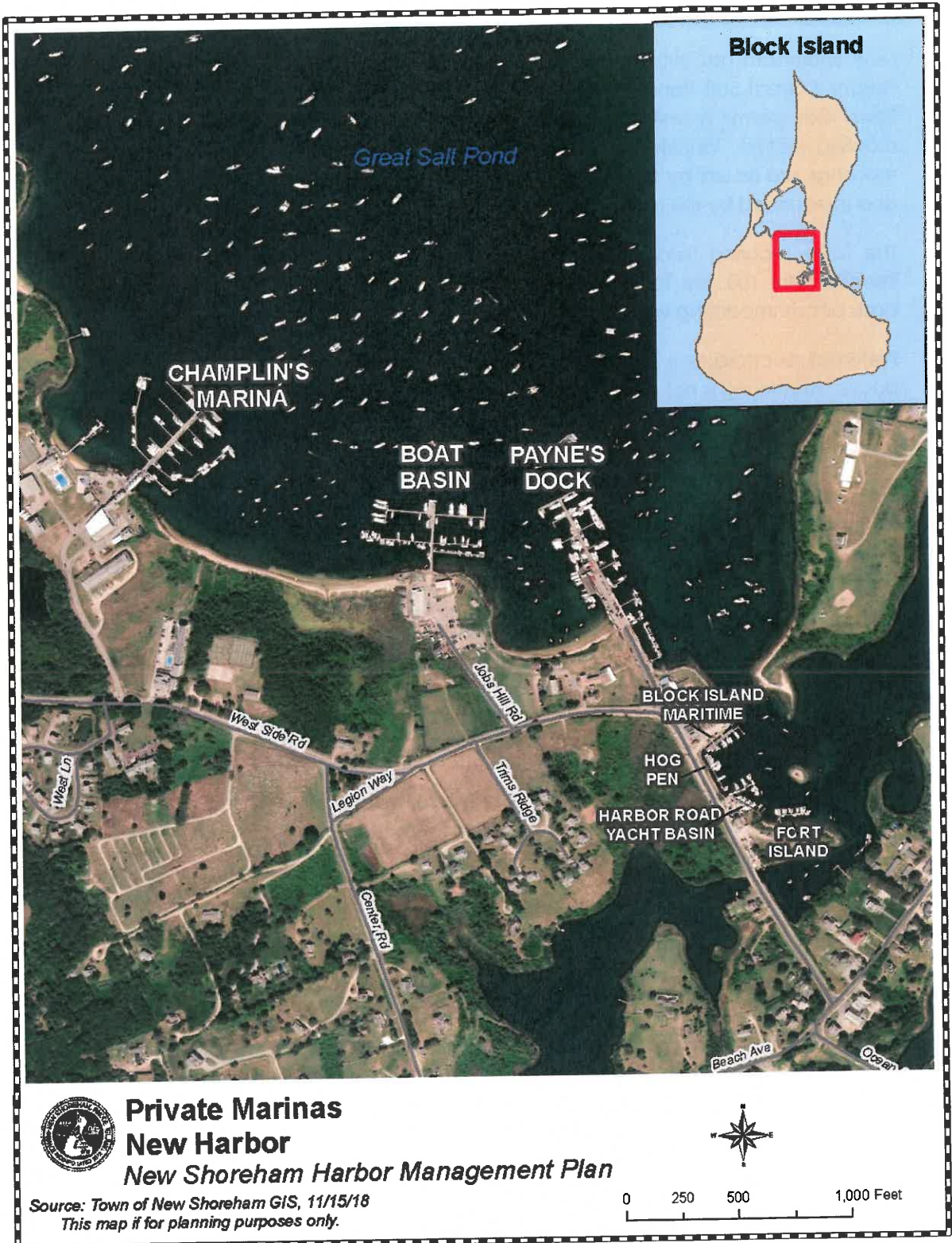
Beach access boardwalk, Corn Neck Road

LAUNCH RAMPS

Indian Head Neck right-of-way between Dead Eye Dicks Restaurant and BI Maritime Institute – Ocean Ave.



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MOORING AREAS AND ANCHORAGE

New Shoreham has 290 moorings assigned to residents and non-residents, 280 in New Harbor / Great Salt Pond and 10 in Old Harbor. Because the number of moorings the Town may permit is limited, moorings become available to the next applicant on the mooring wait list. Vessels that utilize these moorings vary in size and length. All permits for moorings are issued by the Harbormaster, however all mooring gear is privately owned and maintained by the permit holder.

The Town mooring field is located in the south west corner of the Great Salt Pond. Permitted for 100, the Town has 90 rental moorings. They are on a first come first serve basis accommodating vessels up to 55 feet.

Preferred anchorage is east of the main navigation channel. It is clearly marked by buoys. Anchoring is not permitted on the west side of the Great Salt Pond because there is a water line running from Champlin's Marina to the Coast Guard Station.

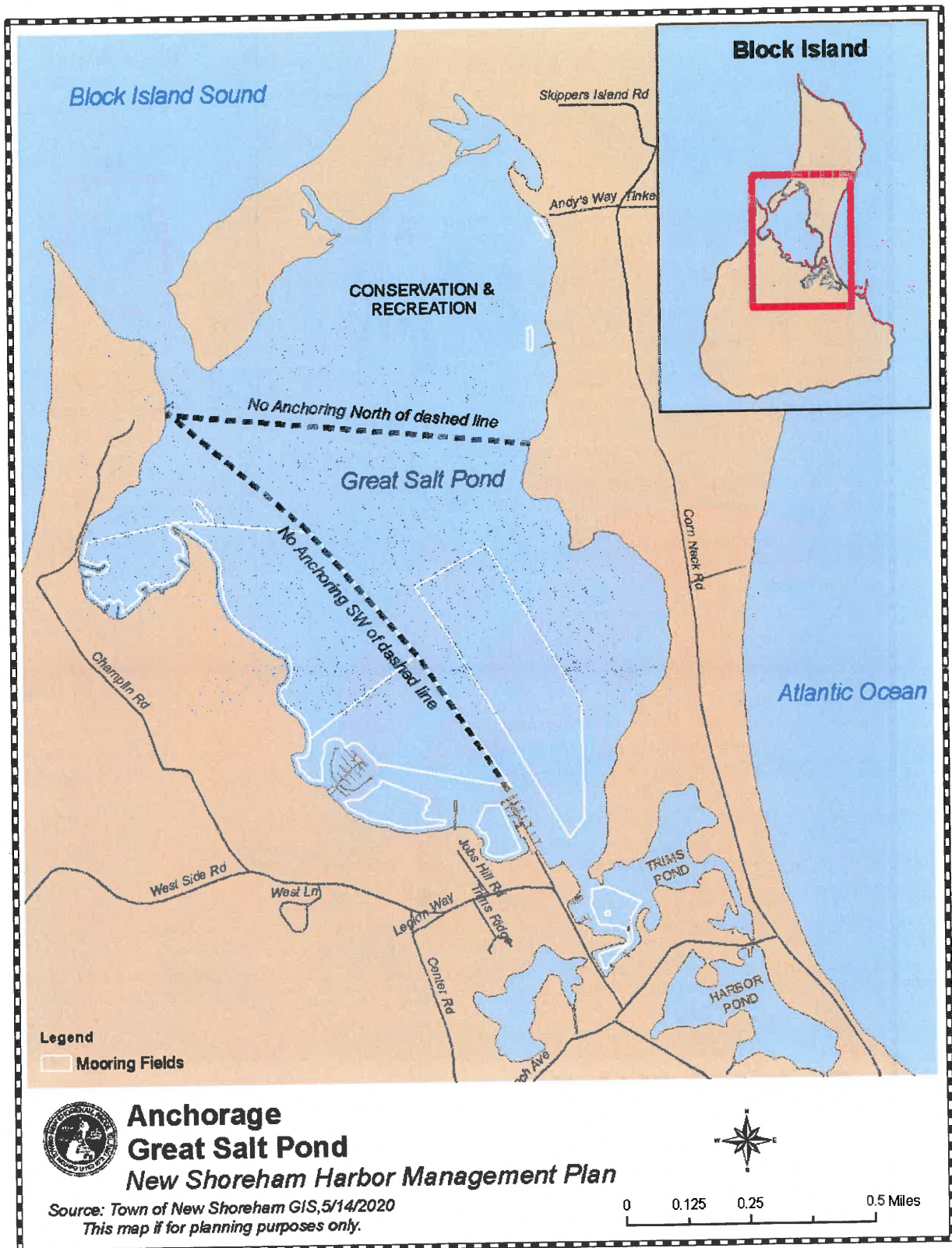
COUNT OF CURRENT MOORINGS

Mooring Field	Count
A	115
B	9
C	18
D/E	90 TOWN RENTAL MOORINGS, 7 Emergency Moorings (100 allowed)
F	14
G/H/I	7
J	13
Old Harbor	8 (10 allowed)

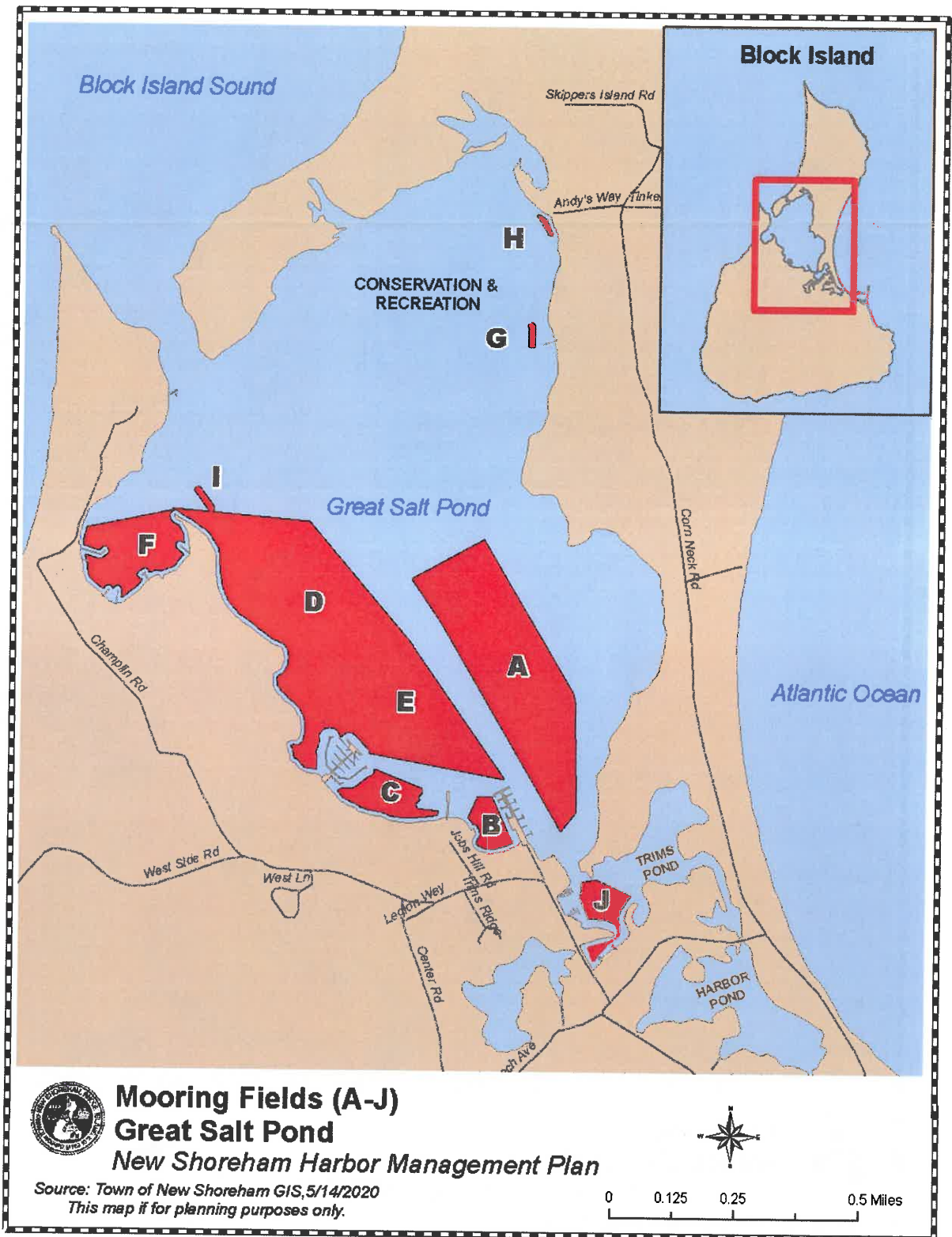
Mooring fields G, H, and I were placed in Type 1 waters prior to the GSP reclassification date. No live aboard vessels are permitted in these mooring fields.

Appendix B contains a table with Town mooring field coordinates and detailed boundary descriptions of mooring fields.

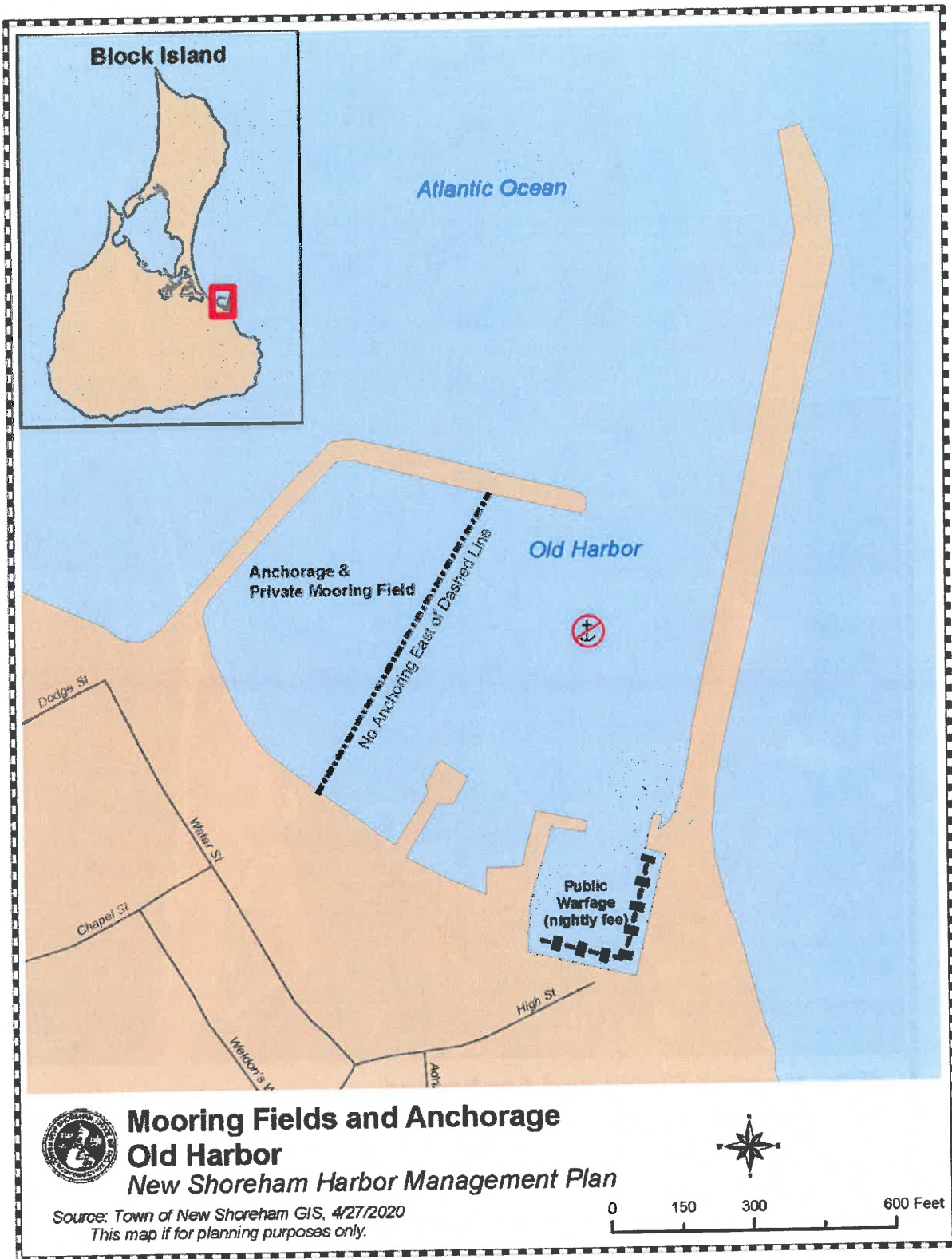
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3.0 REGULATIONS



WATER QUALITY

Preserving water quality in the harbors is one of the Harbor Department's fundamental responsibilities. From June to September, the Harbors Department conducts water testing for coliform twice a week and field testing for RI Department of Environmental Management (RIDEM) once a month year round.

Water quality of the salt ponds is impacted by nutrients and other pollutants entering the ponds through both groundwater and surface water run-off. These pollutants originate from a variety of sources associated with development and use of land around the ponds, including on-site wastewater treatment systems (OWTS), fertilizer use, storm water runoff and animal waste. Excess nutrients promote algae and plant growth, which in turn depletes the water of oxygen when they decay, a condition known as eutrophication.

There are a multitude of state and local programs and regulations that serve to protect the water quality of the Great Salt Pond. Foremost among these are RIDEM regulations

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that require Nitrogen-reducing OWTS in delineated Salt Ponds Critical Resource Area (the watershed).

It is also important to note that Rhode Island is a "no-discharge" state, prohibiting direct discharge of sewage into state waters and requiring all vessels that have marine sanitation devices capable of discharging sewage overboard have all means of intentional or accidental discharge closed and locked when operating or mooring in state waters.

The Town of New Shoreham has an active and successful pumpout program, consisting of 5 vessels servicing both Old Harbor and New Harbor, all vessels in anchorage, at moorings and at all marinas.

The Town of New Shoreham pumpout program relies heavily on the RIDEM CVA grants. The operation runs 7am-7pm daily, Memorial Day through Columbus Day. The vessel assigned to manage Old Harbor has the holding capacity of 260 gallons. This vessel handles all the needs of the Town dock, Ballard's marina, and the anchorage of Old Harbor. The offload station is in the corner of the inner basin by the Dockmaster's office. The boat offloads right into the Town sewage line.

The four vessels in New Harbor have a total holding capacity of 1,220 gallons, with two vessels each having a 250 gallon capacity, one vessel with 300 gallon capacity, and one vessel with a 420 gallon capacity. The four vessels manage the needs of the entire harbor including the marinas, moorings and anchorage. The offload station is through a peristaltic pump located at Block Island Maritime Institute. Should that pump need servicing, there is the ability to offload directly into the sewage line below the Block Island Maritime Institute (BIMI) dock. In 2019 the Town implemented a usage fee of \$5.00/pumpout to each marina that utilizes the Town's service. They are billed at the end of the pumpout season. Based on the detailed log that is maintained by the Harbors Department, the pumpout for the 2021 boating season was 103,664 gallons.

PRIORITY GOALS AND OBJECTIVES – WATER QUALITY

Maintain the highest possible water quality standards.

1. Vigorously enforce the No Discharge regulations established by the EPA in May 1993 and August of 1998.
2. Continue to provide easily accessible holding tank pumpout service for boaters and ensure adequate service to all vessels. Marinas shall provide and maintain Town approved pumpout facilities conveniently available for all vessels at their facilities.

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3. Provide information to the boating public as to the value and importance of this program.
4. Provide regular monitoring and reporting of water quality parameter, including coliform levels, at different stations throughout the Pond.
5. Identify point sources of water pollution and initiate action by appropriate enforcement agencies.
6. Support and participate in a program for municipal disposal of waste oil and other hazardous materials.
7. Encourage marinas to develop and maintain marina facility operation and maintenance programs.
8. Restrict boating activities in significant shallow water habitats to decrease turbidity and physical destruction of such habitat.

PUBLIC ACCESS

Block Island's 17 miles of beaches provide endless water-based recreational opportunities and attract visitors from around the globe. In addition to the Town Beach, swimming is popular and accessible, at-your-own risk, at various locations around the island.

It is estimated that the town has over twenty-seven (27) public access to the shore locations including seven (7) CRMC designated right-of-ways to the shore. The Town Council established an informal working group, the Shoreline Access Working Group (SAWG), to inventory public right-of-ways and shoreline access points around the island. The group was tasked with assessing the condition and accessibility of each right-of-way and shoreline access point and to provide recommendations. Recommendations from their final report, which is included as an appendix in the Town's 2016 Comprehensive Plan, should be considered and incorporated into any future projects.

Specific policies and implementation actions of the Comprehensive Plan related to shoreline public access include:

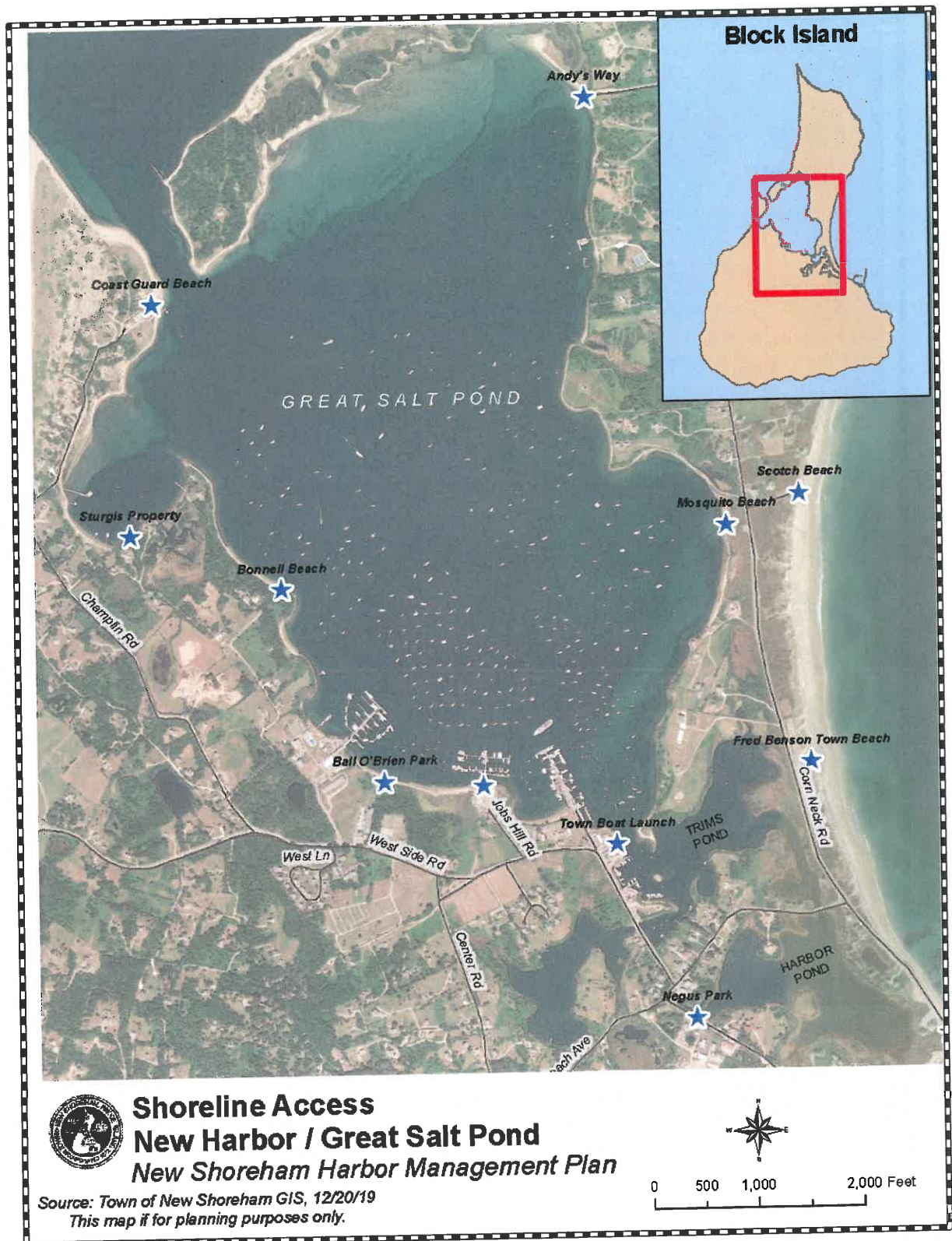
1. Maintain pedestrian trails including the greenway and right-of-ways to the shore so that they remain passable and have appropriate signage.
2. Inventory, document and map all public access points to the shoreline and freshwater bodies; publish and distribute a public waterfront access guide."

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3. Recognize and protect public right-of-ways to the shoreline of the Great Salt Pond.
4. Maintain an inventory of public right-of-ways to the shore and disseminate a map to residents and visitors.

See Appendix C for a complete list of shoreline public access rights-of-ways and Appendix D for Nautical Charts.

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PRIORITY GOALS AND OBJECTIVES – PUBLIC ACCESS

Increase inventory of public access opportunities to the shore, maintain existing public ROWs to the shore and provide quality public harbor facilities.

1. Maintain and inventory all rights of way to the shoreline and provide this information to the public and visiting boaters.
2. Continue to develop and expand Town-owned facilities for visiting boaters in response to their comments. Including but not limited to public bathroom and shower facilities, dingy dockage, boat ramps, garbage disposal, and pump out facilities.
3. Investigate paper streets, dedicated easements, drainage outfalls, and buried cables as potential CRMC ROWs.

HARBOR MANAGEMENT

OUTHAULS

Outhauls are permitted in the coastal waters and harbor areas of Block Island through permits issued by the Harbormaster. The Harbormaster, having due regard to draft and facility of navigation and the policies of the Coastal Resources Management Council (CRMC) program, shall determine the appropriateness of where outhauls shall be located or maintained.

Outhauls are only permitted to a contiguous waterfront property owner. One outhaul may be allowed per waterfront property. Outhauls are not permitted on properties which contain a recreational boating facility. The areas indicated Type 2 and Type 3 waters on the Great Salt Pond and Old Harbor are suitable areas for outhauls. Outhauls are not permitted in Type 1 waters. Live-a-boards are not permitted on vessels using an outhaul.

Procedures have been adopted to ensure that permits are only issued consistent with the RI Coastal Resources Management Program (RICRMP), including the provisions of section 1.3.1(R). These procedures acknowledge that the CRMC retains the authority to revoke any permits issues by the municipality if it finds that such permit conflicts with the RICRMP. From November 15 to April 15, when a vessel is not being secured by the outhaul device on an annual basis, the outhaul cabling system shall be removed.

Outhauls may be "grandfathered" in their current location upon annual Harbormaster documentation that such outhauls have been in continuous use at such location since 2004, and, the contiguous property owner(s) agree in writing to such; however, such "grandfathering" is extinguished when a recreational boating facility is approved at the location.

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MOORINGS AND ANCHORAGES

Mooring and anchoring is permitted on the Great Salt Pond and Old Harbor and is managed by the Harbors Department. The areas designated on the official maps may be amended or changed by the Town Council, by amendment of this article and by submission and assent by the CRMC and U.S. Army Corps of Engineers (USACOE) where applicable. The Harbormaster shall determine the exact location for individual moorings within these areas.

All mooring sites in the Great Salt Pond will be in either CRMC classified Type 2 or 3 waters, except replacement of those moorings which were placed in Type 1 waters prior to the Great Salt Pond reclassification date. All future moorings must utilize Type 2 or Type 3 waters.

Mooring placement shall not obstruct shellfish management areas, fishing grounds, recreation, and conservation areas. All reasonable effort shall be undertaken to ensure that mooring areas will not adversely affect fish/shellfish resources, wetlands, submerged aquatic vegetation, or other sensitive aquatic habitat.

It shall be ensured that the tides and currents aid in the flushing of all new and significantly expanding mooring areas

Mooring areas, moorings, and moored vessels shall not obstruct the use of fairways, channels, or shoreline facilities. Moorings granted by the permission of a federal agency shall be allocated according to the federal "Open to all on an equal basis" mooring allocation policy. Moorings permitted in a federal navigation project shall likewise be allocated according to the federal "Open to all on an equal basis" mooring allocation policy.

No private mooring shall be located in the coastal waters and harbor areas of the town until a permit has been issued for the use of such mooring by the Harbormaster. No private mooring shall be located nor maintained unless the mooring owner has received a valid mooring permit issued by the Harbormaster for the mooring and the mooring conforms to the specifications and standards set forth in this article and permit.

Waterfront mooring permits are available to residents with waterfront property (riparian rights). This does not include individual property owners who have deeded use of waterfront rights-of-ways. Mooring tackle owned by persons who own waterfront property are allowed to be placed in sufficient coastal waters of the Town in waters directly adjacent to their waterfront property as bounded by the seaward extension of that property's lateral lines. The property owner must comply with all mooring permit application requirements and receive a mooring permit from the Harbormaster as described herein. A holder of a waterfront mooring permit issued by the Harbormaster is authorized to moor any vessel they so choose, as long as the vessel is sea worthy, the

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location falls within the closest designated mooring field and the vessel does not exceed the maximum allowed vessel size of the mooring tackle as described herein.

PRIORITY GOALS AND OBJECTIVES – HARBOR MANAGEMENT

Maintain a program which protects the resources of the Great Salt Pond (New Harbor) and Old Harbor while supporting appropriate productive uses by both marine and land side interests.

1. Maintain a Harbors Committee whose members represent the different interests and constituencies involved in the use and protection of New Harbor and Old Harbor.
2. Continue to recruit qualified personnel and provide appropriate professional training for Harbors Department staff.
3. Continue to provide an adequate budget and financial controls in conjunction with the Six Year Capital Budget Program.
4. Develop and finance a planned maintenance and replacement program for facilities and equipment.
5. In cooperation with the U.S. Coast Guard and U.S. Army Corp of Engineers, maintain a plan, which fairly delineates areas for rental moorings, private moorings, anchorages, channels, fairways, and turning basins.
6. Conduct an annual survey to determine the competitiveness of our fees and charges with those of other popular destination harbors in the region.
7. Use this same survey to measure the opinions, favorable and unfavorable, that visiting boaters have regarding Block Island, together with an assessment of their likely expenditures while here. Use this to measure the economic contribution made by these visitors.
8. Maintain and establish reserve funds to improve facilities.
9. Maintain and execute an equitable program for the allocation and distribution of mooring permits to resident and non-resident alike in conformance with the R.I. Coastal Resources Management Program.
10. Provide an analysis of revenue sources and uses of funds. Use this to ensure that both costs and revenues are being fairly shared.

AQUACULTURE

HISTORY

Shellfish aquaculture is a growing industry in Rhode Island, with the large majority consisting of oysters, which are especially in demand as interest in locally grown and

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fresh food has surged. Oyster growing was once prevalent in Rhode Island waters, especially in the early part of the 20th century; at its peak around 1910, about 21,000 acres of Rhode Island's estuarine and coastal waters were leased for oyster farming. A decline was precipitated by oil and industrial pollution in Narragansett Bay as well as the Great Depression, and later due to the devastating impacts of the Hurricane of 1938 which destroyed much of the shellfishing infrastructure. The last oyster farm from that era closed in 1954.

There was renewed interest in oyster propagation starting in the 1970's, which included oyster leases in the local salt ponds. This was followed by legislation in 1996 which established the Coastal Resources Management Council as the permitting agency for all aquaculture projects in tidal waters. As of 2017, there were 73 aquaculture farms in Rhode Island, (predominantly oysters), nearly 296 acres under cultivation generating \$5.7 million in product.

REGULATION OF AQUACULTURE

The CRMC regulates the use of submerged state lands in the coastal zones. All aquaculture operations must first obtain a permit from CRMC which considers the type and viability of the operation, the location and size of the area to be leased, and the potential impacts, including on other existing and potential uses of the leased waters.

It is an established CRMC policy that only 5% of the total open water surface area of each coastal pond, as measured below mean low water, can be occupied by aquaculture. The 5% was a compromise limit established in 2009 as a result of the efforts of a large working group on aquaculture; it was intended to balance the often conflicting interests of regulators, academics, commercial oyster growers, wild harvest and recreational fishermen, and environmental advocates.

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CURRENT AQUACULTURE USES

There are currently nine approved aquaculture leases in the Great Salt Pond, totaling over ten acres (see map below). Six are located in the inner ponds, two are in the recreation area, and one is at the entrance to Cormorant Cove. Eight of the current leases are for shellfish, one is for kelp. The Town's current aquaculture lease permit must be signed by each participating aquaculturist and approved by the Town Manager.

In 2012, the Town of New Shoreham was granted the first aquaculture permit held by a municipal entity in Rhode Island by CRMC. The intent of this was to aid the Island aquaculture lease holders by providing them with an area that meets water quality standards set by State and Federal regulations for the purpose of storing stock for resale when their lease areas are conditionally closed.

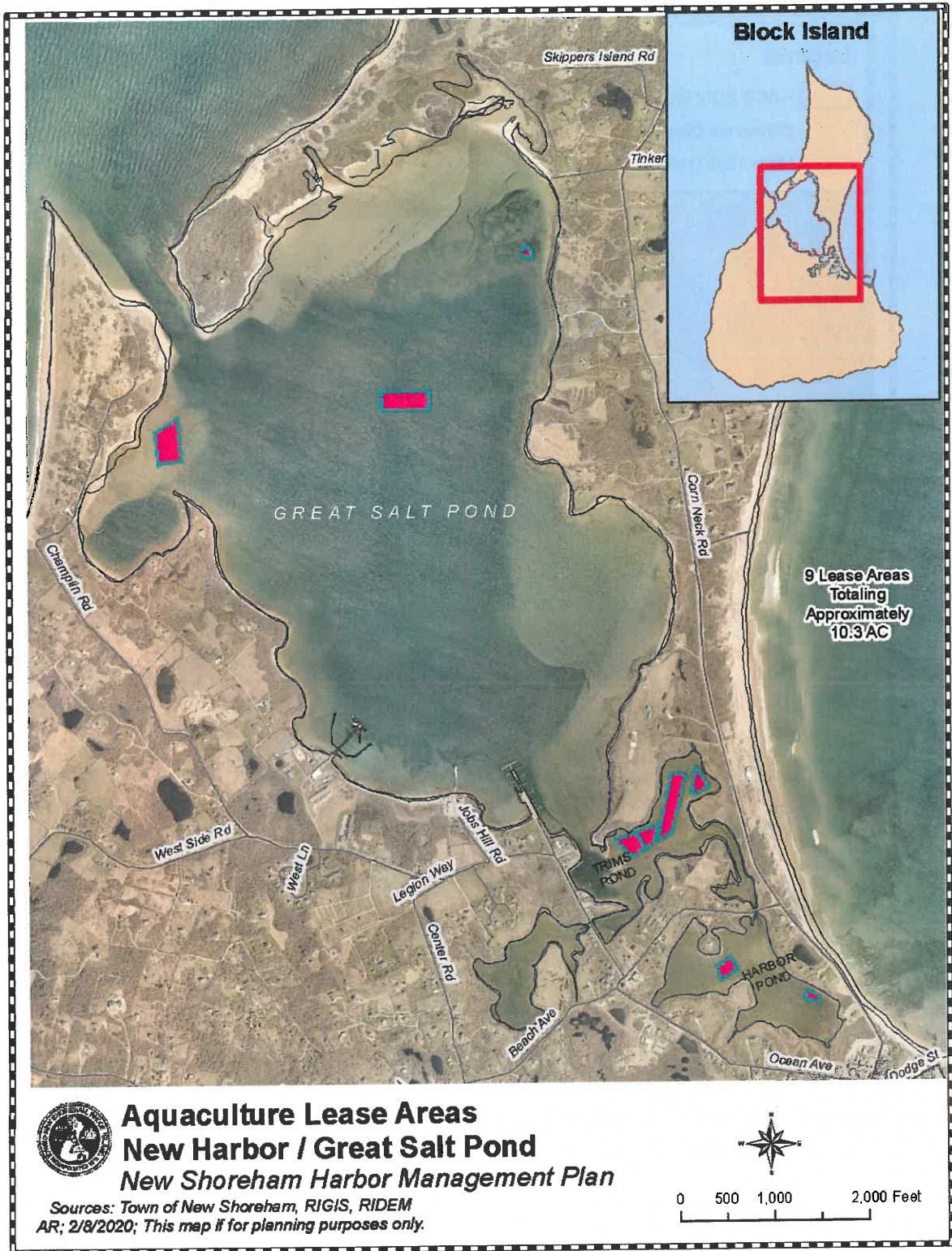
The NRCS Environmental Quality Incentives Program (EQIP) oyster reef restoration initiative is a voluntary conservation program that provides financial assistance to aquaculturists to help implement conservation practices that create oyster reefs to improve water quality and associated ecosystem services. In 2017, the Town applied for an assent with CRMC to create an oyster reef sanctuary in Cormorant Cove. The aquaculturists participating in the program are creating oyster reefs by placing seasoned cultch and seeding of juvenile oysters on the shell in the specified area. This 0.1 acre plot is closed to shellfish harvesting indefinitely and serves as a sanctuary for oyster propagation and growth (see map below).

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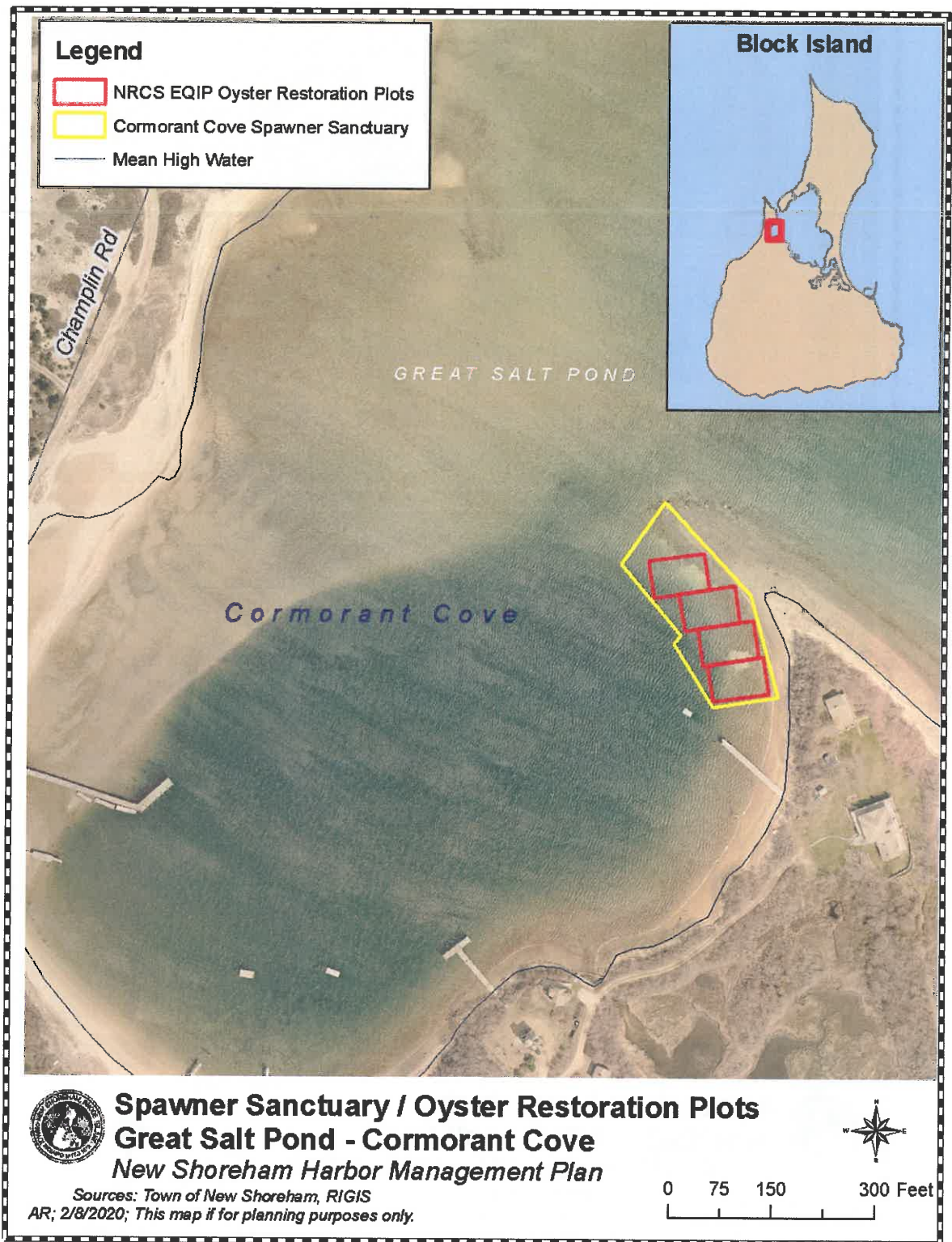
PRIORITY GOALS AND OBJECTIVES – AQUACULTURE

1. Work with all agencies and users groups to identify areas in the salt pond best suited for aquaculture, with consideration given to areas with available landside support, as well as impact on adjoining property owners and other users of the ponds.
2. Support the current CRMC Aquaculture Standard (Section 300.11 F.1n of the Red Book, as amended) establishing 5% of the total open water surface area of each salt pond as the maximum area to be occupied by aquaculture leases.
3. Increase the local distribution of notices of aquaculture applications to the CRMC.
4. Create a local monitoring program conducted by the Harbor Master to ensure compliance with lease permits and compatibility between aquaculture and all other uses of the salt pond, and expand monitoring activities as issues arise.
5. Work with agencies and non-profits to support non-commercial shellfishing, including efforts to enhance natural reproduction and encourage recreational harvesting.
6. Work cooperatively with aquaculture farmers on education of the public on shellfish cultivation and growing in the salt pond, on co-existence between the farmers and other pond users, and on management of the clean-up of aquaculture related and other debris in the pond and along the shore.

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PUBLIC MARINE FACILITIES

In the summer, boaters on Block Island represent a large seasonal community on the island resulting in the need for a significant amount of public services and facilities including but not limited to emergency response, utilities, and refuse collection. Currently, there are few on-shore public facilities to meet the basic needs for these visiting boaters. The greatest challenge will be identifying appropriate locations for new facilities conveniently sited for intended users.

COAST GUARD STATION, BLOCK ISLAND

In 1988, the U.S. Coast Guard ended year-round operations on Block Island and limited them to the summer months only. In 1996, the station's buildings and land were deeded to the Town. The buildings currently serve as housing for seasonal municipal employees including Police, Harbors and Recreation seasonal personnel, as well as, seasonal State Police and Coast Guard housing. The facilities also house the Harbors Department for operations and vessel docking and storage.

The Coast Guard Station campus consists of a complex of five buildings on the northwest shore of the Great Salt Pond, adjacent to the entrance channel to New Harbor. The five buildings include the Station House, Motor Pool Building, Chief's House and garage, and the Boat House. The site also includes a 150' fixed dock with a 35' x 10' floating dock. A public right-of-way (pedestrian only) to the beach on the entrance channel borders the north side of the motor pool and tennis court. It is the crown jewel of Block Island with sweeping views of the Great Salt Pond and Block Island Sound.



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NEW HARBOR DINGHY DOCK

The Town dinghy dock was generously donated by the Wronowski family in 2018. Landside, it is located on Ocean Avenue, adjacent to Payne's Dock. Waterside from the main channel, the dinghy dock is located just past Payne's Dock on your port side. It is operational from May to October with an operational capacity of about 100 dinghy vessels. The dinghy dock is in close proximity to public services including town water, restrooms, and trash collection.



NEW HARBOR HARBORMASTER OFFICE

While the Harbor Department office is located within Town Hall, the Department maintains a summer seasonal office located at the New Harbor Boat Basin from Memorial Day to Columbus Day. Daily operations with staff and shellfish license sales are run through the small shack near the Boat Basin marina.



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PUBLIC BOAT RAMP

The public boat ramp is located on Ocean Avenue between the Block Island Maritime Institute and the Dead Eye Dick's Restaurant. The reinforced concrete ramp serves boat launching seasonally. A public potable water station is located on pier piles on the water side of the ramp.

TOWN DOCK AT OLD HARBOR

The Town Dock at Old Harbor is a public facility used by commercial, charter, and transient pleasure vessels. The dock facility includes wharfage on the south dock (charter vessels), west dock (commercial vessels), and east dock (transient pleasure vessels).

Six (6) slips are provided for charter boats on the South dock. Charter vessels shall tie stern to the dock. The Harbormaster or Dockmaster will assign slips. Charter slips will only be issued for those vessels which are, and will be, actively engaged as charter boats during the year for which the slip is issued. Maximum length of charter boats shall be no more than 45 feet overall and 15 foot beam. Three (3) slips shall be designated for boats no more than 30 feet in length and three (3) slips designated for boats up to 45 feet. Dock area for each charter slip shall be kept clean and free of fish debris, scales, etc. No equipment shall be left on the dock overnight other than fish cleaning tables and fresh water hoses.

The use of the west dock is for vessels which are and will be actively engaged as commercial fishing, as regulated by Federal or State Regulations, during the year for which the permit is issued. The Harbormaster or Dockmaster will assign slips. Applicants for permits must be holders of a State or Federal Commercial Fishing License. Maximum length of commercial fishing vessels shall be 50 ft. The bait dock on the west dock shall be used by commercial fishing vessels only. The Harbormaster and or Dockmaster shall have the discretion to temporarily put non-commercial vessels on the bait dock when deemed necessary for safety.

The east dock is a public facility used by commercial, charter, and pleasure boats. No reservations are necessary. Space is assigned on a first come, first served basis at the discretion of the Dockmaster. Vessels should tie up on their starboard side, bow pointing north. Rafting is allowed, but appropriate fenders and lines must be provided. Raft to vessels of similar size and not to a larger vessel.

Shower and toilet facilities are available to the public in the Dockmaster's Building located adjacent to the south dock. Two (2) free shower tokens per day for mooring and wharfage customers issued upon showing a receipt. There is also a free outside shower along the west dock. See Appendix E for the Old Harbor Town Dock Policy.

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PRIORITY GOALS AND OBJECTIVES – PUBLIC MARINE FACILITIES

Improve public access and facilities.

1. Maintain and inventory all rights of way to the shoreline and provide this information to the public and visiting boaters.
2. Continue to develop and expand Town-owned facilities for visiting boaters in response to their comments. Including but not limited to public bathroom and shower facilities, dingy dockage, boat ramps, garbage disposal, and pump out facilities.

MARINE SAFETY

The Harbormaster has full authority to prescribe and enforce regulations and to give direction regarding overall harbor management and control of all vessels within the waters of the town, as authorized by state and federal marine laws and G.L. 1956, Title 46, Ch. 22.

All vessels anchored, berthed or moored in the waters of the town shall be properly documented and/or registered as required by law. Names and registration numbers shall be prominently displayed according to the regulations of the issuing agency. All vessels lying in the harbor not anchored according to directions of the Harbormaster, and posing a potential danger to any other vessel, or blocking any channel or hindering the movement of any other vessel and not having sufficient crew to move them, shall be moved by the Harbormaster or designated commercial towing service, and the expense thereof shall be paid by the owners or masters of such vessels.

The Harbormaster shall also have the authority to remove from any town-owned, operated or maintained public wharf in the designated harbors, any vessel not anchored, moored or wharfed according to their directions. The Harbormaster shall have the authority to control the use of public launch ramps including but not limited to size of vessels, time and period of use, size, type and number of vehicles, type of activity. The Harbormaster may also determine the extent of time and manner of accommodation respecting the position of vessels to each other, which shall be extended by the owners or masters thereof to each other and may require that such accommodation be extended.

The Harbormaster has authority to remove, or cause the removal of, moorings, outhauls, derelict vessels, and in the case of derelict docks only in consultation with the Coastal Resources Management Council.

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PRIORITY GOALS AND OBJECTIVES - MARINE SAFETY

Promote marine safety.

1. Maintain the Harbor Departments Marine Patrol as an enforcement presence in the Great Salt Pond.
2. Distribute safety information to visiting boaters, together with information about local rules and ordinances.
3. Encourage the Coast Guard Auxiliary to conduct courtesy inspections.
4. Promote a cooperative marine safety program with RI DEM and US Coast Guard.

STORM AND HAZARD PREPAREDNESS

STORM PREPAREDNESS

Severe storms and hurricanes have significant impacts to coastal communities such as Block Island. Hurricane season runs from about late-August to the end of November each year and on average, there are about 10 named storms annually. While hurricanes and severe storms are unpredictable, there are certain actions that must be taken to help ensure that coastal communities with harbors and ports can withstand severe weather.

The Town of New Shoreham has adopted a comprehensive harbor storm preparedness plan written in conformance with the guidance detailed in Guidelines for The Development of Municipal Harbor Management Plans, State of Rhode Island, by the Coastal Resources Management Council. Block Island harbors contain many of the physical attributes found in a typical harbor in Rhode Island. The plan includes storm preparedness features for Old Harbor and New Harbor / Great Salt Pond.

The Storm Preparedness Plan can be found in Appendix F.

OIL/GAS SPILL RESPONSE

Rhode Island, Long Island, and Block Island Sounds are used as transport routes for tankers and barges bound for New York, New Haven, Providence, Boston, and Portland. This use of Rhode Island waters raises that threat of a potentially damaging oil or gas spill.

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Block Island lies directly in the route of the transported goods and should be prepared in the event of a spill. One only has to look to the spill of the World Prodigy and the North Cape to realize how fragile our beaches, wetlands, and harbors are. Under different wind, weather and tidal conditions, these groundings could have devastated both our environment and tourism economy.

The objective of our preparedness is to facilitate a speedy and efficient local response to an oil or gas spill in or around Block Island waters especially those that threaten to impact the Great Salt Pond. When a spill occurs in Rhode Island navigable waters, the primary responsibility and liability for clean-up rests with the polluter.

The Town of New Shoreham has adopted a comprehensive oil and gas spill response plan written in conformance with the guidance detailed in Guidelines for The Development of Municipal Harbor Management Plans, State of Rhode Island, by the Coastal Resources Management Council.

The Oil/Gas Spill Response Plan can be found in Appendix G.

FLOOD ZONES

New Shoreham is also vulnerable to flood related hazards. The Block Island Hazard Mitigation Plan was adopted by the Town Council and approved by FEMA in 2017. In 2019, The Town of New Shoreham gained entrance to the NFIP's Community Rating System (CRS) program. Participation within this program demonstrates the Town's commitment to floodplain management, property protection and public safety and grants New Shoreham property owners a discount on their flood insurance premiums. Eligible activities that the Town undertakes and receives CRS credit includes, but is not limited to, local hazard mitigation planning, mapping, public information and outreach efforts, stormwater management, and open space preservation. As a Class 8 CRS community, New Shoreham policyholders in special flood hazard areas are eligible to receive a 10% discount on their flood insurance premium and policyholders in zones outside of special flood hazard areas are eligible to receive a 5% discount on their flood insurance premium. FEMA FIRM Flood Zone maps for Block Island are located in **Appendix H.**

TOWN ORDINANCES

The Town of New Shoreham Zoning Ordinance includes several sections that regulate land uses along the shoreline. The Coastal Zone (C Zone) comprises the Island's environmentally vulnerable coastal bluffs, dunes, and wetlands and the area landward one hundred (100) feet from such delineated coastal feature or mean high water as determined by the Coastal Resources Management Council (CRMC), whichever is more inclusive. The Waterfront Overlay (W Overlay) comprises the Island's saltwater harbors

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and ponds and the lands contiguous to them, which contain important ecological systems and archaeological sites and provide the basis for economic activity vital to the Island: facilities and services associated with recreational boating, commercial fishing, and marine transportation. See Appendix I for the complete language within Zoning Ordinance Sections 314, 318 and 415.

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4.0 HARBOR MANAGEMENT ORDINANCE



**NEW SHOREHAM GENERAL ORDINANCES
CHAPTER 9 MARINE ACTIVITIES, AREAS AND STRUCTURES
ARTICLE III. – HARBORS**

As adopted by the New Shoreham Town Council on November 17, 2021.

DIVISION 1. GENERALLY

Sec. 9-41. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adverse weather means any weather condition which could cause damage to vessels, impede the operation of vessels or pose a hazard to the operation of a vessel. Adverse weather includes, but is not limited to, tropical depressions, tropical storms and instances of adverse wind conditions.

Anchoring means to secure a vessel temporarily to the bottom of a water body by dropping an anchor from a vessel.

Assistants means any town harbor department employee or designee.

Boat includes ship, vessel, or any other type of watercraft or seaplane.

Channel includes any water areas that are federally maintained and reserved for unobstructed movement of vessels.

Charter vessel means any type of vessel used primarily for carrying passengers for hire.

Coastal waters means all waters bordering the town from the shore to a distance of 600 feet seaward not included in the designation "harbor waters."

Commercial vessel means any type of vessel used primarily for any type of commercial venture, including but not limited to fishing, towage, salvage and the carrying of passengers for hire.

Derelict dock means any dock which poses an immediate danger to navigation, the environment, or public or private property, or is deposited upon a beach, public right-of-way, or in state waters without authorization from the harbormaster, or pursuant to a permit issued by the coastal resources management council.

Derelict vessel means any of the following:

- (1) Any vessel not properly numbered, registered or documented, pursuant to the provisions of G.L. 1956, Title 46, Ch. 22, or pursuant to applicable federal or state law;
- (2) Any vessel which poses an immediate danger to navigation, the environment, or public or private property;
- (3) Any motorized vessel over 12 feet which has been left unattended on a beach or public right-of-way for 24 hours or more;

- (4) Any vessel which is left unattended in state waters for 72 hours, except for those vessels located in the designated mooring and/or anchorage areas in the Great Salt Pond/New Harbor during the period of May 1 through November 1;
- (5) Any vessel not in a location the harbormaster has designated for mooring or anchorage; during the period of May 1 through November 1, any vessel left on a mooring to which the vessel is not assigned will be deemed derelict;
- (6) Any vessel which is abandoned, forsaken, deserted or cast away by the owner; or
 - a. Any vessel which is disabled, drifting, sinking, or otherwise unfit to be in the waters, or which, in the opinion of the harbormaster, is unsound, unseaworthy, or unfit, the basis of which determination shall include but is not limited to a vessel which is:
 - b. Deteriorated, rotten, damaged, dismantled, or otherwise in a state of disrepair so as to admit water where designed to be watertight, or otherwise not seaworthy as it was originally designed and built;
 - c. Not capable of navigating under its own power; or
 - d. Not capable of being lawfully operated in the waters of the state.

Dinghy means a vessel with a maximum length of fourteen (14) feet and is a tender to a larger vessel that is moored or anchored in a town harbor or coastal water area.

Dinghy Dock means any float, floating dock, or permanent structure such as a pier, pile or wharf, which is designated for in-water, short-term dinghy tie-up.

Dock means any float, floating dock, or permanent structure such as a pier, pile or wharf, which is used for the purpose of securing or berthing an in-water vessel.

Dockmaster means the person charged with the overall management and control of the Old Harbor docks and anchorage and the collection of all fees established by the town council. The dockmaster reports directly to the harbormaster.

Fairway means the navigable portion of a body of water specifically designated for the ingress and egress of vessels within the harbor waters.

Floating business means a building constructed on a raft or hull that is represented as a place of business, including, but not limited to, waterborne hotels, restaurants, marinas or marina-related businesses.

Harbor means Old Harbor, inner and outer basin, and New Harbor which shall include Great Salt Pond, Cormorant Cove, Inner Harbor (Hog Pen), and Trims Pond, and shall also include the approaches and harbor entrances.

Harbor of refuge means a harbor offering a safe haven to private and commercial vessels and their operators during times of adverse weather. Rules, regulations and procedures for mooring and anchoring in a harbor of refuge shall be consistent with United States Army Corps of Engineers' policy of "open-to-all on equal terms."

Harbormaster means the harbormaster of the town as appointed by the town council and shall

refer to the appointed assistant or assistants where applicable. The harbormaster's authority shall include the enforcement of the provisions of the town harbor ordinances and any additional regulations subsequently required for the implementation of this harbor management plan.

Harbors committee means a committee appointed by the town council and charged with providing advice to the town council regarding the Old Harbor, Great Salt Pond, harbor facilities and areas.

Headway speed means the slowest possible speed, or no more than 5 miles per hour, that a vessel can be operated and maintain steerage way.

Houseboat means a building constructed on a raft, barge, or hull that is used primarily for single or multiple family habitation; use for transportation or recreation is secondary.

Live on board means persons intending to sleep on board a vessel for more than three consecutive days or more than six days in any given month shall be considered to have lived on board a vessel.

Moor means the securing of a vessel by anchoring, attachment to a mooring, rafting to another vessel, and/or tying to a pier, pile or wharf.

Mooring means a semi-permanent anchorage installation consisting of a heavy anchor or block, mooring buoy, and a pennant used for securing a vessel.

Mooring, Private means a mooring which is rented or leased to resident's and non-residents annually which is assigned to a vessel within a designated mooring area.

Mooring, Town (Transient) means a mooring which is rented or leased by the Harbormaster on a first-come, first-served basis for transient vessel use within the Town mooring area.

Mooring, Waterfront means a mooring held by a riparian property owner under a permit granted by the Town of New Shoreham which is located within sufficient coastal waters bordering that property as bounded by the seaward extension of that property's lateral lot lines.

Mooring, Yacht Club means a mooring which is rented or leased to a yacht club which is registered in the corporate, business or club name and used by members of said private yacht or boat club.

Mooring permit means a license granted by the town on an annual basis to place a mooring in the waters. This license may be revoked at any time for failure to comply with the provisions of this article.

Mooring permit, Private means a permit issued annually by the Harbormaster to residents and non-residents which is assigned to a vessel where the mooring tackle associated with the mooring permit is used by the mooring holder.

Mooring permit, Waterfront means a permit issued annually by the Harbormaster to a riparian

property owner which is assigned to a vessel where the mooring tackle associated with the mooring permit is used by the permit holder. Mooring permit, Yacht Club means a permit issued annually by the Harbormaster to a yacht club which is assigned to vessels where the mooring tackle associated with the mooring permit is used by the permit holder.

Mooring space means the water space assigned to a permit holder by the Harbormaster where the mooring tackle associated with the mooring permit is placed.

Mooring tackle means the hardware used to secure a vessel at a mooring and which is kept in place seasonally or semi-permanently.

Non-displacement craft; means vessels that are supported by the dynamic lift of hydrofoils or other lifting surfaces such as planning hulls.

Official government vessel means any vessel registered to a local, state or federal governmental entity and utilized by official government personnel.

Old Harbor (Harbor of Refuge) means the waters of Old Harbor inside the granite breakwater as designated on NOAA nautical charts and as designated by the U.S. Army Corps of Engineers.

Outhaul means a recreational boating facility that consist of an anchoring device, for the purpose of securing a boat in tidal waters and retrieving it from shore.

Outhaul permit means a license issued by the town, on authority granted by CRMC, on annual basis to locate or maintain an outhaul(s).

Person includes individuals, corporations, societies, associations and partnerships.

Personal watercraft means a vessel which uses an inboard motor powering a water jet pump as its primary source of motive power and which is designed to be operated by a person sitting, standing, or kneeling on the vessel, rather than the conventional method of sitting or standing inside the vessel.

Recreational boating facilities includes outhauls, marinas, launching ramps, residential boating facilities, recreational wharves, piers and slips, floats or floating docks, and recreational mooring areas.

Recreational vessel means any vessel designed for navigation on the water and used primarily for pleasure.

Registered owner means the person owning the vessel assigned to a mooring permit at the time of issue.

Resident means any real property taxpayer of the town or a resident as defined in Section 2-2.

Right of way means unobstructed path, corridor or access way from land to shore leading to or along the coastal waters and shoreline areas below the high water mark.

Seaplane means aircraft equipped for landing and taking off on the water.

Sufficient Coastal Waters means locations having adequate water depth and barrier-free access for the purpose of mooring vessels.

Transient vessel means any vessel which seeks to moor and/or anchor in, on a temporary basis.

Type 1 waters means those areas indicated as "type 1" waters on the maps of the Great Salt Pond and the Old Harbor as designated by the Rhode Island Coastal Resource Management Council.

Unattended vessel means any vessel whose operator, captain, crew, or owner is not made available to the vessel or town harbors department personnel.

User fee means the fee established and charged on a daily basis for use of a harbor of refuge.

Vessel includes every description of watercraft, including non-displacement craft and seaplanes, used or capable of being used as a means of transportation on water.

Waters of the town means water area over which the town hereby asserts jurisdiction are classified as follows:

(1) *Harbor waters.*

- a. Mooring zones. Those areas primarily designated for placement of moorings.
- b. Transient anchorage zone. Those areas designated for the short-term use of vessels and seaplanes and any vessels seeking emergency shelter.
- c. No anchoring zone. Those waters exclusively designed for the protection of water quality, recreation, shell fishing, wildlife and plant habitat values. Transient anchorage and moorings are prohibited.
- d. Navigational channel. That area specifically designated for the navigational ingress and egress of vessels and seaplanes to the harbor waters.

(2) *Areas under jurisdiction.*

- a. All waters surrounding the island out to a distance of 600 feet from the mean high water line for the purpose of implementing the provisions of G.L. 1956, § 46-4-6.10.
- b. Harbors. The Old Harbor, inner basin, within the confines of the sandstone breakwater, and outer basin, within the confines of the granite breakwater; Great Salt Pond, which shall include Cormorant Cove, Inner Harbor (Hog Pen), Trim's Pond and Harbor Pond, shall also include the approaches and harbor entrance.
- c. New Harbor closure line. All harbor water enclosed within the bounds of a straight line across the northerly extension of the New Harbor breakwaters, and based upon the physical configuration of the harbor in 1989.

Sec. 9-42. - Legislative findings.

It is the purpose of this article to promote the public health, safety and welfare by regulating and controlling the use of the harbors and harbor facilities in the town in accordance to G.L. 1956, § 46-4-6.10, and to establish the authority and duties of the harbormaster and harbormaster assistants.

DIVISION 2. - HARBORS COMMITTEE

Sec. 9-56.-Appointed; duties.

The harbors committee shall be appointed by the town council and shall be charged with the overseeing the Old Harbor, New Harbor and harbor facilities and areas.

Secs. 9-57-9-70. - Reserved.

DIVISION 3. - HARBORMASTER

Sec. 9-71. - Powers and duties of the harbormaster and assistants.

- (a) The harbormaster and assistant harbormasters shall have full power and authority to prescribe and enforce regulations and to give direction regarding anchorage, management and control of all vessels as authorized by state and federal marine laws and G.L. 1956, title 46, ch.22.
- (b) All vessels anchored, berthed or moored in shall be properly documented and/or registered as required by law. Names and registration numbers shall be prominently displayed according to the regulations of the issuing agency.
- (c) All vessels lying in the harbor not anchored according to directions of the harbormaster or assistants, and posing a potential danger to any other vessel, or blocking any channel or hindering the movement of any other vessel and not having sufficient crew to move them, shall be moved by the harbormaster, assistants, or designated commercial towing service, and the expense thereof shall be paid by the owners or masters of such vessels.
- (d) The harbormaster or assistants at the direction of the harbormaster shall also have the authority to remove from any town-owned, -operated or -maintained public wharf in the designated harbors, any vessel not anchored, moored or wharfed according to their directions. The harbormaster shall have the authority to control the use of public launch ramps including but not limited to size of vessels, time and period of use, size, type and number of vehicles, type of activity. The harbormaster or assistants may also determine the extent of time and manner of accommodation respecting the position of vessels to each other, which shall be extended by the owners or masters thereof to each other and may require that such accommodation be extended.
- (e) The harbormaster and assistants at the direction of the harbormaster are authorized to board and seal the marine sanitation device discharge valves on any vessel within the harbors, to place dye tablets in the holding tank of any vessel within the harbors and to randomly inspect the head and holding tank of any vessel within the harbors, as authorized by G.L. 1956, §§ 46-12-39, 46-12-40, and 46-12-41.
- (f) It is hereby ordained that the harbormaster or assistants at the direction of the harbormaster shall have the power and authority to represent the town as its agent, whereby they may execute any and all mooring, outhaul, dockage and wharfage, permits, assignments and notices, excluding any contract agreements which bind the town. The harbormaster or assistants shall transfer any and all monies and accounting to the town treasurer.
- (g) The harbormaster or assistants at the direction of the harbormaster may remove, or cause the

removal of, moorings, outhauls, derelict vessels, and in the case of derelict docks only in consultation with the Coastal Resources Management Council.

- (h) The town council shall establish all fees to be charged for the harbors department.
- (i) Annually, the harbors department will submit a report to the town manager, who in turn will submit said report to the coastal resources management council with the following Information:
 - (1) Total number of mooring permits granted.
 - (2) Total number of commercial, private and waterfront – mooring permits granted.
 - (3) Total number of outhaul permits granted.
 - (4) Total number of grandfathered outhaul permits granted, as provided for in section 9-82(9)
 - (5) Summary of the total vessel characteristics (length, motor or sail, MSD) from permit applications.
- (j) In the absence of a port authority, the harbormaster is the liaison between ferry companies, operating in the harbors of Block Island, and the town.

Sec. 9-72. - Conservation commission.

Pursuant to G.L. 1956, § 45-51-3, the powers and duties of the Block Island conservation commission extend to the harbors of Block Island.

Secs. 9-73-9-81. - Reserved.

DIVISION 4. - REGULATIONS

Sec. 9-82. - Procedures for outhauls.

- (a) Before any outhaul is located or maintained in the coastal waters and harbor areas of the town, a permit must be issued by the harbormaster or assistants at the harbormaster's direction. The harbormaster and assistants, having due regard to draft and facility of navigation and the policies of the Coastal Resources Management Council (CRMC) program-section 1.3,1(D)OOM, shall designate where outhauls shall be located or maintained. The town council shall establish the fee to be paid for the permits to be issued by the harbormaster or assistants at the harbormasters direction for outhauls.
- (b) Such permits shall be issued by the harbormaster or assistants at the harbormaster's direction on an annual basis and shall be valid from May 1 to April 30 of the following year.
- (c) Except as provided below, an outhaul to be permitted to the contiguous waterfront property owner.
 - (1) One (1) outhauls may be allowed per waterfront property.
 - (2) Outhauls are not permitted on properties which contain a recreational boating facility.
 - (3) Outhauls are not permitted in type 1 waters.
 - (4) Live on-boards are not permitted on vessels using an outhaul.

- (5) Procedures have been adopted to ensure that permits are only issued consistent with the RI Coastal Resources Management Program (RICRMP), including the provisions of section 1.3.1(R).
- (6) Procedures acknowledge that the CRMC retains the authority to revoke any permits issued by the municipality if it finds that such permit conflicts with the RICRMP.
- (7) From November 15 to April 15, when a vessel is not being secured by the outhaul device on an annual basis, the outhaul cabling system shall be removed.
- (8) Outhauls may be grandfathered in their current location upon annual harbormaster documentation that such outhauls have been in continuous use at such location since 2004, and, the contiguous property owner(s) agree in writing to such; however, such grandfathering is extinguished when a recreational boating facility is approved at the location.

Sec. 9-83. - Outhaul application and permit process

- (a) No outhaul shall be located in the coastal waters and harbor areas of the town until a permit has been issued for the use of such outhaul by the harbormaster or assistants. No outhaul shall be located nor shall be maintained unless the outhaul owner has received a valid outhaul permit issued by the harbormaster or assistants for the outhaul and that the outhaul conforms to the specifications and standards set forth in this article and permit.
- (b) Request for new outhaul permit.
 - (1) To be eligible for a new outhaul permit, an applicant must own a vessel and must be the owner of record of the waterfront property for which an outhaul permit is being sought. All requests for a new outhaul permit shall be submitted to the harbors division on the forms provided by the harbors division by March 14 of each year. Outhaul permit applications are available at the harbors division office. An application shall be accompanied by the appropriate fee and shall be received by March 14 in the office of the harbors division. A complete and accurate outhaul permit application must be provided before the harbor division can act to approve or deny such application. The harbors division shall determine if a new outhaul permit can be issued only after the provisions of the harbor management plan and this article are satisfied.
 - (2) If the harbors division issues an outhaul permit, the outhaul owner for which the permit has been issued must locate the outhaul at the direction of the harbormaster or assistant at the harbormaster's direction in accordance with the harbor management plan and this article.
- (c) Permit renewals.
 - (1) Applications for renewal of a valid outhaul permit shall be submitted to the harbors division on the application forms provided by the harbors division by March 14 of each year. An application shall be accompanied by the appropriate fee and shall be received by March 14 in the office of the harbors division. Failure to submit a complete and accurate application by March 14 shall result in the loss of the outhaul permit.
 - (2) The harbors division shall forward the application forms by February 1 of each year to those persons who held valid outhaul permits at the end of the previous calendar year, to the address listed on their last outhaul permit. It shall be the responsibility of the outhaul permit holder to notify the harbors division of any change in address.

(3) The harbors division shall provide notice of permit application approval by May 1.

(d) Relocation of existing permitted outhaul.

All requests for relocation of existing permitted outhauls must be submitted to the harbors division. Information for such requests must meet the requirements listed for an outhaul application, as well as show proof of valid outhaul permit issued for the previous year. The reason for outhaul relocation must also accompany the request. Based on availability of space, the requirements of this article, and the type and size characteristics of vessel, action will be taken on the request.

(e) Failure to renew an existing valid outhaul permit.

Failure to renew an existing valid outhaul permit in accordance with the provisions of this article by March 14 of any given year shall result in the permitted owner's abandonment of all his/her privileges and interests in the previously permitted outhaul. The harbormaster may remove the now abandoned outhaul, at the permitted owner's expense. Such expenses may in turn be recovered by the town, in accordance with any provision of this article.

(f) Forfeiture of outhaul.

Any owner of an outhaul located in the coastal waters and harbors areas of the town shall be deemed to have forfeited his/her outhaul by reason of any of the following:

- (1) Failure to comply with any of the requirements of this article;
- (2) Removal of the outhaul by outhaul owner and notification to the harbors division that the outhaul has been removed;
- (3) Failure to respond to the harbors division notice that the outhaul does not comply with the outhaul standards set forth in this article, or that the outhaul has been displaced or moved from its permitted location;
- (4) Failure to resurface or replace an outhaul within 30 days after being advised by the harbormaster that the outhaul is down.

(g) Outhaul permit application requirements.

All applications for outhaul permits shall contain the following information:

- (1) Name, address and telephone (home and office) of owner;
- (2) Plat and lot number of the waterfront property for which an outhaul permit is being sought;
- (3) Map depicting the lot, and the location of the outhaul in relation to the waterfront property;
- (4) Vessel name, registration number, length (feet), width (feet), draft (feet), type, and color;
- (5) Number of sleeping berths, if any, and type of marine sanitation device (MSD),
- (6) if any;
- (7) Appropriate registration fee.

(h) Outhaul records.

The harbors division shall keep a detailed record of all outhauls, their location, along with the

owner's name, home (and business, if applicable) address, telephone number(s), outhaul permit number, date outhaul was set, last outhaul inspection date, and vessel data as detailed above.

- (1) No outhaul permit will be issued without proof of the owner's current vessel registration and/or documentation and/or proof of annual inspection of outhaul by a qualified inspector.
 - (2) No outhaul permit will be issued without proof of the applicant's documentation and/or proof of ownership of waterfront property.
- (i) Outhaul inspections.
The harbormaster shall develop and set standards for installing, maintaining, and inspecting outhauls.

Sec. 9-84. - Outhaul areas in Great Salt Pond and Old Harbor

The areas indicated Type 2 and Type 3 waters on the maps of the Great Salt Pond and Old Harbor attached to the ordinance from which this section is derived and made a part of this article, are suitable areas for outhauls. The areas designated on the official maps may be amended or changed by the town council, by amendment of this article and by submission and assent by the state coastal resources management council. The harbormaster shall determine the exact location for individual outhauls within these areas as set forth in section 9-82.

- (a) All outhauls permitted in the Great Salt Pond and Old Harbor will be in either coastal resources management council classified Type 2 or 3 waters, except outhauls which are grandfathered as set forth in section 9-82.

Sec. 9-85. - Appeals for outhauls.

Any person aggrieved by the determination of the harbormaster or assistant, with respect to outhauls, may appeal such determination to the town council, provided any outstanding fee or charge determined shall be paid pending the appeal.

Sec. 9-86. - Procedure for moorings and anchorages.

- (a) Mooring areas, moorings, and moored vessels shall not obstruct the use of fairways, channels, or shoreline facilities. Commercial moorings shall not be terminated in federal navigation projects. Moorings granted by the permission of a federal agency shall be allocated according to the federal "Open to all on an equal basis" mooring allocation policy. Moorings permitted in a federal navigation project shall likewise be allocated according to the federal "Open to all on an equal basis" mooring allocation policy.
- (b) Before any mooring is secured in a designated town harbor, a permit must be issued by the harbormaster or assistants at the harbormaster's direction. The harbormaster and assistants at the harbormaster's direction, having due regard to the draft of each vessel and facility of navigation shall designate the places where moorings and/or anchorages shall be maintained.

No moorings and anchorages in the said waters shall be maintained except at the locations designated on the official maps attached to the ordinance from which this section is derived and made a part of this article. The town council shall establish the fee to be paid for permits to be issued by the harbormaster for moorings.

The harbormaster or assistants at the harbormaster's direction shall issue semi-permanent mooring permit in accordance with the number or cap which has been cooperatively determined by the town, the state coastal resources management council and the state department of environmental management, which is currently 290 private moorings (280 in New Harbor and 10 in Old Harbor) and 100 town rental moorings. The town has permits from the United States Army Corps of Engineers for 100 town rental moorings. Rules, regulations and procedures for obtaining and using these moorings shall be consistent with the Army Corps of Engineers' policy of "open to all on equal terms." All moorings placed in a mooring field not subject to federal mooring allocation policy shall be allocated on a no greater than 3:1 resident to nonresident mooring allocation. The harbors of the town host between 500 and 1,500 vessels over 25 feet, exclusive of marinas, daily during the boating season. Such permits shall be issued by the harbormaster or assistants at the harbormaster's direction on an annual basis and shall be valid from May 1 to April 30 of the following year.

- (1) The permit issued by the harbormaster or assistants at the harbormaster's direction shall assign a registration number consisting of letters and/or numbers, which shall be affixed to the two opposite sides of the buoy of the mooring. These letters or numbers shall be no less than three inches in height and have contrasting colors, which are deemed appropriate by the harbormaster. Any mooring for which a permit has not been issued shall be subject to removal by the harbormaster or assistants.
- (2) All mooring areas and moored vessel shall set back at least 50 feet from any dock, pier, pile, or right-of-way to the shore. Mooring areas shall be set back three times the project depth from federal navigation projects. The harbormaster or assistants may permit the temporary anchoring or temporary use of an unoccupied mooring by a vessel in emergency situations or adverse weather conditions. Exceptions shall be made only at the discretion of the harbormaster or assistants at the harbormaster's direction.
- (3) Any vessel at anchor shall not be less than 100 feet from any harbor entrance, federal channel, steamer lane, fairway or public pier or marina. Any anchored vessel shall not be closer than 50 feet to any mooring field. The harbormaster or assistants at the harbormaster's direction may permit the temporary anchoring or temporary use of an unoccupied mooring by a vessel in emergency situations or adverse weather conditions. Exceptions shall be made only at the discretion of the harbormaster or assistants.
- (4) An assigned mooring shall be used only by the vessel assigned to it; however, the harbormaster may permit the temporary use of a mooring by another vessel in emergency situations or adverse weather conditions. Use of a mooring by a nonregistered vessel or differently assigned vessel shall constitute a violation of this article. All private mooring buoys shall be white and have the word "Private" in contrasting color, two-inch minimum letters on two opposite sides of the buoy.

- (5) Mooring permits will be revoked if the mooring is not used by the owners registered vessel annually between June 1 and October 15, unless permit is in name only.
- (6) The holder of a private mooring permit shall be entitled to transfer the private mooring permit on one occasion only either during the permit holder's lifetime or upon the permit holder's death to any one of the following relatives of the permit holder: spouse (including common-law spouse), child (including a stepchild), sibling (including a stepsibling), grandparent or parent (including a stepparent).
 - a. In no event shall the recipient of a private mooring permit transferred pursuant to this subsection (b)(6) be entitled to transfer the private mooring permit to any other person either during the permit recipient's lifetime or upon the permit recipient's death.
 - b. In order to effectuate the transfer of the mooring permit, the permit holder shall file a notice of transfer with the harbors department on a form provided by the harbors department. The harbors department shall not accept a notice of transfer and no transfer shall be effective if there are fees owed with respect to the permit to be transferred or if the permit to be transferred is under a notice of revocation.
 - c. The provisions of this section 9-86(b) shall automatically expire December 31, 2023.
- (7) No more than one mooring permit shall be issued to any one person.
- (8) Mooring tackle specifications. The harbormaster may approve in writing variances to mooring tackle specifications if such specifications are appropriate for the size of the vessel and the area in which a mooring will be located. Minimum mooring specifications are:
 - a. The minimum length of the pennant should be 2½ times the distance from the bow chock to the water plus the distance from the bow chock to the mooring cleat or post.
 - b. All pennant lines running through a chock or any other object where chafing may occur should have adequate chafe guards.
 - c. The total scope of the chain should be 2½ times the depth of the water at high tide. The bottom and top chain should each consist of approximately 50 percent of the scope.
 - d. All shackles, swivels, and other hardware used in the mooring hookup should be proportional in size to the chain used.
 - e. All shackles should be properly seized.
 - f. Center pipe mooring buoys are recommended; if a different type is used the pennant must be spliced or shackled into the bitter end of the top chain below the buoy so the strain is not carried by the buoy. The use of a second pennant and anchor in heavy weather is encouraged.
 - g. Only mushroom, pyramid and helical moorings will be acceptable on semi-permanent moorings.
 - h. The minimum distance between any two moored vessels should be no less than 50 feet
 - i. Semi-permanent mooring size shall conform to the following minimum size requirements as outlined in the harbor management plan.
 - j. The number of vessels allowed per mooring is subject to the size of the mooring, size

of vessels, weather conditions, and scope or swing radius; 500- pound moorings are restricted to two vessels, 800 pounds (or more), may have three vessels. All use is subject to review by the harbormaster.

- (9) All vessels on moorings and in anchorages shall be sited within the respective designated areas.
- (10) Mooring use shall be equal for all vessels of similar size in all mooring areas.
- (11) The town shall maintain programs to prevent adverse effects on water quality due to anchored and moored vessels.
- (12) No person under the age of 16 shall be considered for a mooring permit application.
- (13) Inspections.
 - a. All new moorings in the coastal waters and harbor areas of the town must have the chain, tackle, and anchor inspected by the harbormaster, designee, or town-certified mooring service provider, prior to setting the mooring.
 - b. Every permit holder shall be required to maintain his mooring in safe condition. Any chain, shackle, swivel, or other tackle which has become warped or worn by one-third its normal diameter, shall be replaced. Failure to maintain a safe mooring shall be cause for revocation of the mooring permit and shall be deemed a violation of this article. The harbormaster or designee may inspect any mooring at any time to determine compliance with this section.
 - c. All moorings shall be fully inspected every two years and the results of such inspection shall be reported to the harbormaster. Mooring inspections shall be performed by a qualified mooring inspector. The inspection shall be made by either raising the mooring or by underwater inspection. Such inspection shall determine compliance with the mooring and mooring tackle standards of this article. Any mooring or component of a mooring reported not in compliance with this article shall be replaced within 30 days of such notice. The harbormaster or his designee shall inspect any mooring displaced during a storm, before it is reset. All costs of any mooring inspection required under the provisions of this article shall be the responsibility of the mooring owner.
 - d. Qualified inspectors.
 - i. The harbormaster shall develop and set standards for the requirements and qualifications of mooring inspectors the harbormaster may designate as many inspectors as she feels are necessary. Minimum requirements for mooring inspectors that the harbormaster shall consider are that an inspector must hold a certificate as a certified scuba diver and/or be engaged in the business of and insured as a mooring service, and that all mooring inspectors are familiar with the minimum mooring tackle specifications of this article.
 - ii. The harbors department shall make available an application form which potential mooring Inspectors may complete to be considered a designated mooring inspector. The application shall be filed annually with the harbors department with the appropriate fee. The harbormaster shall determine if such applications meet the requirements to be a qualified mooring inspector for the town and shall so

- designate the applicant as a qualified mooring inspector.
 - iii. The harbors department shall keep a list of all qualified mooring inspectors and shall make this list available to all mooring permit holders.
- (14) All vessels moored or anchored in the waters on Block Island must have valid registration or documentation on the vessel and available for inspection.
- (c) In the interest of public safety the mooring permit holder, the Town reserves the right to place transient vessels on private moorings in New Harbor.
 - (1) The following conditions apply:
 - (2) Private moorings will be rented only when the town moorings are full.
 - (3) Private moorings will be rented at the same rate as the town moorings (in accordance to the fee schedule).
 - (4) One vessel per mooring will be permitted unless the mooring is 800 pounds or greater.
 - (5) In accordance with the fee schedule, a per-boat, per-rental day fee will be subtracted from the permit holder's renewal fee for the following year; no further compensation will be offered after the permit fee is paid.
 - (6) The town will provide any corrective maintenance from use of the moorings specific to replacement of related mooring equipment and tackle if damaged while utilized by the town.
- (d) Anchoring and anchorages in Old Harbor (Harbor of Refuge).
 - (1) A vessel seeking a safe haven during times of adverse weather may anchor on its own anchor in the Old (Harbor of Refuge) for a period not to exceed 72 hours. Written consent of the harbormaster is required if the vessel is to be anchored for a period in excess of 72 hours. No vessel anchored under adverse weather shall be left unattended overnight. Operators of such vessels and their passengers may go ashore, but operators must be available to tend the vessel if necessary. It shall be the responsibility of the vessel owner as well as the vessel operator to ensure the vessel remains clear of all moored and anchored vessels, and any structures.
 - (2) Transient vessel anchoring and anchorages in Old Harbor (Harbor of Refuge): A transient vessel may anchor on its own anchor in the Old Harbor for a period not to exceed seven days in a 14-day period. Written consent of the harbormaster is required if the vessel is to be anchored for a period in excess seven days in a 14-day period.
 - (3) No vessel anchored shall be left unattended overnight. Operators of such vessels and their passengers may go ashore, but operators must be available to tend the vessel if necessary. It shall be the responsibility of the vessel owner as well as the vessel operator to ensure the vessel remains clear of all moored and anchored vessels, and any structures.

Sec. 9-87. - Mooring application, permit process and waiting list procedures.

- (a) No private or yacht club mooring shall be located in the coastal waters and harbor areas of the town until a permit has been issued for the use of such mooring by the harbormaster. No private or yacht club mooring shall be located nor maintained unless the mooring owner has received a valid mooring permit issued by the harbormaster for the mooring and the mooring conforms

to the specifications and standards set forth in this article and permit.

- (b) Request for a new private or yacht club mooring permit. To be eligible for a private or yacht club mooring permit, an applicant must own a vessel for which a mooring permit is being sought. Applications for new mooring permits shall be submitted to the harbors department with the appropriate fee by December 15 of each year. Mooring permit applications are available at the harbors department office. A complete and accurate mooring permit application must be provided before the harbors department can act to approve or deny such application. The harbors department shall determine if a new mooring permit can be issued only after all provisions of the harbor management plan and these ordinances are met. If an applicant does not own a vessel, the permit may be held in name only for twelve (12) month, at the end of twelve (12) months a vessel has not been obtained, the mooring shall be forfeited.
- (c) Request for a waterfront mooring permit (riparian mooring). Waterfront mooring Permits to residents with waterfront (rights). This does not include individual property owners who have deeded use of waterfront right of ways. Mooring tackle owned by persons who own waterfront property are allowed to be placed in sufficient coastal waters riparian waters directly adjacent to their waterfront property as bounded by the seaward extensions of that properties lateral lines. The property owner must comply with all mooring permit application requirements and receive a mooring permit from the harbormaster as described herein. A holder of a waterfront mooring permit issued by the harbormaster is authorized to moor any vessel they so choose, as long as the vessel is sea worthy, the location is within sufficient coastal waters and the vessel does not exceed the maximum allowed vessel size of the mooring tackle as described herein.
- (d) If the harbors department issues any mooring permit, the mooring owner for which the permit has been issued must locate and place the mooring at the direction of the harbormaster or assistant
- (e) Permit renewals.
 - (1) Applications for renewal of a private, waterfront, or yacht club mooring permit will be submitted to the harbors department on the application forms provided by the harbors department by December 15 of each year. An application shall be accompanied by the appropriate fee and shall be received by December 15 in the offices of the harbors department. Failure to submit a complete and accurate application by December 15 may result in the loss of mooring permit.
 - (2) The harbors department shall mail the application forms by October 15 of each year to those persons who held valid mooring permits at the end of the previous calendar year, to the address listed on their last mooring permit. It shall be the responsibility of the mooring permit holder to notify the harbors department of any change in address.
 - (3) The harbors department shall approve or reject mooring permit applications by March 1.
- (f) Relocation of existing permitted mooring.

All requests for relocation of existing permitted moorings must be submitted to the harbors department. Information for such a request must meet the requirements listed for a mooring

permit application, as well as show proof of valid mooring permit issued for the previous year. The reasons for a mooring relocation must also accompany the request.

Based upon availability of space, the requirements of this article, and the type and size characteristics of vessel, action will be taken on the request. Any request received by the harbors department that is not complete shall be returned to the applicant and no action will be taken on the request. Waterfront moorings are not eligible for transfer or relocation in the event that access to the water from the property is not practical.

(g) Failure to renew an existing valid mooring permit.

Failure to renew an existing valid mooring permit In accordance with the provisions of this article by December 15 of any given year shall result in the permitted owner's abandonment of all privileges and interests in the previously permitted mooring space. The harbormaster may remove the now abandoned mooring at the permitted owner's expense. The town, in accordance with any provision of this article, may in turn recover such expenses.

(h) Forfeiture and revocation of mooring permit.

Any permit holder of a mooring located in the coastal waters and harbor areas of the town shall be deemed to have forfeited their mooring space by reason of any of the following:

- (1) Failure to comply with any of the requirements of this article;
- (2) Removal of mooring and mooring tackle by mooring owner and notification to the harbors department that the mooring has been removed;
- (3) Failure to respond to the harbors department notice that the mooring does not comply with the mooring tackle standards set forth In this article, or that the mooring has been displaced, moved or sunk from Its permitted location;
- (4) Failure to resurface or replace mooring, tackle, or buoy within 72 hours unless acceptable arrangements have been made with the harbormaster;
- (5) . Failure to have permitted vessel using mooring, and visually Inspected by the harbors department once between June 1 and October 15 of permitted year;
- (6) Mooring Is rented at any time by any entity other than the town harbors department;
- (7) Registration, documentation, and permit stickers are found to be counterfeit or forged;
- (8) Noncompliance with the no-discharge policy;
- (9) Registration and documentation is not In permit holder's name;
- (10) Permit holders whose vessels sink at a mooring must resurface the vessel within 72 hours or make acceptable arrangements with the harbormaster.

(i) Available space. As of February 1 of each year, the harbors department shall determine the number of mooring spaces available for moorings placement as the sum of all authorized mooring spaces minus the totals of all completed acceptable mooring permit renewal applications. These available mooring spaces shall be made available to those persons whose names appear on the waiting list.

(j) Waiting list procedures. The harbors department shall maintain waiting lists of all resident and nonresident applications for private mooring permit requests when no mooring space

is available within the coastal waters and harbor areas of the town. Applicants must be at least 16 years of age. Placement of applications on such waiting lists will be recorded from complete mooring waiting list/policy applications as the harbors department receives them. Confirmation of waiting list placement will be mailed to the applicant. The harbors department shall update the waiting list as applications are received and make the waiting list available for review at all times. Mooring permits will be issued in the order received based on a ratio of no greater than three residents to one nonresident. All mooring permit applications shall be treated according to the federal equal basis mooring allocation policy with the exception for applications from yacht clubs which shall be limited to a total of twenty-three (23) moorings. A one-time fee will be charged for all mooring waiting list applications as set forth in the fee structure of the town. Transfers of waiting list applications are not permitted. Waiting list applicants who are in violation or have past violations of ordinances specific to the waters of Block Island are subject to removal from the waiting list.

(k) Mooring permit application requirements.

(1) All applications for private mooring permits shall contain the following information:

- a. Name, address and telephone number (home and office of owner) or
- b. resident or non-resident.
- c. Vessel name, registration number, length (feet), width (Feet), draft (feet), type, and color. Vessel registration must be in waiting list applicant's name.
- d. Number of sleeping berths, if any, and type of marine sanitation device (MSD), if any.
- e. Mooring classification, actual-mooring weight.
- f. Appropriate registration fee. Checks must be signed by permit holder.
- g. Area(s) where applicant would like to locate mooring, prioritized.

(l) To qualify for a new yacht club mooring permit, or to renew, or to renew an existing permitting in that category, the organization submitting the application must meet six criteria

- (1) The yacht club must submit a current certificate of good standing from the Rhode Island Secretary of State with its application.
- (2) The yacht club must have been in existence for at least three years from the date of its legal information.
- (3) The yacht club must have recreational boating as its primary function.
- (4) A substantial portion of its members must be owners of cruising or racing vessels that would normally moor or anchor when visiting harbors such as those on Block Island, or hold leases on such vessels.
- (5) The organization must file with its application the names and addresses of its and directors or members, managers, or partners, as applicable.

- (6) The organization must file with its application a list of club members' vessels authorized to use its Block Island mooring.
- (m) All applications for waterfront mooring permits (riparian moorings) shall contain the following information:
- (1) Name, address and telephone number of the property owner. Property owners must match the name and address
 - (2) Vessel name registration number length (feet), width (feet), draft (feet), type and color. Vessel registration must be in the property owner's name.
 - (3) Number of sleeping berths, if any, and type of marine sanitation device (MSD), if any.
 - (4) Mooring classification, actual-mooring weight.
 - (5) Appropriate registration fee. Checks must be signed by permit holder.
 - (6) Area (s) where applicant would like to locate mooring, prioritized. Riparian rights are limited to the area in the seaward extension of the property's lateral lot lines. If the water area enclosed by the seaward extension of the lateral lot lines does not contain the vessel or is not sufficient to support certain recreational boating facilities, a waterfront mooring permit will not be issued. Riparian rights cannot be transferred to other locations where access is possible.
 - (7) Moorings records. The harbors department shall keep a detailed record of all moorings, their location, along with the owner's name, home (and business, if applicable) address, telephone number(s), mooring permit number, date mooring was set, last mooring inspection date, and vessel data as detailed above.
 - (8) No mooring permit will be issued without proof of the owner's current vessel registration and/or documentation and proof of annual inspection of mooring tackle by a qualified inspector. In the case of a waterfront mooring permit, proof of property ownership will be required,
 - (9) Mooring permits will not be issued, transferred, or otherwise recorded under any corporation, business, trust, or partnership. Applications will be issued to the waiting list applicant only.
 - (10) Mooring permits will include a permanent mooring sticker to be placed on the upper port corner of the permitted vessel only.

Sec. 9-88. - Mooring areas in Great Salt Pond and Old Harbor.

- (a) The areas indicated on the maps of the Great Salt Pond and the Old Harbor attached to the ordinance from which this article was derived and made a part of this article, are proper areas for temporary moorings, permanent moorings and anchorages. The areas designated on the official maps may be amended or changed by the town council, by amendment of this article and by submission and assent by the state coastal resources management council and U.S. Army Corps of Engineers where applicable. The harbor master shall determine the exact location for individual moorings within these areas as set forth in section 9-86
- (b) All mooring sites in the Great Salt Pond will be In either coastal resources management council classified type 2 or 3 waters or department of environmental management classified SB waters, except replacement of those moorings which were utilizing type 1 or SA waters as of the Great

Salt Pond reclassification date. All future moorings will utilize type 2 or type 3 or SB waters with the exception of riparian property owners. There will be no increase in the number of moorings in type 1 or SA waters.

- (c) Mooring placement shall not obstruct shellfish management areas, fishing grounds, recreation, and conservation areas. All reasonable effort shall be undertaken to ensure that mooring areas will not adversely affect fish/shellfish resources, wetlands, submerged aquatic vegetation, or other sensitive aquatic habitat.
- (d) Maps will take precedence over written descriptions where discrepancies exist.

Sec. 9-89. -Appeals regarding determination as to classification of vessels.

The harbormaster or assistants shall make the determination as to the classification of each vessel for the purpose of establishing the mooring fee or wharfage charge to be assessed based upon the mooring classifications as defined in section 9-41. Any person aggrieved by the determination of the harbormaster or assistant may appeal such determination to the town council, provided the fee or charge determined shall be paid pending the appeal.

Sec. 9-90. - Powers of arrest.

All powers and rights of arrest and detention are vested in police officers under the laws of the state and this Revision.

Sec. 9-91. - Vessel operations and speed within the harbors.

- (a) Operators of any vessel shall not operate their vessel or seaplane at a speed greater than five miles per hour and generate no wake within the entire areas of Old Harbor, within 500 feet of any wharf or pier in either Old Harbor or the Great Salt Pond and specifically in the Great Salt Pond from the #7 can at the harbor entrance through the entire navigational channel and all of Trim's and Harbor Pond.
- (b) Areas in Great Salt Pond where speeds above five miles per hour are permitted shall be limited to those designated as recreation, conservation and no anchorage zones. The speed limit within the Great Salt Pond is five miles per hour throughout the harbor, with a recreational area set aside in the north end. The recreation area can only support high-speed uses of water skiing, personal watercraft (jet skis), and windsurfing. Personal watercraft shall not exceed a maximum speed of five miles per hour to taxi in and out of the harbor and when proceeding to and from the designated recreation area in the north end of the harbor and must otherwise conform with G.L. 1956, § 46-27 and any other coastal resources management council regulations. Operators of vessels and seaplanes shall operate at all times in a reasonable manner so as not to endanger or annoy any vessels in the harbor. Operators shall not be permitted to operate their vessels in a reckless manner.
- (c) Vessels used alone or engaged in activities including, but not limited to, water skiing, paragliding, and other like uses are not allowed within 200 feet of any designated swimming area, mooring area, shore side facility, rights-of-way Ingress and egress point, launching ramp

or navigation fairway. Vessels used in such activities are allowed within 200 feet of shore side facilities when the sole purpose is to begin or end such activity.

Sec. 9-92. - Water siding, paragliding, and personal watercraft.

- (a) Water skiing, paragliding and use of personal watercraft above headway speed within any part of Old Harbor are prohibited. Water skiing, paragliding, and the use of personal watercraft in the Great Salt Pond are permitted only in the designated recreation area.
- (b) Water skiing, paragliding, windsurfing, swimming, and any high-speed activity is prohibited in all anchorage and mooring areas.

Sec. 9-93. - Disturbing noises prohibited.

No person on any vessel anchored, moored or operating in the waters of the Old Harbor or Great Salt Pond shall make loud noises or create disturbances, vocally or by electrical or mechanical means, including fireworks. Chapter 12 of this Revision, pertaining to noise, shall govern the enforcement of excessive noise.

Sec. 9-94. - Anchorage and mooring prohibited.

To prevent contamination and/or pollution of shellfish, for the health and protection of the public, and to provide space for water-dependent recreational activities, no vessel of any size having sleeping and living accommodations aboard with or without toilet facilities, shall moor or anchor within the northerly portion of the Great Salt Pond extending east to west, 41.11-36.0 N, 71.34-28.3 W, 41.11-41.6 N, 71.35-18.4 W. from the old marine sail way to the end of the Coast Guard dock. Anchorage is prohibited in mooring areas designated as no anchorage areas. Anchoring prohibited west of the main channel, 41.11-41.6 N, 71.35-18.4 W (Coast Guard Dock), 41.11-10.7 N, 71.34 - 41.3 W (adjacent of Nun 14), 41.10-58.5 N, 71.34-31.5 W. Anchoring prohibited in Mooring Field A located east of channel. The harbormaster or assistants may permit the temporary anchoring or mooring by a vessel in emergency situations or adverse weather conditions.

To prevent contamination and/or pollution of shellfish, for the health and protection of the public, and to provide space for water-dependent recreational activities, no vessel of any size having sleeping and living accommodations aboard with or without toilet facilities, shall moor or anchor within the northerly portion of the Great Salt Pond extending east to west, 41.11-36.0 N, 71.34-28.3 W, 41.11-41.6 N, 71.35-18.4 W. from the old marine rail way to the end of the Coast Guard dock. Anchorage is prohibited in mooring areas designated as no anchorage areas. Anchoring prohibited west of the main channel, 41.11-41.6 N, 71.35-18.4 W (Coast Guard Dock), 41.11-10.7 N, 71.34- 41.3 W (adjacent of Nun 14), 41.10-58.5 N, 71.34-31.5 W. Anchoring prohibited in Mooring Field A located east of channel. The harbormaster or assistants may permit the temporary anchoring or mooring by a vessel in emergency situations or adverse weather conditions.

Sec.9-95. - Antipollution.

- (a) No person on any vessel moored or operating in the waters of Old Harbor or the Great Salt Pond shall throw garbage, waste (solid and/or liquid), including plastics, fuel oils, or derivatives thereof, rubbish, swill, offal or refuse, into the waters of the harbors and shall not dump, pump or discharge waste from marine toilets or holding tanks into the waters of the Old Harbor, Cormorant Cove, the "Hog Pen", Trims Pond, Harbor Pond, or Great Salt Pond. Cleaning of boat bottoms below the water line is prohibited.
- (b) Any marina operating in type 3 waters, as that term is defined by the coastal resources management council, in the Great Salt Pond, is required to have a pumpout station on line fully operational, and otherwise having such permits as required by law therefore, no later than nine months from the designation of an area as type 3 waters. Any marina not in compliance with this article is subject to a fine for each and every day after the nine-month period that it is not in compliance. All marinas shall continue to provide and maintain federal-, state- and town-approved pumpout facilities conveniently available for all vessels at their facilities.
- (c) The town shall provide a free vessel holding tank pumpout service for all vessels in Great Salt Pond and Old Harbor.
- (d) The town maintains an ongoing water quality testing program in the Great Salt Pond.
- (e) The harbormaster or assistants shall have authority to routinely inspect all marina pumpout facilities.

Sec. 9-96. - No discharge.

The United States Environmental Protection Agency (EPA) designated the Great Salt Pond as a no-discharge zone in May 1993 and Old Harbor In August 1998. The discharge of sewage (whether treated or untreated) from a vessel is prohibited. The harbormaster and assistants have the authority to board vessels to inspect and seal heads and administer dye to toilet facilities and holding tanks, and the town authorizes its harbormaster and assistants to the harbormaster to apply G.L. 1956, §§ 46-12-39, 46-12- 40, and 46-12-41.

Sec. 9-97. - Open fires prohibited on docked and moored vessels.

Open fires, burning wood, coal, charcoal or any similar material in hibachis, charcoal burners or similar portable stoves shall be prohibited on all vessels moored at any private or public dock or marina in either the Great Salt Pond or Old Harbor, including all vessels that may be within the Old Harbor Basin, whether tied directly to a pier, anchored or moored, and including any and all vessels that may be secured in any manner whatsoever to a dock or other vessel in the Great Salt Pond. Fires shall be likewise prohibited on any part of the wooden structure of the town dock within the inner basin of the Old Harbor.

Sec. 9-98. - Houseboats and floating businesses prohibited.

Per CRMC regulation 33.5(C) (2-.3) Houseboats may be permitted within the boundaries of a marina and floating businesses may be permitted within the boundaries of a marina or a port. No person or entity shall operate a commercial business in or on the water -state waters that would present a safety hazard to their customers or to other members of the public at large. The determination of whether or not a safety hazard will be created shall be the responsibility of the harbormaster who shall report any such hazards to the town manager.

Sec. 9-99. - Derelict vessels and docks.

(a) Procedures; penalties.

- (1) No derelict dock shall be deposited upon a beach, public right-of-way, or in the waters under the jurisdiction of the harbormaster.
- (2) No derelict vessel shall moor or anchor in waters under the jurisdiction of the harbormaster.
- (3) When the harbormaster or assistants determine that a vessel or a dock is derelict, the harbormaster or assistants may take custody and control of such vessel or dock and may remove and/or store it, all at the expense and sole risk of the vessel or dock owner. Notice of such removal and/or storage shall be given in the following manner:
 - a. The harbormaster or assistants shall affix a notice to the derelict vessel or derelict dock instructing the owner to remove the vessel or dock within 72 hours. In the event that the derelict vessel or derelict dock is not removed within 72 hours, the harbormaster or assistants may take custody and control of such vessel or dock and remove and/or store it.
 - b. In the event that the harbormaster or assistants removes and/or stores a derelict vessel, the harbormaster or assistants shall give written notice by regular first class mail to the owner of the derelict vessel that the vessel has been removed and/or stored. Such notice shall direct the owner to contact the harbormaster within ten days for purposes of claiming and removing the derelict vessel and paying all costs and fines associated with the removal and/or storage of the derelict vessel. For purposes of providing written notice, the name and address of the owner of a derelict vessel shall be deemed to be:
 - i. The name and address of the person of record who has been issued a certificate of number for the vessel by the state department of environmental management pursuant to G.L. 1956, § 46-22-4; or
 - ii. The name and address of the person of record of a vessel covered by an identification number, which has been awarded to the vessel pursuant to federal law or a federally approved numbering system of another state.
 - c. In the event that the harbormaster or assistants removes and/or stores a derelict dock, the harbormaster or assistants shall give written notice by regular first class mail to the owner of the derelict dock that the dock has been removed and/or stored if the name and address of the owner of the dock is known to the harbormaster or assistants. Such notice shall direct the owner to contact the harbormaster within ten days for purposes of claiming and removing the derelict dock and paying all costs and fines associated with the removal and/or storage of the derelict dock.
- (4) Notwithstanding the above, if at any time the harbormaster or assistants at the direction of the harbormaster determine that a vessel or dock is likely to damage private or public

property, or is a hazard to navigation or the environment, the harbormaster or assistants may immediately remove, or cause to be removed, the vessel or dock. The harbormaster or assistants at the direction of the harbormaster may permit a derelict vessel to remain in place in emergency situations or adverse weather conditions.

- (5) If the owner fails to remove the vessel or dock within 72 hours of the notice as specified in subsection (a)(3)a of this section, or make acceptable arrangements with the harbormaster or assistants, the owner shall be subject to a fine of \$100.00 per day or imprisonment not to exceed ten days.
- (b) Removal, disposal and sale of derelict vessel or derelict dock. In the event that the owner of a derelict vessel or derelict dock does not claim and remove the derelict vessel or derelict dock and pay all costs and fines associated with the removal and/or storage of the derelict vessel or derelict dock within 30 days of the date that the harbormaster or assistants at the direction of the harbormaster removed the derelict vessel or derelict dock, the harbormaster or assistants at the direction of the harbormaster may proceed to dispose of or sell the derelict vessel or derelict dock in a manner which the harbormaster determines is appropriate provided that at least 30 days prior to any such disposal or sale the harbormaster shall place a notice in a newspaper of local circulation setting forth that the vessel or dock will be disposed of or sold. In the event that the vessel or dock is sold, the proceeds from the sale shall be used to defray the costs incurred by the town for the removal, storage, disposal and/or sale of the vessel or dock.
- (c) Off-season storage of docks. The off-season storage of dock on the waters of Old Harbor and Great Salt Pond is not permitted. Exceptions will be made to those facilities where permitted docks are placed on permitted moorings of same licensing or ownership. The historic practice of off-season storage of docks on Rat Island by commercial marinas will be allowed on an interim basis but that practice will be prohibited after May 2021.
- (d) Liability and enforcement of liens.
 - (1) The owner of a derelict vessel or derelict dock removed, relocated, stored or disposed by the harbormaster in accordance with subsection (b) of this section shall be liable to pay the cost and expenses of the removal, relocation, storage, and/or disposal, or to repay the same when paid by the town pursuant to the provisions of G.L. 1956, § 46-4-6.10.
 - (2) The costs, charges and/or expenses paid by the town for any vessel or dock, removed, relocated, or stored by the harbormaster in accordance with this subsection and subsection (b) of this section, until paid, shall constitute a lien on the vessel or dock in favor of the town. A lien acquired by the town on any vessel or dock by virtue of this section may be enforced by the town through the sale of such vessel/dock, or other property in accordance with the maritime law of the United States, if applicable, or otherwise in accordance with the General Laws of the state.

Sec. 9-100. - Special events.

Reserved.

Sec. 9-101. - Right-of-way to the water.

- (a) No person shall block, barricade or impede the public use of or access to designated public rights-of-way to the water as defined by the coastal resources management council or the town.
- (b) No person shall store a vessel, vehicle or structure on a designated public right-of- way to the water as defined by the coastal resources management council or the town.
- (c) Any person in violation of this section shall be subject to a fine in accordance with this article and/or the applicable provisions of the RICRMP.

Sec. 9-102. - Enforcement and failure to stop.

Vessel operators shall obey lawful directions given to them by the harbormaster or assistants exercising duties lawfully assigned or by any police officer employed by the town police department in enforcement of the provisions of this article, G.L. 1956, title 46, ch. 22, any other applicable state law as well as all boating laws as are covered under .the provisions of the Federal Safe Boating Act of 1971 and such amendments as shall have been made thereto. Such vessel operators immediately upon being instructed by the harbormaster, assistants or police officer employed by the police department, by voice or such sound device as may be used, shall heave to, to allow boarding by such harbormaster, assistants or police officer, and shall comply with the lawful direction of such harbormaster, assistants, or police officer. Checking of all required safety equipment, as well as proper registrations of vessels under power, shall be considered a lawful direction of the harbormaster, assistants or police officer. Any person in violation of this section shall be subject to the fines specified in this article or in G.L. 1956, § 46- 22-19.

Sec. 9-103. -Penalty and fines; payment procedure; appeals.

- (a) Penalty and fines for violations. Pursuant to this article and the powers granted by G.L. 1956, § 46-4-6.10, and G.L. 1956, title 46, ch.22, and other General Laws of the state, the harbormaster, assistants or any police officer employed by the town police department are authorized to issue a form and a summons to any person who violate any provision of this article. Any person issued a form and a summons shall be subject to penalties and fines as set forth in this article, unless otherwise established by the state statute in accordance with the penalties ascribed to those violations. Any fine for a violation not specifically set forth in this article or otherwise established by state statute shall not exceed \$100.00 per day or imprisonment not to exceed ten days. Each day a violation continues shall be deemed a separate offense subject to an additional penalty and fine.
- (b) Informal procedure for the payment of fines.
 - (1) Payment without personal appearance. The harbormaster, assistants or police officers employed by the New Shoreham police department, who charge any person with an offense under this article, shall issue a form and a summons for the offense. The form and a summons shall allow the offender to dispose of the charge without the necessity of appearing before the district court of the state, or such other courts as are designated in the summons; provided, however, that any offender who has been guilty of a third or subsequent violation within 12 months of the first offense must appear before the district

court on the date specified on the summons, and may not dispose of the third or subsequent offense administratively.

- (2) Method of payment. An offender electing to dispose of the charge without personally appearing before the district court shall execute the form indicated and return it to the New Shoreham police station not later than 14 days from the date of the summons either by mailing or delivering the form and summons accompanied by a check or money order in the amount indicated by the schedule of fines on the form. The fine shall be doubled if not paid within 14 days and tripled if not paid within 21 days.
- (3) Failure to answer. An individual who fails to execute the form and mail or deliver the form and summons accompanied by a check or money order in the amount indicated by the schedule of fines on the form within 21 days of the date of the summons, shall be deemed to have waived the right to dispose of the notice of violation without personal appearance and must appear before the District Court on the date specified on the summons.

- (c) Procedure for appeals of fines and penalties. Any person aggrieved by any issuance of a fine or penalty by the harbormaster, assistants or by any police officer employed by the New Shoreham police department made under this article, may appeal by appearing before the district court on the date specified on the summons.

Sec. 9-104. - Local jurisdiction.

In accordance with G.L. 1956, § 46-22-14, as amended, the town shall have the authority to enforce all applicable sections.

Sec. 9-105. - Amendments.

Proposed amendments to this article require review in the harbors commission and the town council.

DIVISION 5. PUBLIC ACCESS AND RIGHTS-OF-WAY

Sec. 9-106. Public access and rights-of-way.

- (a) The provisions of adequate and high quality public access to the shore have increasingly become an integral element in the development plans of many waterfront communities. Whereas in the past, the provision of access to the water was a function undertaken primarily by the private sector, today this function is by necessity, increasingly in the domain of the public sector. This change may be attributed in part to both heightened interest in Waterfront property and water-dependent activities and the subsequent escalations in land prices.
- (b) Public access to the shore or waterfront is characterized by an established public right-of-way to the water from an established public: (either through ownership or easement) roadway. The access itself may be either more vertical in nature (as in a fishing pier), primarily horizontal in nature (a length of beach, walkway or bicycle path), or a combination of the two. The most important characteristic of public access is that it be of sufficient depth and breadth to serve the intended activities as well as designated corollary activities such as pedestrian access or

parking.

- (c) The town shall incorporate maximizing the potential of existing access and providing new public access points as an integral component of all future planning efforts. Direct acquisition of coastal land and access rights for public usage shall continue to be the principal means of expanding the scope of rights-of-way to the Great Salt Pond and coastal shores of Block Island.
- (d) Pursuant to the recommendation of the state department of planning, the 1987 open space bond issue and future state and local open space or recreational initiatives hold great potential for significantly expanding the quantity and quality of public access to the coastline through both local and cooperative local/state purchases.
- (e) Adequate public access is necessary to meet the needs of the town. The town will strive to preserve, protect, and enhance all existing public rights-of-way to the waters and public properties of the town. All existing rights-of-way shall be maintained or enhanced as needed and as funds become available. Priorities for maintenance, preservation and/or enhancement shall be determined by type of right-of-way, urgency of protection, type of use, and extent of use.

DIVISION 6. – DOCK USE AND ACCESS

Sec. 9.121. – Procedures for Old Harbor Town Dock

- (a) Use of Piers
 - (1) No vessel shall berth at any of the Town docks without authorization from the harbors department.
 - (2) Applications and waiting lists for berths for commercial and charter vessels are available and maintained by the Harbors Department.
 - (3) A vessel owner whose application has been approved and has been so notified by registered and regular mail shall pay the required dockage fee and any arrearages owed prior to the issuance of a berthing permit. If such a payment is not received within twenty (20) days after the applicant's receipt of notice of approval of an application, the Town shall deem the approval withdrawn, and consider other applications.
 - (4) A vessel owner who owns a berthing permit and who is not in arrears on any payment to the Town and meets all the requirements herein shall have his permit automatically renewed for the following year provided that all documentation requested by the Harbors Department has been provided by April 1st annually. Berth holders who have their permits revoked lose all seniority rights and cannot be reinstated in the harbor or be placed on a waiting list for entry into the harbor until all past due amounts are paid in full plus any interest due.
 - (5) Berthing permits shall not be transferred with the sale of any vessel. The berthing permit will remain with the permit holder provided that a new vessel is purchased within (1) one year and all fees remain paid in full. The sale of more than 50% ownership of a vessel, stock or otherwise, shall be deemed to be the sale of the vessel with the same prohibition on the transfer of berthing rights as described above.
 - (6) Upon death of berthing permit holder, the decedents estate shall be allowed to hold the

- permit for the current season and must participate in the yearly renewal process.
- (7) Fees shall be as ordered by the Town Council of the Town of New Shoreham annually.
 - (8) Residency for Charter and Commercial slip holders: Residency is defined in Chapter 2, Article I, Section 2-2 of the Ordinances of the Town of New Shoreham and Article 3 Section 9-41 of the Harbor Management Plan. A person shall live on Block Island for 9 months out of the year and also be a registered Block Island voter. Fees shall be as ordered the Town Council of the Town of New Shoreham annually. Slip holder residency will be reviewed annually.
 - (9) All fees are due to the Harbors Department when renewal applications are due on April 1st, The Town shall have a lien upon the boat for any monies due for fees which are in default more than 90 days. Said lien may be enforced by sale of boat in accordance with the procedure set forth in Title 34, Chapter 35, of General Laws of 1956, and any amendments thereto. For purposes of Section 9 (e) of said Chapter, a failure to pay all fees when due shall effect an automatic withdrawal of any consent by the Town of New Shoreham.
 - (10) An assigned berth shall be used only by the vessel assigned to it: however, the harbormaster may permit the temporary use of a berth by another vessel in emergency situations or adverse weather conditions. Use of a berth non-registered vessel shall constitute a violation of this article, and may result in revocation of the berthing permit.
 - (11) No more than one berthing permit shall be issued to any one person or corporation.
 - (12) A boat owner, whose application has been approved and accepted, has one year of date of approval to show required paperwork.
 - (13) When a vessel is sold, the berth contract does not with the sale of the vessel. The berth contract is valid for the remainder of the contract term and may be renewed by the original vessel owner provided that the new vessel is purchased within one (11 year of the sale of the previously owned vessel and all fees remain paid in full. The sale of the ownership of 50% or more in the ownership of a vessel shall be deemed to be the sale pf the vessel with the same prohibition on the transfer of berthing rights as described above. If the vessel is incorporated, the original owner of the vessel or corporation must own 51% or more of the corporation for the vessel to still be subject to the terms of the original berth contract. If the vessel is incorporated and the original owner of the vessel or corporation owns less than 51% of the corporation then the original berth contract is void.
 - (14) The holder of a berthing permit shall be entitled to transfer the berthing permit on one occasion only either during the Permit holder's lifetime or upon the permit holder death to any one of the following relatives of the permit holder: spouse (including common law spouse) child (including step sibling), grandparent or parent (including step parent) grandchild (including step grandchildren).
 - (15) In no event shall the recipient of a berthing permit transferred pursuant to this subsection (b)(6) be entitled to transfer the berthing permit to any other person either during the permit recipient permit death. In order to effectuate the transfer of the berthing permit the permit holder shall file a notice of transfer with the harbors department. The harbors department shall not accept a notice of transfer and no transfer shall be effective if there are fees owed with respect to the permit to be transferred or if the permit to be transferred is under a notice of revocation.
 - (16) The Town practice of permitting a one-time transfer of a berthing permit will expire December 31, 2023.
 - (17) Dumping of garbage, oil, refuse, fish offal, waste, or other substances in public

tidewaters prohibited by the State and Federal Laws and shall be considered cause for revocation of a berthing permit and other penalties prescribed by law.

(18) Open fires, wood burning, coal, charcoal or portable stoves are prohibited on vessels moored anywhere at Old Harbor Docks, and any wooden portions of the docks.

(19) Trash Disposal (boat owners only) is provided at the dumpster next to Old Harbor Dock Office.

(20) Berths for the sole use of live abroad vessels are prohibited. Considerations for hired hands / mates can be made by written request of the slip holder, to the Harbormaster and or Harbor Committee.

(b) Charter Vessels

(1) Charter vessels shall be defined as an vessel carrying passengers for hire.

(2) Six (6) slips are provided for charter vessels in Old Harbor.

(3) Charter slips will only be issued for those vessels which are and will be, actively engaged as charter boats during the year for which the slip is issue

(4) Applicants must provide to the Harbors Department, proof of vessel ownership copy of current Coast Guard License to carry passengers for hire for applicant and each operator. In the event a permit holder is a corporation, the slip holder must provide an application or renewal.

(5) Applicants must meet all State of Rhode Island requirements for license for charter boats and provide copies to the Harbors Department annually with the application.

(6) Applicants must demonstrate that they will be engaged in carrying passengers for hire by certifying that:

a. Vessels are documented and properly registered in the State of Rhode Island

b. Applicants for renewal must demonstrate that they have been, and will be, engaged in carrying passengers for hire fill at least 40 days of the previous year or as regulate/restricted by State regulations by providing copies of Log Books and Landings for the previous season.

c. New applicants must provide documentation of purchase of and all necessary documentation in compliance with the permit application.

(7) The season runs May 1st to April 30th. Renewal applications will be sent out February 1 with a deadline date of March 1.

(8) The Town of New Shoreham reserves the right to use any or all charter slips if deemed necessary by the harbormaster in emergency situation or for safety purposes.

(9) Signs shall not be larger than 2 ft. x 3 ft. and shall not be permanently affixed to the dock. Signage is subject to the Harbormasters approval and must conform to the Towns Historic District signage regulations.

(10) Dock area for each charter shall be kept clean and free of fish debris, etc. No equipment shall be left on the dock overnight other than fish cleaning tables and fresh water hoses,

(11) A permit otherwise include the right to occupy land on the waterfront or dock in any manner permit vending of goods of any kind.

(c) Commercial Vessels

(1) Permits will be issued only for those vessels which are and will be actively engaged as commercial fishing as regulated by Federal or State Regulations, during the year for which the permit is issued. The harbormaster or dockmaster will assign slips and re-assign slips

- as deemed necessary.
- (2) Applicants for permits must be holders of a State or Federal Commercial Fishing License.
 - (3) Applicants for renewal must demonstrate that they have been, and will be, engaged in commercial fishing on at least 40 days of the previous year or as regulated/restricted by Federal and/or State regulations by providing copies of Log Books and landings for the previous season; or
 - a. If the vessel is new or was purchased within 6 months, the applicant has the ability to comply with 1,2 and 3. Applicants must provide documentation of purchase of new vessel.
 - b. Waivers for this cause due to health and or illness to be considered by written request to the Harbormasters office.
 - (4) Annual wharfage fees are to be included with the application renewal that is due by April 1. Annual wharfage period is from July 1 to June 30.
 - (5) Renewal applications will be sent out February 1 and are due back by April 1. Permit holders must annually provide copies of the following to the Harbors Department:
 - a. Vessel registration and documentation
 - b. Federal or State commercial fishing license
 - c. Proof of hull insurance for registered vessel
 - (6) The bait dock located on the north end of the west dock shall be used by commercial fishing vessels only. The harbormaster and or dockmaster shall have the discretion to temporarily put non-commercial vessels on the bait dock when deemed necessary for safety.
 - (7) No gear, barrels nets, equipment, or other material shall be used by commercial fishing vessels only. The Harbormaster and or Dockmaster shall have the discretion to temporarily put non-commercial vessels on the bait dock when deemed necessary for safety.
 - (8) No gear, barrels, nets, equipment or other material shall be allowed to remain on a pier or on land adjacent to and providing access to access to the pier for more than 7 days. Plastic 35 gallon to 50 gallon bait barrels are permissible on the bait dock or immediately behind each slip. No gear, barrels, nets, or other equipment/materials shall be allowed to remain on the loading ramp for more than 48 hours.
 - (9) All bait storage shall be on the bait dock exclusively.
 - (10) Storage of un-refrigerated bait must be in sound (no leaks)
 - (11) Barrels must be covered at all times and shall not obstruct passage on the docks.
 - (12) A permit for berthing space does not include the right to occupy land on the waterfront in any manner.
 - (13) Commercial slip holders which carry passengers for hire are select to annual charter boat wharfage fees.

Sec. 9-122. -Berthing process, permitting process and waiting list process for Old Harbor Town Dock

- (a) The Harbors Division shall maintain waiting lists commercial and charter vessel requests when no berthing space is available. Commercial and charter vessel waiting list applications are available from the Harbors Department must be returned to the Harbors Department completed with the following information;
 - (1) Name, address, and telephone (home and office) of owner

- (2) Vessel name, registration, documentation number, length (feet), width (feet), draft (feet) type, make and color, vessel registration/ documentation must be in waiting list applicants name.
- (b) To qualify for a charter slip, applicants must meet the qualifications specified in section b of this document.
- (c) To qualify for a commercial slip, applicants meet the qualifications as in specified in section c of this document.
- (d) It shall be the burden of applicant to notify the Harbormasters office of any change of address. Your name will be removed from the list if any notifications are returned in the mail.

Sec 9-123 Appeals for Old Harbor Town Docks Use

The harbormaster or assistants shall make the determination as to classification of each vessel for the purpose of establishing berthing or wharfage charges to be assessed based upon the vessel classifications as defined in section 9-121. Any person aggrieved by the determination of the harbormaster or assistant may appeal such determination to the town council, provided the fee or charge determined shall be paid pending the appeal.

Sec. 9-123 – Procedures for New Harbor Dinghy Dock

- (a) Use of Dinghy Dock
 - (1) Vessels over 14 feet are not permitted to dock
 - (2) No overnight docking is permitted
 - (3) Vessels are permitted to dock for no more than 24 hours. Vessels located on the dock for more than 24 hours will be removed by the Harbormaster.
 - (4) The dinghy dock is open seasonally from April 15th to October 15th the Town may remove any dinghy left on Town property after October 30th . In this case, the dinghy would be considered a derelict vessel and procedure and penalties would follow Section 9-99 – Derelict Vessels and Docks.

Posted: October 25, 2021
Hearing: November 17, 2021
Adopted: November 17, 2021

Fiona Fitzpatrick
Town Clerk

January 11, 2022

5.0 APPENDICES



January 11, 2022

APPENDIX A - RIDEM WATER QUALITY CLASSIFICATION - BLOCK ISLAND WATERS

See below for Waterbody ID Number, Waterbody Description, and Classification and Partial Use for Block Island waterbodies.

RI0010046C-01

Coastal Waters off the shoreline of Block Island extending seaward to 10 meters in depth exclusive of the waters in RI0010046E-02A, RI0010046E-02B, RI0010046E-02C, and RI0010046E-02D.

SA

RI0010046E-01A

Great Salt Pond north of a line from the northern most extremity of Cormorant Point to the northern most landward dock located at the Block Island Club. New Shoreham

SA

RI0010046E-01B

Great Salt Pond south of a line from the northern most extremity of Cormorant Point to the northern most landward dock located at the Block Island Club excluding the waters described in waterbody ID#s RI0010046E-01C and RI0010046E-01D. New Shoreham

SA{b}

RI0010046E-01C

Great Salt Pond, Trim's Pond and Harbor Pond New Shoreham

SA{b}

RI0010046E-01D

Great Salt Pond waters south of a line from the end of Payne's Dock to the end of Block Island Marina dock. New Shoreham

SA{b}

RI0010046E-02A

Block Island Waters in the vicinity of Pebbly Beach, within a 500 foot radius of the New Shoreham marine sewer outfall. New Shoreham

SB1

RI0010046E-02B

Block Island Waters in the vicinity of Pebbly Beach exclusive of the waters described in RI0010046E-02A, which are within 1000 feet of the New Shoreham marine sewer outfall to a point 1000 feet south of the marine sewer outfall. New Shoreham

SB

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RI0010046E-02C

Block Island Waters in the vicinity of Old Harbor west of a line from the fixed red light at the end of the northern breakwater to the seaward end of the southern breakwater.

New Shoreham

SB

RI0010046E-02D*

Block Island Waters along the eastern coast exclusive of the waters described in RI0010046E-02A, RI0010046E-02B, and RI0010046E-02C, which are within 5,900 feet of the New Shoreham marine sewer outfall. Block Island

SA

RI0010046M-01

Waters greater than 10 meters in depth to three miles offshore off the shoreline of Block Island exclusive of the waters in RI0010046E-02A, RI0010046E-02B, RI0010046E-02C, and RI0010046E-02D.

SA

RI0010046L-03

Sachem Pond. New Shoreham

A

RI0010046L-04

Middle Pond. New Shoreham

A

RI0010046L-02@

Fresh Pond. New Shoreham

AA

RI0010046L-01@

Sands Pond. New Shoreham

AA

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APPENDIX B - MOORING FIELDS

TOWN MOORING FIELD COORDINATES – NEW HARBOR

POINT NUMBER	SPF-X	SPF-Y	LAT-OMS	LONG-OMS
1 (NW)	478209.508	38590.537	411121.2000	713445.0000
2 (NE)	478982.079	38984.564	411125.1000	713434.9000
3 (E)	479944.110	37404.873	411109.5000	713422.3000
4 (SE)	479981.326	36190.330	411057.0000	713421.8000
5 (SW)	479835.820	35927.308	411054.9000	713423.7000
6	479172.219	35768.324	411053.3235	713432.3765
7	478962.719	36238.137	411057.9637	713435.1217
8	478812.906	36248.594	411058.0657	713437.081
9	478704.25	36025.605	411055.8615	713438.4994
10	479081.375	36445.044	41110.00871	713433.5723
11	478207.688	36326.359	411058.8287	713444.9969
12	478381.156	36052.414	411056.1236	713442.725
13	477324.719	36297.695	411058.5374	713456.5438
14	477084.406	36523.777	41110.76897	713459.6894
15	477653.594	36704.223	41112.55719	713452.2478
16	478087.156	37850.477	411113.8867	713446.5914
17	476962.344	36981.322	41115.2887	71351.29152
18	477703.719	36520.254	41110.73994	713451.5901
19	476966.438	39168.625	411126.9003	71351.2555
20	475789.094	39484.262	411130.0075	713516.6686
21	475934.031	39283.328	411128.0236	713514.7703
22	475536.594	39271.898	411127.9067	713519.9684
23	474610.375	39074.625	411125.948	713532.0801
24	479320.625	41067.453	411145.6829	713430.4956
25	479315.344	41251.07	411147.4971	713430.5667
26	379518.875	42257.813	411157.4459	713427.9157
27	479406.906	42431.797	411159.164	713429.3823
28	479893.063	35342.754	411049.1248	713422.945
29	480069	35369.141	411049.3869	713420.6445
30	480472.75	35187.133	411047.5919	713415.3626

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BOUNDARY DESCRIPTIONS OF REGULATED MOORING FIELDS

All mooring fields are administered by the Town of New Shoreham. There are currently 290 combined moorings in Fields A, B, C, D, F, G, H, I, and J. Mooring Field E currently has 90 rental mooring. There are no commercial moorings or mooring fields.

FIELD A:

Positions in deg-min-sec	Latitude	Longitude
1. NW Corner	41.11-21.2 N	71.34-45.0 W
2. NE Corner	41.11-25.1 N	71.34-34.9 W
3. East Corner	41.11-09.5 N	71.34-22.3 W
4. SE Corner	41.10-57.0 N	71.34-21.8 W
5. SW Corner	41.10-54.9 N	71.34-23.7W

FIELD B:

Begins at a point (identified as **point 7**) on the attached plan entitled Plan of Mooring Fields on Great Salt Pond prepared by the Town of New Shoreham Geographic Information System Administrators, Carol Baker and Martha Roldan, 2004, said point being approximately 100 feet west of the northwest corner of Paynes' Dock and on the line connecting the northeasterly most point of the Block Island Boat Basin Dock and the northwesterly most point of Paynes Dock. The boundary then continues south to a point 50 feet from shore (mean high water) and approximately 100 feet from the stone rip-rap at the southwest portion of Paynes' Dock, said point is identified as **point 6** of the attached plan. The boundary then runs in a general westerly and northerly direction, 50 feet from shore (mean high water) to a point (**point 9** on the attached plan), and 100 feet from southeasterly most part of the Block Island Boat Basin Dock. The boundary then runs a general northerly direction to a point, identified as **point 8**, 100 feet from the northeasterly most point of the Block Island Boat Basin Dock and on the line connecting the northeasterly most point of the Block Island Boat Basin Dock and the northwesterly most point of Paynes Dock. Then running in a straight line and in a general easterly direction to **point 7**, the place and point of beginning. (3.5 acres)

FIELD C:

Begins at a point 100 feet east of the most easterly end of Champlins' Marina Dock, identified as **point 18** on the attached Plan of Mooring Fields on Great Salt Pond prepared by the Town of New Shoreham Geographic Information System Administrators, Carol Baker and Martha Roldan, 2004. The boundary runs southeasterly to a point 100 feet west of the northwest finger pier of the Block Island Boat Basin Dock, (identified as **point 11** on the attached plan). The boundary then runs south to a point 50 feet from shore (Mean High Water) and 100 feet west of the southwest end of Block Island Boat Basin Dock, said point identified as **point 12** on the attached plan. The boundary then

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runs in a generally westerly direction 50 feet from shore (Mean High Water) in a general westerly and northwesterly direction, to a point 100 feet from Champlins' Marina Dock, **point 13**. The boundary then runs along the contour of Champlins' Dock 100 feet from the Dock to **point 18** the place and point of beginning. (6.4 acres)

FIELD D:

Beginning at **point 22**, a point being 50 feet north of mean high water of the northern most point of land at Cormorant Point and running in a general easterly direction along the line connecting the most northerly points of Cormorant Point and Harris Point to **point 19**, where that line intersects the western edge of the navigation channel. The boundary then runs southeasterly following the western edge of the navigation channel to **point 16** on the attached Plan of Mooring Fields on Great Salt Pond prepared by the Town of New Shoreham Geographic Information System Administrators, Carol Baker and Martha Roldan, 2004, **point 16** being the intersection of the extended property line that divides lots 6 and 10 on plat 19 and the line defining the western edge of the navigation channel. **Point 16** is also the northern most point of mooring field "E". The boundary then runs southwesterly along the above described extended property line to **point 17**. **Point 17** is a point 50 feet from shore (mean high water) and on the extended property line that divides lots 6 and 10 on plat 19. The boundary then runs northwesterly following the contour of the western shoreline of Great Salt Pond at a distance 50 feet from shore (mean high water) to **point 22**, the place and point of beginning. (58.4 acres)

FIELD E:

Beginning at **point 16** (**point 16** on the attached Plan of Mooring Fields on Great Salt Pond prepared by the Town of New Shoreham Geographic Information System Administrators, Carol Baker and Martha Roldan, 2004), said point being intersection of the extended property line that divides lots 6 and 10 on plat 19 and the line defining the western edge of the navigation channel. The boundary then runs southeasterly along the western boundary of the navigation channel to **point 10**, a point 150 feet north of the north end of Paynes' Dock and on the western edge of the navigation channel. The boundary then runs westerly to **point 15**, a point 100 feet east of the most easterly portion of the center finger pier of Champlins' Marina. The boundary then runs north, west and then southerly, along the contour that is 100 feet from the ends of piers at Champlins' Marina Docks to **point 14** that is the intersection of the contour described above and the shoreline contour line that is 50 feet seaward of mean high water. The boundary then follows the shoreline contour north of Champlins' Marina at a distance of 50 feet from shore (mean high water) to the intersection of this shoreline contour with the intersection of the extended property line that divides lots 6 and 10 on plat 19, **point 17**. From **point 17** the boundary runs northeasterly along the extended property line that divides lots 6 and 10 on plat 19 to **point 16**, the place and point of beginning. (31.3 acres)

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FIELD F:

Beginning at **point 22**, a point being 50 feet north of mean high water of the northern most point of land at Cormorant Point and then running in a general southerly, westerly and then northerly direction along the contour that is 50 feet from mean high water (and private docks) and follows the shoreline Cormorant Cove to a point identified as **point 23** on the attached plan. **Point 23** is a point 50 feet seaward of mean high water and on the extended north property line of lot 14, plat 20. From **point 23**, the boundary runs in a general easterly direction in a straight line to **point 22** the place and point of beginning. (13.7 acres)

FIELD G:

Beginning at a point (identified as **point 24** on the attached Plan of Mooring Fields on Great Salt Pond prepared by the Town of New Shoreham Geographic Information System Administrators, Carol Baker and Martha Roldan, 2004) said point being 100 feet west of the swimming dock off the shoreline of the Block Island Club. The field, a line of moorings, runs northerly to **point 25**, a point 200 feet north of **point 24**. (.33 acres)

FIELD H:

Beginning at a point (identified as **point 26** on the attached plan entitled Plan of Mooring Fields on Great Salt Pond prepared by the Town of New Shoreham Geographic Information System Administrators, Carol Baker and Martha Roldan, 2004) said point being 50 feet from shore (mean high water) and on the extended northwestern property line of lot 42, plat 4. The field, the line runs northwesterly to **point 27** a point 50 feet from shore (mean high water) and intersects the straight line extension of the southern boundary of the public right-of-way known as Andy's Way. (.23 acres)

FIELD I:

Begins at a point, (identified as **point 21** on the attached Plan of Mooring Fields on Great Salt Pond prepared by the Town of New Shoreham Geographic Information System Administrators, Carol Baker and Martha Roldan, 2004) said point being 400 feet due east of the northern most point of Cormorant Point. The field, a line of moorings, runs northwesterly to a point, identified as **point 20** that is 200 feet southwest of nun buoy #12. The coordinates of **point 20** will vary with the position of buoy #12. (.41 acres)

FIELD J:

Beginning at a point, **point 29**, that lies 50 feet from mean high water and along the line joining the southernmost point of lot 63, plat 5 (called "Indian Head Neck") and the northern most point of lot 116, plat 5. The proceeding west to **point 28**, said point being the intersection of, the contour formed by being 100 feet seaward of the dock on lot 64-1 and the line beginning at **point 29** and running due west. The mooring field boundary

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then continues in a general southerly direction 100 feet from existing fixed docks and 50 feet from mean high water along the shoreline that follows lots 64-1, 100, 101, 102, 104, and then continuing northerly 50 feet from mean high water following the contour of lots 108, 107, 106, 113, 114, and lot 116 on plat 5 and continuing to follow the shoreline of that portion of Trim's Pond being east of Ocean Avenue to a point, **point 30**, that is located 50 feet from mean high water at lot 116, north and east of the most northerly point of land of lot 116 plat 5, and on the line drawn from the southernmost point on Indian Head Neck, lot 63 plat 5, and the northerly most point of lot 116, plat 5 (this line divides CRMC Type 1 and Type 2 waters in Trim's Pond). Said **point 30**, being the intersection of the 50 feet from mean high water line contour and the line drawn from southern most point on Indian Head Neck, lot 63 plat 5, and the northern most point of lot 116, lot 5. Then proceeding in a general northwesterly direction along the CRMC designated water type division line to **point 29** on Indian Head Neck, the place and point of beginning. Mooring Field J is further described on the plan entitled "Plan of Mooring Field "J" on Great Salt Pond for the Town of New Shoreham" prepared by the Town of New Shoreham Geographic Information System Administrators, Carol Baker and Martha Roldan, 2004. (3.6 acres)

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APPENDIX C – SHORELINE PUBLIC ACCESS LOCATIONS

BLOCK ISLAND NATIONAL WILDLIFE REFUGE

Primary use:	Conservation area or wildlife refuge
Other uses:	Path to the shore, historic interest, fishing, hiking/walking
Services:	Trash
Parking:	Yes

The refuge encompasses the northern tip of Block Island (Sandy Point) and includes the historic North Lighthouse. The shoreline of the refuge consists of a cobble beach that extends from the Settler's Rock parking area to Sandy Point, and a sandy/cobble beach that extends several miles along the west side from Sandy Point to Great Salt Pond. The uplands of vegetated dunes provide a rookery for seagulls, and Sachem Pond is a feeding area for a wide variety of waterfowl. This is an ideal area for walking, bird watching, and enjoying the view in all directions. Four-wheel-drive vehicles with permits may drive out to Sandy Point where fishing is a popular activity. This is an environmentally sensitive area-stay off vegetation and out of the dunes. Do not swim at Sandy Point, as it has dangerous tidal currents.

Improvements to the historical North Light are an ongoing project. A four-wheel-drive vehicle is provided for handicap access as needed. Access road improvement is not recommended due to the sensitive dune and habitat areas.

SETTLER'S ROCK

CRMC ROW#:	E-1
Primary use:	Scenic view
Other uses:	Path to the shore, picnicking, historic interest, wildlife observation
Services:	Trash
Parking:	Yes

At the end of Corn Neck Road, near a cobble beach on Rhode Island Sound, a rock with a plaque marks the landing site of the European settlers of Block Island in 1661. Across the road is scenic Sachem Pond with a small sandy beach great for wildlife observation. The parking area is also the access point to Sandy Point, the Block Island National Wildlife Refuge, and the northern end of the Clayhead Nature Trail.

The Road Maintenance Department performs maintenance of the parking area routinely. Further enhancement is not considered necessary at this time.

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CLAYHEAD TRAIL

Primary use: Conservation area or wildlife refuge
Other uses: Path to the shore, hiking/walking
Services: Picnic tables/benches
Parking: Yes

This scenic nature trail winds through shrubs, fields, and wetlands to the Clayhead Bluffs along Block Island's northeast shore. The trail starts at Corn Neck Road and continues for a quarter-mile along a dirt road to a parking area with bike racks. From here the trail narrows and winds its way to the coast. There is a small beach where the trail reaches the shoreline that is often very rocky due to strong surf. The main trail then winds north along high coastal bluffs almost to Settler's Rock. This trail and the maze of trails leading off from it provide wonderful walking and bird watching with views of farms, ponds, and the coast. No mopeds are allowed on the road. No mopeds or bikes on the trail. This is an environmentally sensitive area.

This area is maintained continuously by the Town and the Block Island Conservancy, as a walking trail. Due to the environmentally sensitive nature of the area, further enhancement is discouraged.

MANSION ROAD

Primary use: Path to the shore
Other uses: Picnicking, wildlife observation, fishing, hiking/walking
Parking: Yes

At the eastern end of Mansion Drive there is a sandy lane and right-of-way to Mansion Beach. Ample on-site parking is available. It is an excellent site for picnics and swimming in the summer and for wildlife observation off-season. This right-of-way is circled by a one-way access road that offers parking on both sides.

The Town and Block Island Conservancy maintain this area. Gravel graded parking lot and road is a moderate priority for improvement in the future.

SCOTCH BEACH ROAD

CRMC ROW#: E-2
Primary use: Path to the shore
Other uses: Swimming, hiking/walking
Parking: Yes

This right-of-way is located at the Scotch Road end, off Corn Neck Road, with access to the north end of Frederick Benson Town Beach.

Continuously maintained by the Town, this is a high-level use row. Medium priority for parking improvements is recommended.

January 11, 2022

FREDERICK BENSON TOWN BEACH

Primary use: Beach with lifeguards
Other uses: Hiking/walking
Services: Toilets, trash, picnic tables/benches, Concessions
Parking: Yes

A long, sandy beach off Corn Neck Road on Rhode Island Sound, this is a popular location for walking, sunbathing, and swimming, with a view of the ocean and Old Harbor. The Beach has a large parking area, bike racks, a pavilion, and lifeguards.

It is managed by the Town of New Shoreham. Access may also be gained from limited street side parking on Corn Neck Road.

The Town considers this a high priority, high use area. The Town performs continuous maintenance on the facility, parking lot, and access paths year-round.

OLD HARBOR DOCK

Primary use: Dock
Services: Toilets, trash, picnic tables/benches
Parking: Yes

Located east of the ferry dock on Water Street in Old Harbor, this town dock has guest slips available. The dockmaster's office is located here and the dock is close to the center of town, restaurants, shops, hotels, and the ferry to Point Judith.

Planned improvements and repairs are in the planning stage for the restrooms and dock facilities.

BALLARD'S BEACH

Primary use: Beach with lifeguards
Services: Toilets, trash, picnic tables/benches, Concessions
Parking: Yes

Located off Water Street, at the eastern end of Old Harbor, this sandy beach is owned by Ballard's Inn and is open to the public without fee. The beach has picnic tables, lifeguards, and volleyball nets, and there is a restaurant with a deck overlooking the beach. There is a great view of Rhode Island Sound and Old Harbor from the beach and from the harbor breakwater.

The owners of Ballard's Inn maintain this facility with some cooperative assistance from the Town for moving and grading beach sand. This high intensity use area does not require further enhancement.

January 11, 2022

SOUTHEAST LIGHTHOUSE

Primary use: Scenic view
Other uses: Historic interest, wildlife observation
Services:
Parking: Yes

Built in 1874, Southeast Lighthouse is a museum, open to the public for a nominal fee. The lantern is 204 feet above the water and can be seen 35 miles out to sea. The property around the lighthouse is open to the public and offers a spectacular view of the ocean and Mohegan Bluffs.

This property is maintained by the Southeast Light Foundation, which has programs in place for continued enhancement of the facility and grounds.

MOHEGAN BLUFFS

Primary use: Scenic view
Other uses: Path to the shore, swimming, fishing, hiking/walking
Services: Trash, picnic tables/benches
Parking: Yes

Off Southeast Light Road, Mohegan Bluffs drop 150 feet to the sandy beach and crashing surf below. A short trail from the parking area leads to a vantage point at the edge of the bluffs. A long wooden stairway leads down to the beach. This state-managed site is well known for its excellent view of the island's dramatic southern coastline and of historic Southeast Lighthouse.

Maintenance and improvements to the stairway is a high priority for this medium-high intensity use area.

SCUP ROCK PROPERTY

CRMC ROW#: E-3
Primary use: Scenic view
Other uses: Hiking/walking
Parking: Yes

This hard-to-spot right-of-way, at the sandy extension of Pilot Hill Rd., leads to a small parking lot. A 150-foot path can then be taken to a beautiful vista overlooking Mohegan Bluffs.

Town maintained, this medium use area should not be enhanced much more due to its sensitive nature and potential for erosion.

January 11, 2022

SNAKE HOLE ROAD

Primary use: Path to the shore
Other uses: Hiking/walking
Parking: Yes

At the intersection of Mohegan Trail and Lakeside Drive, a gravel road heads south to a grassy path leading to the shore. The path is steep at times so access should be reserved for the sure-footed. Limited roadside parking is available.

This area should be largely left in its natural state other than routine safety maintenance of the pathway.

RODMAN'S HOLLOW

Primary use: Conservation area or wildlife refuge
Other uses: Path to the shore, hiking/walking
Parking: None

In a natural ravine located south of Cooneymus Road, a network of trails winds through the conservation area to the southern coast of the island. These trails provide a scenic location for walking and bird watching. This is an extremely sensitive area; stay on the trails.

Very little maintenance is needed and no further enhancements should be undertaken.

COONEYMUS ROAD / SOUTHWEST POINT

CRMC ROW#: E-4
Primary use: Path to the shore
Other uses: Wildlife observation, fishing, hiking/walking
Parking: Yes

Located on the southwest side of the island, just north of Bluff Head, this right-of-way consists of a sandy path to a cobble beach bordering the ocean located at the west end of the dirt road referred to as Cooneymus Road.

This low intensity use area needs very little maintenance and should not see any enhancements.

January 11, 2022

CHARLESTOWN BEACH

Primary use: Path to the shore
Other uses: Swimming, wildlife observation, fishing, hiking/walking
Parking: None

Located on the west side of the island, this right-of-way consists of a path extending from Coast Guard Road to Block Island Sound. This site is one of the few places in Rhode Island that one can see the sun set over the water.

A low intensity use area, this needs little maintenance and should not be considered for enhancement due to lack of parking and the existing sharp corner.

COAST GUARD ROAD/ COAST GUARD STATION

CRMC ROW#: E-5
Primary use: Path to the shore
Other uses: Historic interest, wildlife observation, fishing, hiking/walking
Parking: Yes

The Town's right-of-way is at the end of Champlin Way, just west of the New Shoreham Coast Guard Station. It is a small beach in the protected waters of Great Salt Pond. Parking is available in the road end.

The Town maintained, sustains medium intensive use in the summer. Priority improvement is the restroom facilities only. Further enhancement is discouraged, as the area is small, has sensitive habitat, and strong currents at the channel beach.

CHAMPLIN'S MARINA

Primary use: Scenic view
Services: Dock, toilets, trash, picnic tables/benches, Concessions
Parking: Yes

Located off West Side Road, this is a full-service marina on Great Salt Pond with guest slips available. This site provides shopping, a playground, video arcade, movie theater, and a variety of rentals. Terminal for the Block Island – Montauk ferry. This private resort is maintained by the resort owners.

BLOCK ISLAND BOAT BASIN

Primary use: Public park
Services: Public transportation, dock, toilets, trash, picnic tables/benches, concessions
Fee: Yes

January 11, 2022

Parking: Yes

A full-service marina, with guest slips available on Great Salt Pond, this site has picnic tables, a barbecue area overlooking the harbor, and a small beach. Bike, car, and moped rentals are available. The Harbormaster's office is also located here.

A large dingy dock is open for public use at all times in season. Marina privately maintained.

PAYNE'S DOCK

Primary use: Scenic view
Services: Dock, toilets, trash, picnic tables/benches, Concession
Parking: Limited

This is a full-service marina in Great Salt Pond located at the end of Ocean Avenue on New Harbor with guest slips available. For the non-boater, the docks offer a spectacular view of the pond. This is also the high-speed ferry terminal.

Marina is privately maintained.

INDIAN HEAD NECK ROAD

Primary use: Boat ramp
Other uses: Path to the shore, concessions
Services: Trash, picnic tables/benches, concessions
Parking: Yes

A gravel strip between Dead Eye Dick's and Smuggler's Cove Restaurants leads from Ocean Avenue to a boat ramp on Great Salt Pond. Traditionally, this spot has been used as a launching ramp and a public fishing area.

The row and ramp is Town maintained. Parking, concessions, trash, and tables are privately owned and maintained. Replacement of the launch ramp and road improvements is scheduled as a high priority.

OCEAN AVENUE BRIDGE

Primary use: Fishing site
Other uses: Path to the shore, historic interest, hiking/walking
Parking: Very limited

This bridge crosses over Trims Pond, a tidal pond that is connected to Great Salt Pond in New Harbor. This site is most often used by the public for fishing, walking, shellfishing, and kayak launching.

January 11, 2022

State owned and maintained, this site is not considered for further enhancement.

BEACH AVENUE / DUNNS BRIDGE

Primary use: Fishing site
Other uses: Wildlife observation
Parking: None

The bridge over the Harbor Pond Channel, this site has traditionally provided public access for fishing, scenic enjoyment, and shell fishing.

State owned and maintained. No additional improvements are planned or considered viable.

MOSQUITO BEACH

Primary use: Public park
Other uses: Path to the shore, wildlife observation
Parking: Yes

Located on the southeast shore of the Great Salt Pond, this parcel is west of Corn Neck Road. The area encompasses 80,000 square feet and characterized by salt marsh and beach. Shellfishing and landing small dinghies are traditional uses of this site. Parking is available for about 10 cars at the boardwalk.

Town maintained. Additional improvements are needed or planned in the near future.

ANDY'S WAY

CRMC ROW#: E-6
Primary use: Path to the shore
Other uses: Historic interest, wildlife observation, fishing, shellfishing
Services: Trash
Parking: Yes-limited

This right-of-way consists of a dirt and sand road extending west from Corn Neck Road to a sandy beach bordering Great Salt Pond. Historically, this area was the site of the Native American fishing settlement on the island.

Town maintains this area sustains medium use in season. Improvements or additional enhancement is not considered at this time.

January 11, 2022

WEST BEACH ROAD

CRMC ROW#: E-7

Primary use: Path to the shore

Other uses: Wildlife observation, fishing, hiking/walking

Parking: Yes

This is a sandy road on the northwest side of the island, extending west from Corn Neck Road, past the landfill, to a sandy cobble beach (West Beach) bordering Block Island Sound. Roadside parking is available.

Town maintained. This road is adjacent to sensitive habitat and should not be further enhanced.

BONNELL BEACH

Primary Use: Wildlife habitats, access, swimming beach, view shed preservation, recreation, plant and animal conservation.

Parking: No

This property is located adjacent to, and south of, the Great Salt Pond. The property was conveyed from George Bunnell to the Cruising Club of America by deed June 1, 1959. A granite marker on the beach commemorates this gift and marks the entrance to a short nature trail across the property. Primary access is from the Great Salt Pond. Secondary access is from twenty-five (25) foot wide right of way permitting vehicle and foot access from Champlin Road. The DEM holds a recreation easement on the property.

BREED PROPERTY

Primary Use: Wildlife habitats, access, swimming beach, view shed preservation, recreation, plant and animal conservation.

Parking: No

This property was deeded to the Town as a nature sanctuary. It provides access to the beach from Corn Neck Road just south of Sachem Pond. A gate and a large Wildlife Refuge sign are at the path entrance. No improvements are recommended except maintaining the path and new signage.

January 11, 2022

POTENTIAL CRMC PUBLIC ACCESS, RECREATION, AND RIGHTS OF WAY

Properties 2-4 were identified by the CRMC as potential public ROW's and are currently considered "not resolved"

1. Ball O'Brien Park

Primary use: Public Park, path to shoreline, public restrooms, picnic area
Parking: Yes

Located on West Side Road, a walk to the hilltop affords a nice view of Great Salt Pond. A skateboard park, playground, restrooms, and parking are also available. Though there is no direct access to the water, it is a great place to take a break from biking.

2. Grace's Cove Road

Primary use: Path to shoreline
Parking: Yes

Small parking area with a path to the beach at the end of Grace's Cove Road.

Background/Issue: Severe erosion on the path to the beach.

Recommended Actions: Create two separate paths, a drainage path, as well as a walking path. Conduct survey of land to determine a location for a walking structure or a path, given rain-water run-off. Path may require excavation and a more formal structure.

3. Snake Hole Road

Primary Use: Path to shoreline
Parking: Yes

Small parking area with path to the beach at the end of Snake Hole Road where Black Rock Road and Snake Hole meet.

Background/Issue: Parking area is small and awkward due to surrounding wetlands.

Recommended Actions: Investigate ways to open parking given wetlands and topography. Ensure the parking and paths are not lost. Ensure the trail is cut back to ease access.

January 11, 2022

4. Southeast Lighthouse

Primary Use: Preservation of viewsheds, hiking, walking, Historical significance

Parking: Yes

This property encompasses approximately 10 acres bounded on the northwesterly corner by Spring Street and Mohegan Trail. It is home to the Southeast Lighthouse, which is seasonally open to the public, and run by the Southeast Light Foundation. This property allows the public legal access to the shore, however there is no physical access on site.

5. Overlook Acquisition

The Town Council voted on April 21, 2021 to join three other groups (the Block Island Land Trust, the Block Island Conservancy, and The Nature Conservancy) in purchasing the Overlook property on the shore of the Great Salt Pond next to Champlin's Marina and Resort. The goal of the acquisition of the Overlook property is to secure additional public access to the Great Salt Pond. The plan is to include a harbormaster office, housing for town employees and storage, boat ramps and restrooms on the parcel. The voters approved bonding for the purchase, with contingencies, at the Financial Town Meeting on May 3, 2021.

January 11, 2022

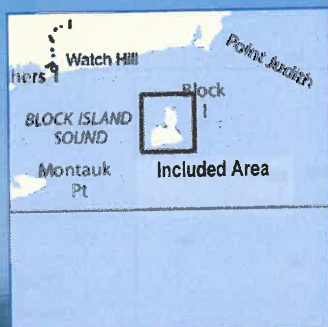
APPENDIX D – NAUTICAL CHARTS

BookletChart™



Block Island NOAA Chart 13217

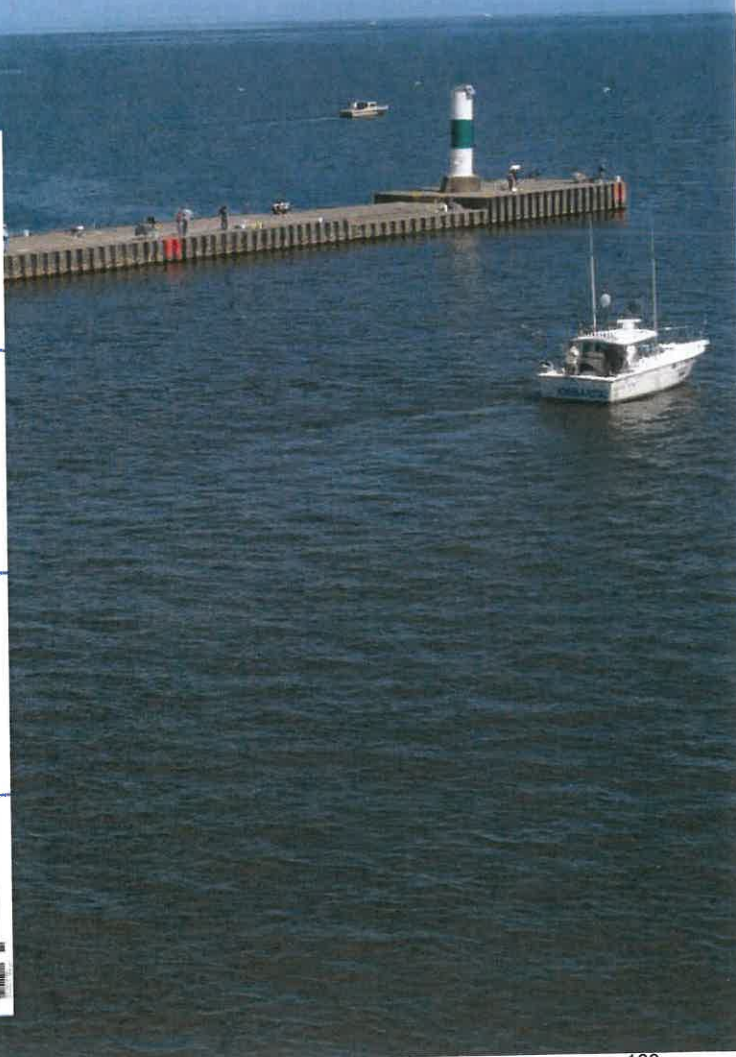
*A reduced-scale NOAA nautical chart for small boaters
When possible, use the full-size NOAA chart for navigation.*



- Complete, reduced-scale nautical chart
- Print at home for free
- Convenient size
- Up-to-date with Notices to Mariners
- Compiled by NOAA's Office of Coast Survey, the nation's chartmaker

Approximate Page Index

4	5	6	7
8	9	10	11
12	13	14	15
16	17	18	19




NOAA encourages users to submit inquiries, discrepancies or comments about this chart at <http://www.nauticalcharts.noaa.gov/elaff/contact.htm>.

SCALE 1:15,000
Nautical Miles



13217

71° 38' 37' 36'



UNITED STATES - EAST COAST
RHODE ISLAND
BLOCK ISLAND

Mercator Projection
Scale 1:15,000 at Lat. 41°12'
North American Datum of 1983
(World Geodetic System 1984)

**SOUNDINGS IN FEET
AT MEAN LOWER LOW WATER**

Additional information can be obtained at nauticalcharts.noaa.gov.

HORIZONTAL DATUM

The horizontal reference datum of this chart is North American Datum of 1983 (NAD 83), which for charting purposes is considered equivalent to the World Geodetic System of 1984 (WGS 84). Geographic positions referred to the North American Datum of 1927 must be corrected an average of 0.366" northward and 1.785" eastward to agree with this chart.

COLREGS, 80.160 (see note A)

International Regulations for Preventing Collisions at Sea, 1972. The entire area of this chart falls seaward of the COLREGS Demarcation Line.

NOTE A

Navigation regulations are published in Chapter 2, U.S. Coast Pilot 2. Additions or revisions to Chapter 2 are published in the Notice to Mariners. Information concerning the regulations may be obtained at the Office of the Commander, 1st Coast Guard District in Boston, MA or at the Office of the District Engineer, Corps of Engineers in Concord, MA. Refer to charted regulation section numbers.

NOTE Z

NO-DISCHARGE ZONE, 40 CFR 146

This chart falls entirely within the limits of a No-Discharge Zone (NDZ). Under the Clean Water Act, Section 312, all vessels operating within a No-Discharge Zone (NDZ) are completely prohibited from discharging any sewage, treated or untreated, into the waters. All vessels with an installed marine sanitation device (MSD) that are navigating, moored, anchored, or docked within a NDZ must have the MSD disabled to prevent the overboard discharge of sewage (treated or untreated) or install a holding tank. Regulations for the NDZ are contained in the U.S. Coast Pilot. Additional information concerning the regulations and requirements may be obtained from the Environmental Protection Agency (EPA) web site: http://www.epa.gov/owow/oceans/regulatory/vessel_sewage/.

NOTE D

High speed ferries operate between Point Judith and Block Island. Mariners are cautioned that these crafts move very rapidly and may transit waterways at angles to the normal direction of traffic. Ferries may deviate from published routes.

SOURCE DIAGRAM

The outlined areas represent the limits of the most recent hydrographic survey information that has been evaluated for charting. Surveys have been banded in this diagram by date and type of survey. Channels maintained by the U.S. Army Corps of Engineers are periodically resurveyed and are not shown on this diagram. Refer to Chapter 1, United States Coast Pilot.

SOURCE		
A	1990-2014	NOS Surveys full bottom coverage
B3	1940-1969	NOS Surveys partial bottom coverage
B4	1900-1939	NOS Surveys partial bottom coverage

BLOCK ISLAND CHANNEL DEPTHS TABULATED FROM SURVEYS BY THE CORPS OF ENGINEERS - REPORT OF JUL 2017 AND SURVEYS TO JUN 2017				
CONTROLLING DEPTHS FROM SEAWARD IN FEET AT MEAN LOWER LOW WATER (MLLW)				PROJECT DATED
NAME OF CHANNEL	LEFT OUTSIDE QUARTER	MIDDLE HALF OF CHANNEL	RIGHT OUTSIDE QUARTER	DATE OF SURVEY
OLD HARBOR	A15.0	B15.0	C15.0	6-17
ANCHORAGE BASIN	D12.3	E12.0		6-17
GREAT SALT POND	15.5	13.5	3	6-17
				150 0.48

LENGTH (FEET) WIDTH (MUT. MILES)
170-140 0.32
7.8 ACRES
0.9 ACRES
150 0.48

A. EXCEPT FOR SHOALING TO 12.9 FEET WITHIN 10 FEET OF LIMIT AND TO 9.8 FEET WITHIN THE LAST 50 FEET OF CHANNEL.
B. EXCEPT FOR SHOALING TO 8.7 FEET WITHIN THE LAST 50 FEET OF CHANNEL.
C. EXCEPT FOR SHOALING TO 11.4 FEET WITHIN 10 FEET OF LIMIT AND TO 4.6 FEET WITHIN THE LAST 100 FEET OF CHANNEL.
D. EXCEPT FOR SHOALING TO 1.8 FEET WITHIN 80 FEET OF NORTH, WEST, SOUTHWEST, AND SOUTH LIMITS.
E. EXCEPT FOR SHOALING TO 10.4 FEET WITHIN 5 FEET OF EAST LIMIT.
NOTE - CONSULT THE CORPS OF ENGINEERS FOR CHANGES SUBSEQUENT TO THE ABOVE INFORMATION

41° 15'

14°

Joins page 8

4

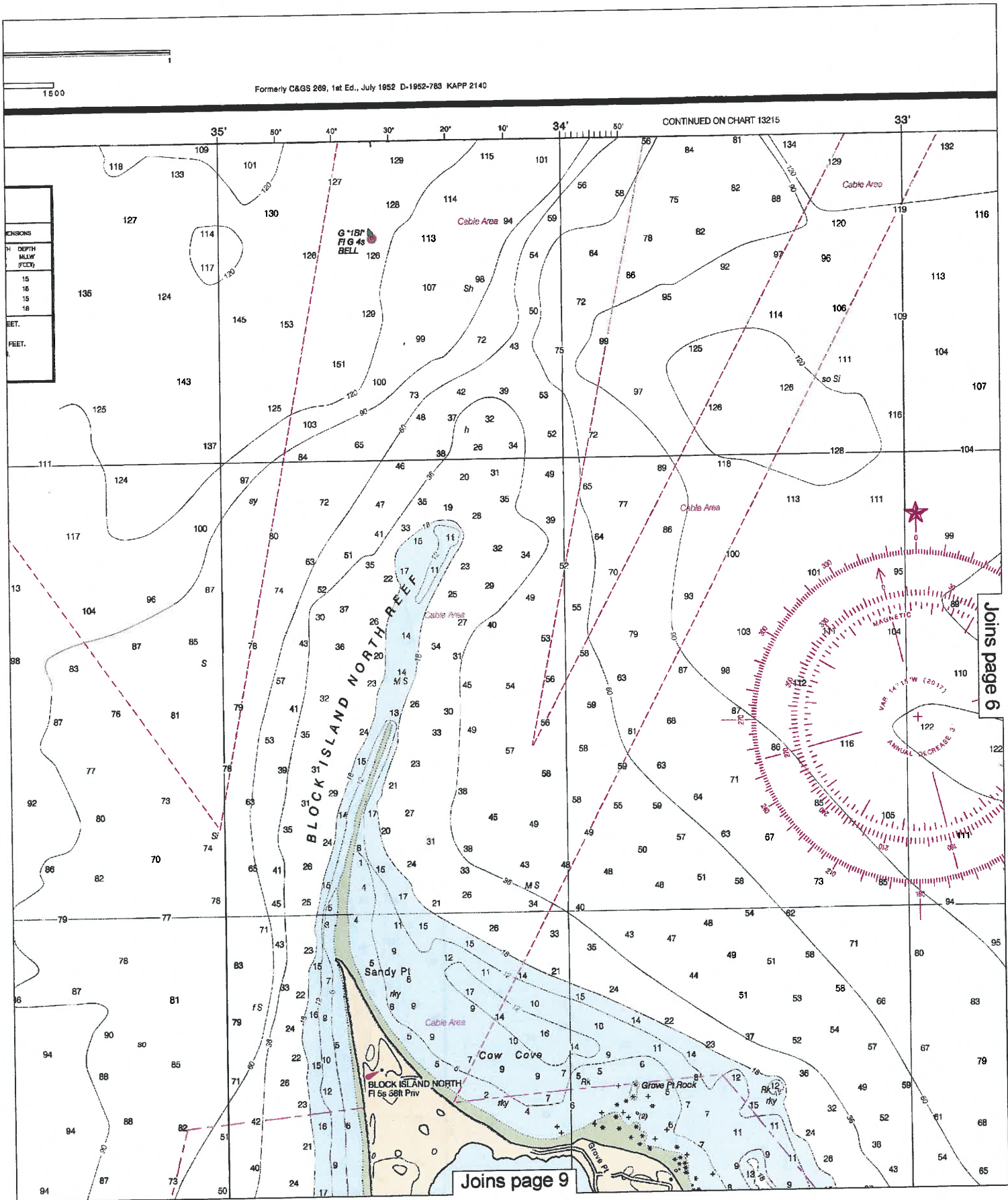
Note: Chart grid lines are aligned with true north.

Printed at reduced scale.

SCALE 1:15,000
Nautical Miles

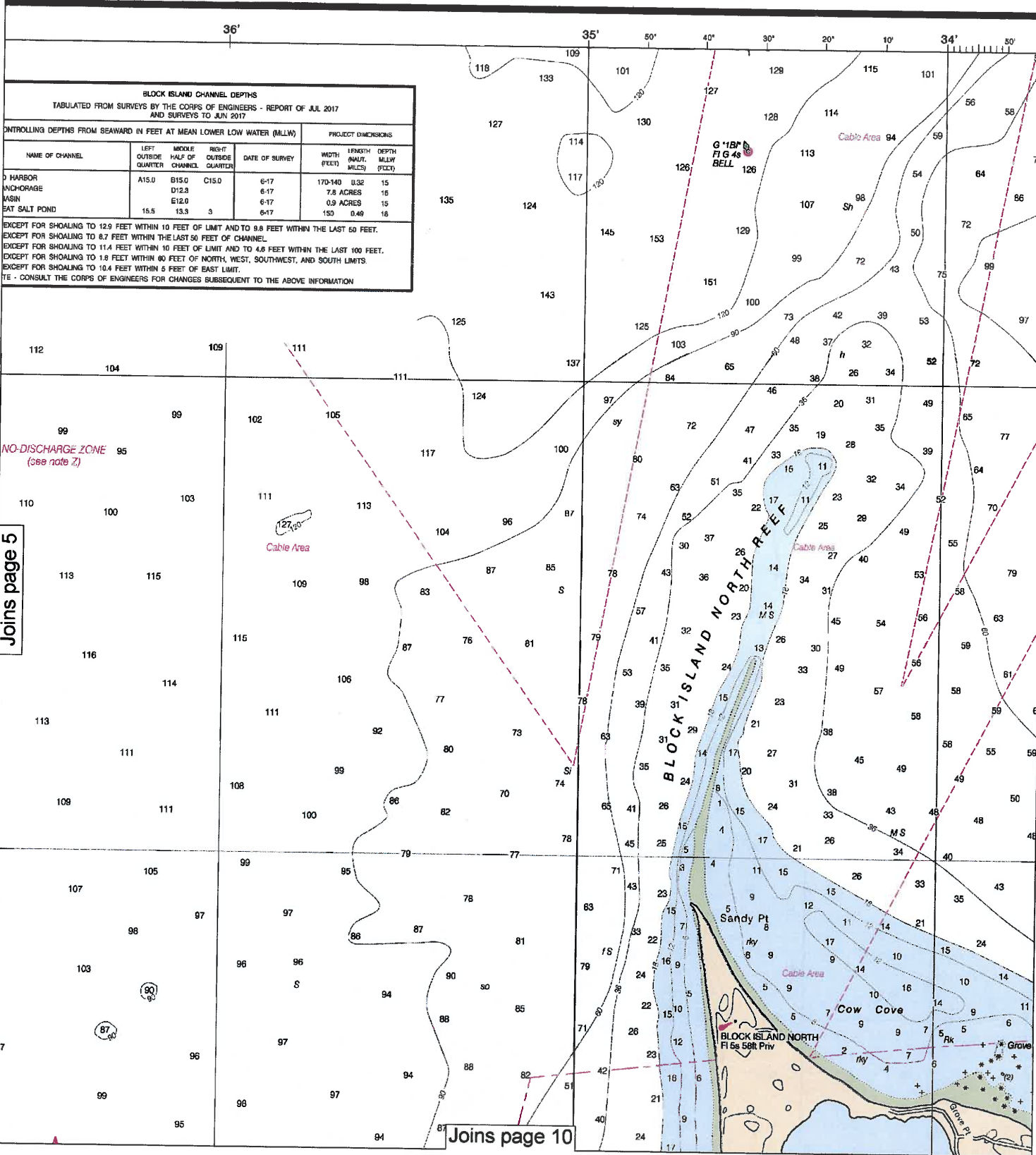
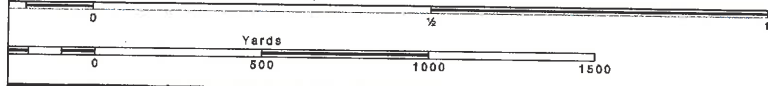
See Note on page 5.





SCALE 1:15,000
Nautical Miles

Formerly C&GS 269, 1st Ed., July 1952 D-1952-763 KAPP 2140



BLOCK ISLAND CHANNEL DEPTHS
TABULATED FROM SURVEYS BY THE CORPS OF ENGINEERS - REPORT OF JUL 2017 AND SURVEYS TO JUN 2017

NAME OF CHANNEL	CONTROLLING DEPTHS FROM SEAWARD IN FEET AT MEAN LOWER LOW WATER (MLLW)			DATE OF SURVEY	PROJECT DIMENSIONS		
	LEFT OUTSIDE QUARTER	MIDDLE HALF OF CHANNEL	RIGHT OUTSIDE QUARTER		WIDTH (FEET)	LENGTH (NAUT. MILES)	DEPTH (FEET)
ANCHORAGE	A15.0	B15.0	C15.0	6-17	170-140	0.32	15
ANCHORAGE BASIN		E12.0		6-17	7.8		16
EAT SALT POND	15.5	13.3	3	6-17	0.9		15
					150	0.49	16

EXCEPT FOR SHOALING TO 12.9 FEET WITHIN 10 FEET OF LIMIT AND TO 9.9 FEET WITHIN THE LAST 50 FEET.
EXCEPT FOR SHOALING TO 8.7 FEET WITHIN THE LAST 50 FEET OF CHANNEL.
EXCEPT FOR SHOALING TO 11.4 FEET WITHIN 10 FEET OF LIMIT AND TO 4.6 FEET WITHIN THE LAST 100 FEET.
EXCEPT FOR SHOALING TO 1.8 FEET WITHIN 60 FEET OF NORTH, WEST, SOUTHWEST, AND SOUTH LIMITS.
EXCEPT FOR SHOALING TO 10.4 FEET WITHIN 5 FEET OF EAST LIMIT.
NOTE - CONSULT THE CORPS OF ENGINEERS FOR CHANGES SUBSEQUENT TO THE ABOVE INFORMATION

Joins page 5

Joins page 10

6

Note: Chart grid lines are aligned with true north.

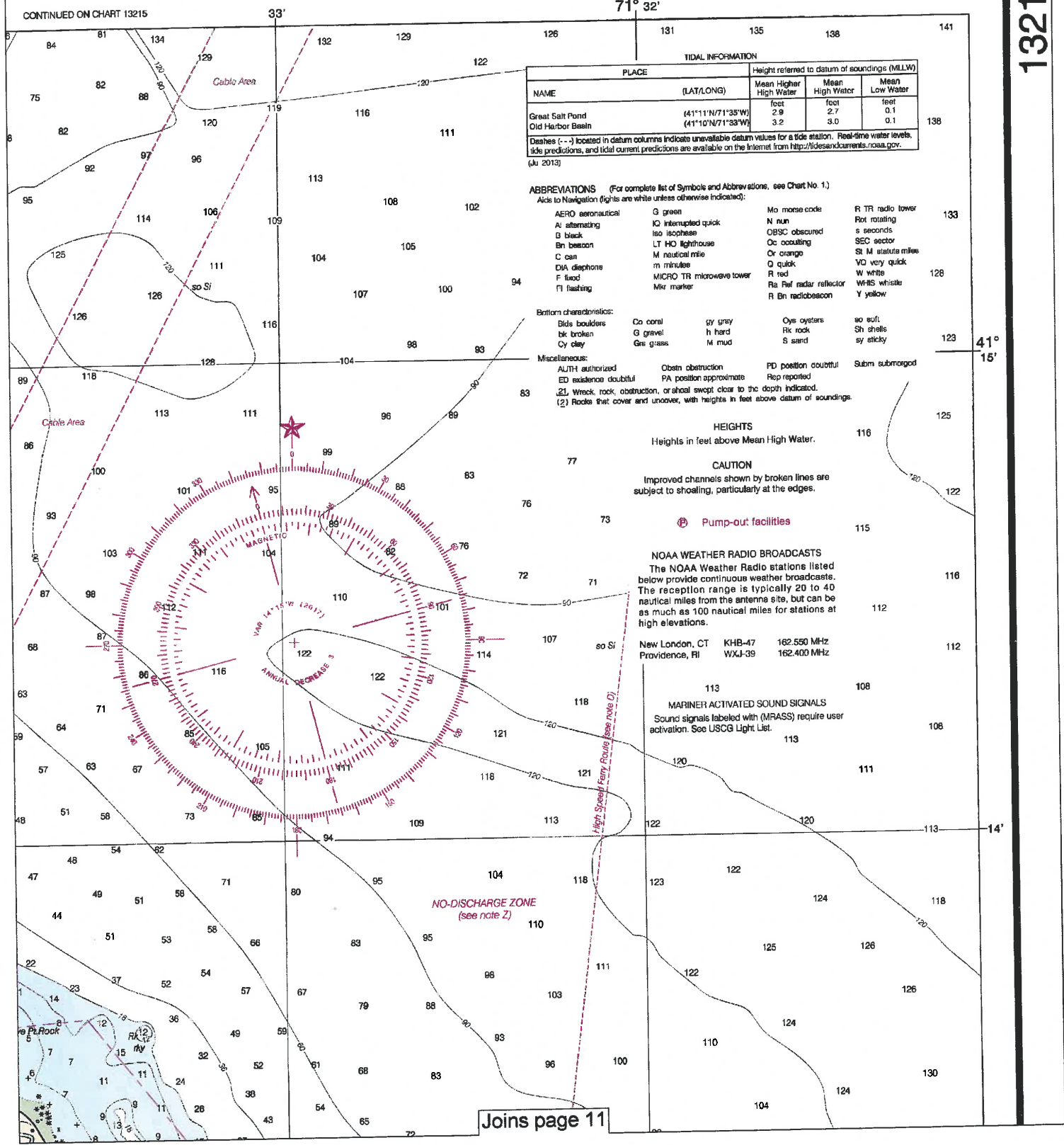
Printed at reduced scale. SCALE 1:15,000 Nautical Miles

See Note on page 5.



SOUNDINGS IN FEET

13217



TIDAL INFORMATION

PLACE	NAME (LAT/LONG)	Height referred to datum of soundings (MLLW)		
		Mean Higher High Water	Mean High Water	Mean Low Water
Great Salt Pond	(41°11'N/71°35'W)	2.9	2.7	0.1
Old Harbor Basin	(41°10'N/71°33'W)	3.2	3.0	0.1

Dashes (---) located in datum columns indicate unavailable datum values for a tide station. Real-time water levels, tide predictions, and tidal current predictions are available on the Internet from <http://tidesandcurrents.noaa.gov>. (Jul 2013)

- ABBREVIATIONS (For complete list of Symbols and Abbreviations, see Chart No. 1.)
- Aids to Navigation (lights are white unless otherwise indicated):
- AERO aeronautical
 - A alternating
 - B black
 - Bn beacon
 - C can
 - DIA diaphone
 - F float
 - Fl flashing
 - G green
 - IQ interrupted quick
 - iso isophase
 - LT HO lighthouse
 - M nautical mile
 - m minutes
 - MICRO TR microwave tower
 - Mkr marker
 - Mo moose code
 - N nun
 - OBSC obscured
 - Oc occulting
 - Or orange
 - Q quick
 - R red
 - Ra Ref radar reflector
 - R Bn radiobeacon
 - R TR radio tower
 - Rot rotating
 - s seconds
 - SEC sector
 - St M status mile
 - VQ very quick
 - W white
 - WhS whistle
 - Y yellow
- Bottom characteristics:
- Bds boulders
 - bk broken
 - Cy clay
 - Co coral
 - G gravel
 - Gr glass
 - gy gray
 - h hard
 - M mud
 - Oys oysters
 - Rk rock
 - S sand
 - so soft
 - Sh shells
 - sy sticky
- Miscellaneous:
- ALTH authorized
 - ED evidence doubtful
 - 21 Wreck, rock, obstruction, or shoal swept clear to the depth indicated.
 - (2) Rocks that cover and uncover, with heights in feet above datum of soundings.
 - Obstr obstruction
 - PA position approximate
 - PD position doubtful
 - Rep reported
 - Subm submerged

HEIGHTS
Heights in feet above Mean High Water.

CAUTION
Improved channels shown by broken lines are subject to shoaling, particularly at the edges.

Pump-out facilities

NOAA WEATHER RADIO BROADCASTS
The NOAA Weather Radio stations listed below provide continuous weather broadcasts. The reception range is typically 20 to 40 nautical miles from the antenna site, but can be as much as 100 nautical miles for stations at high elevations.

New London, CT KHB-47 162.550 MHz
Providence, RI WXJ-39 162.400 MHz

MARINER ACTIVATED SOUND SIGNALS
Sound signals labeled with (MRASS) require user activation. See USCG Light List.

NO-DISCHARGE ZONE
(see note Z)

Joins page 11

17th Ed., Aug. 2013. Last Correction: 6/5/2018. Cleared through:
LNM: 4218 (10/16/2018), NM: 4318 (10/27/2018), CHS: 0918 (9/28/2018)

7

requirements may be obtained from the Environmental Protection Agency (EPA) web site: http://www.epa.gov/owow/oceans/regulatory/vessel_sewage/.

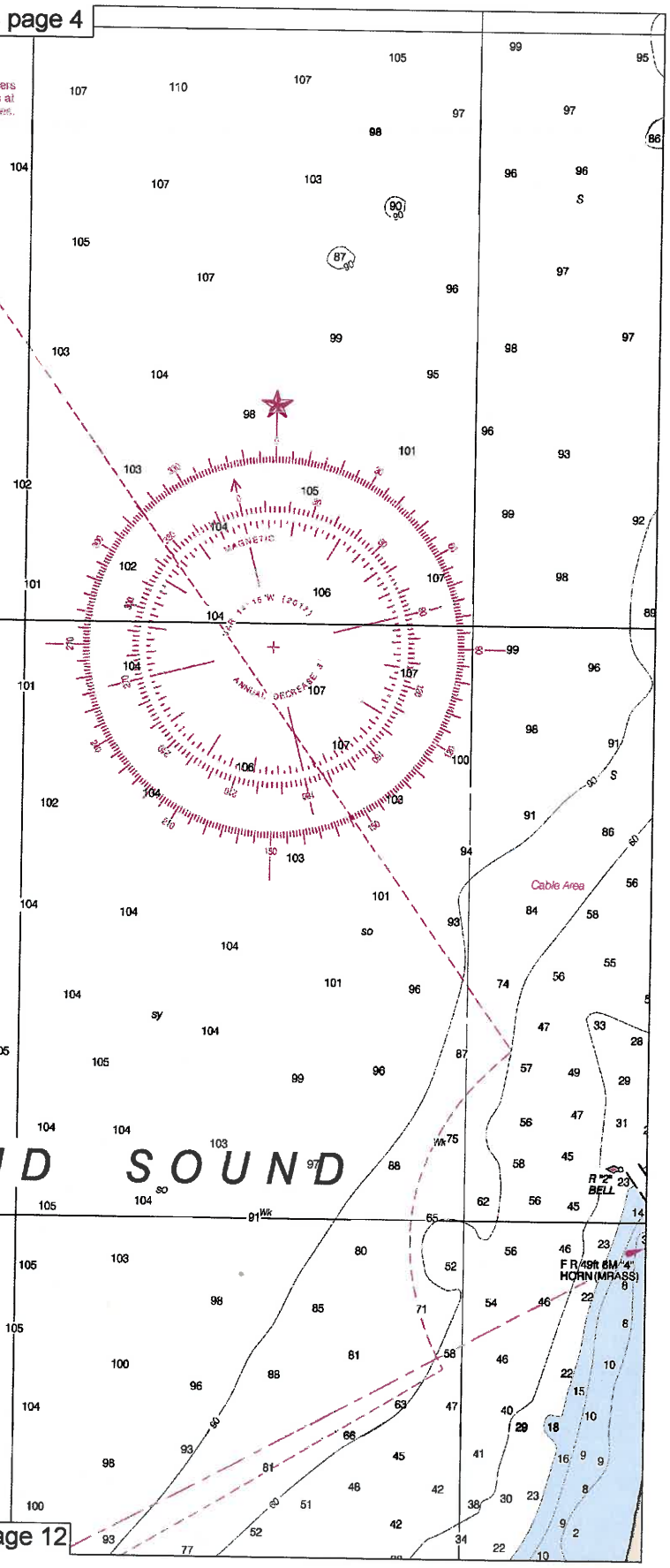
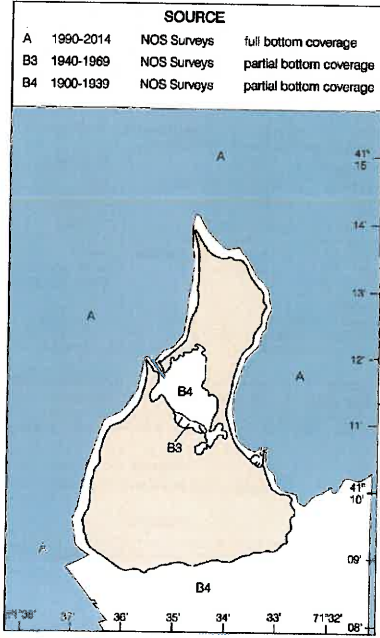
Joins page 4

NOTE D

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SOURCE DIAGRAM

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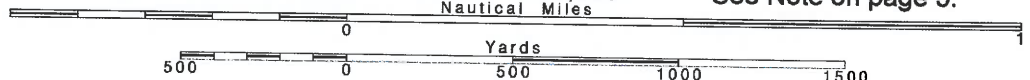


Note: Chart grid lines are aligned with true north.

Printed at reduced scale.

SCALE 1:15,000
Nautical Miles

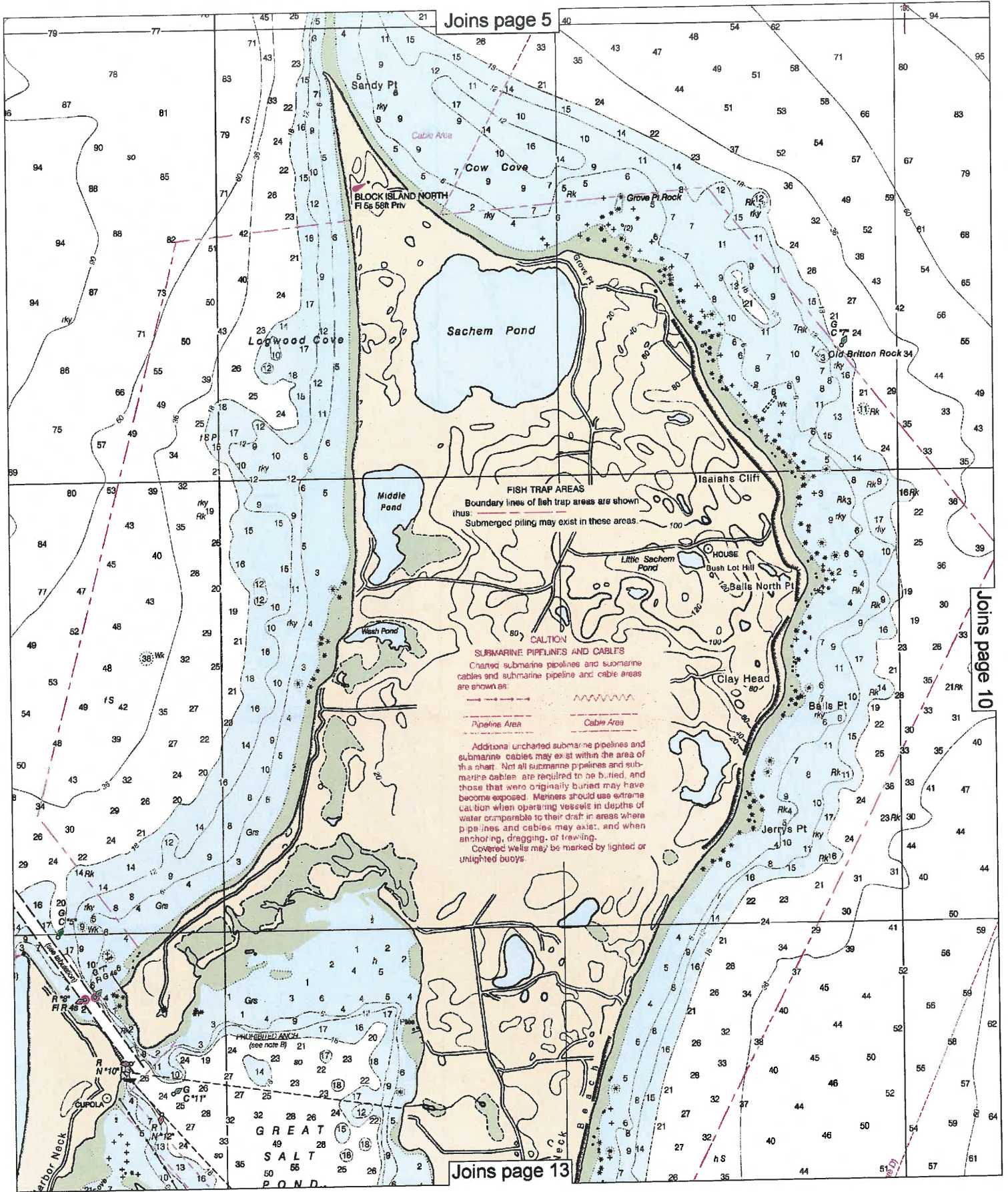
See Note on page 5.



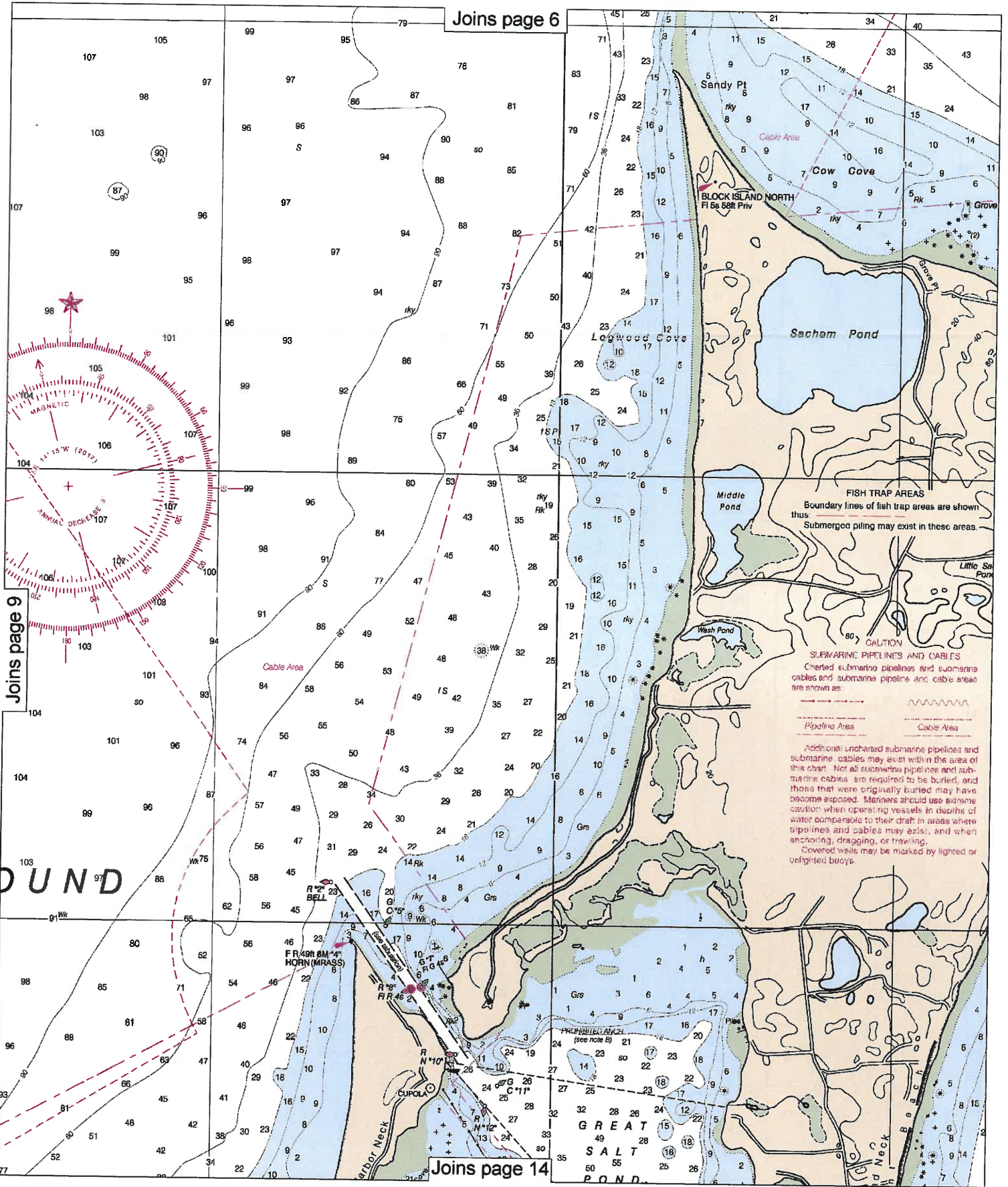
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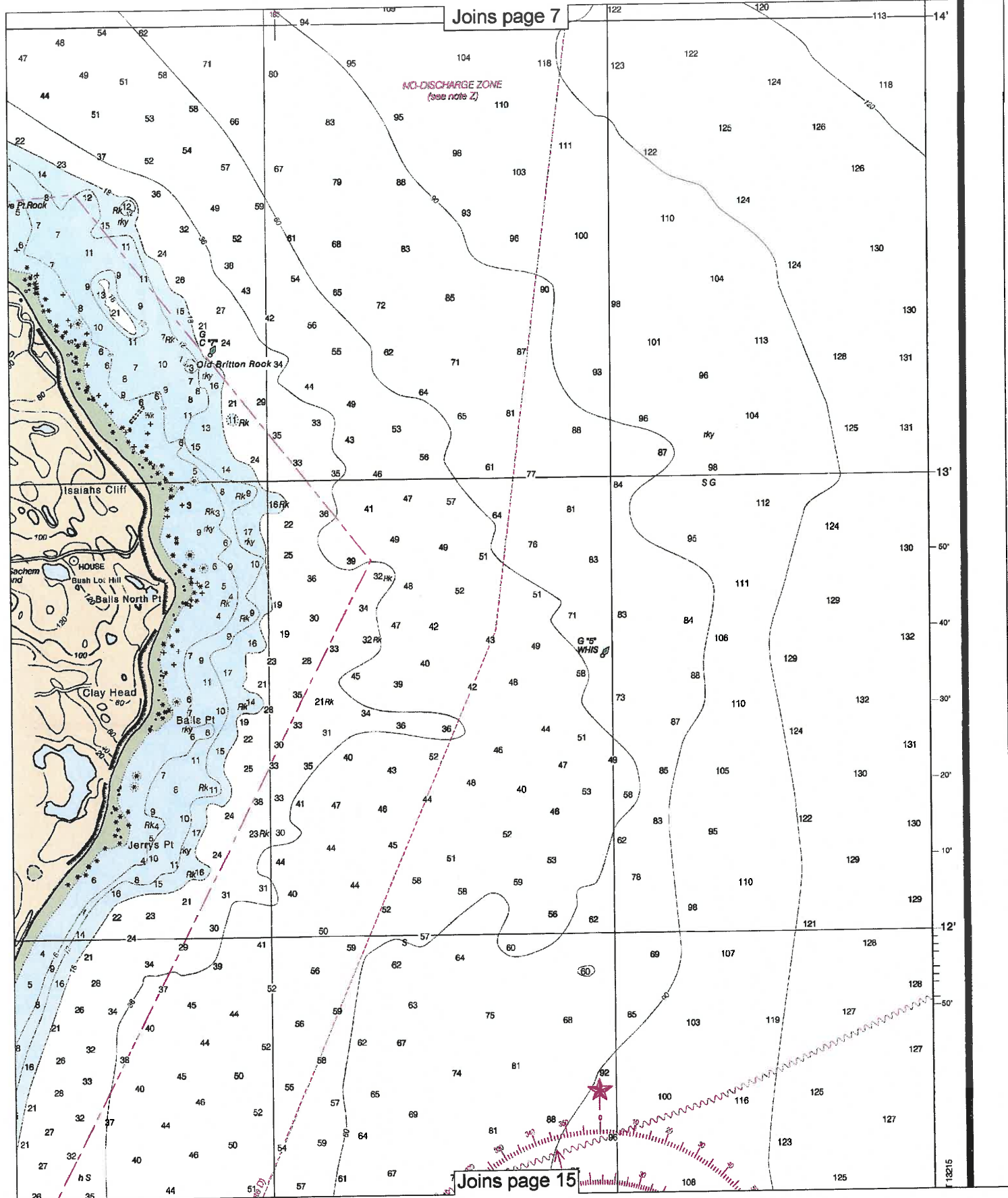
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See Note on page 5.



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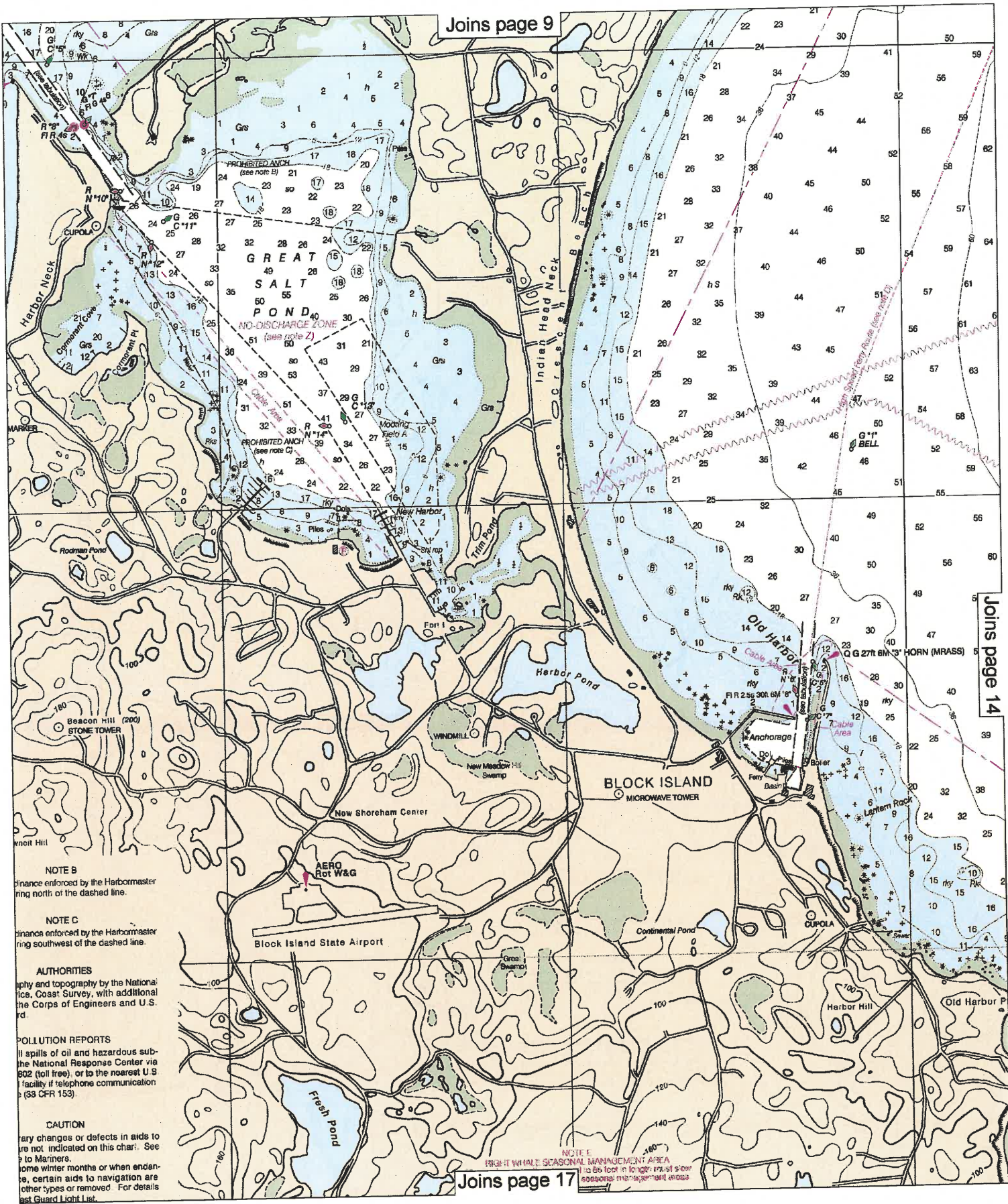


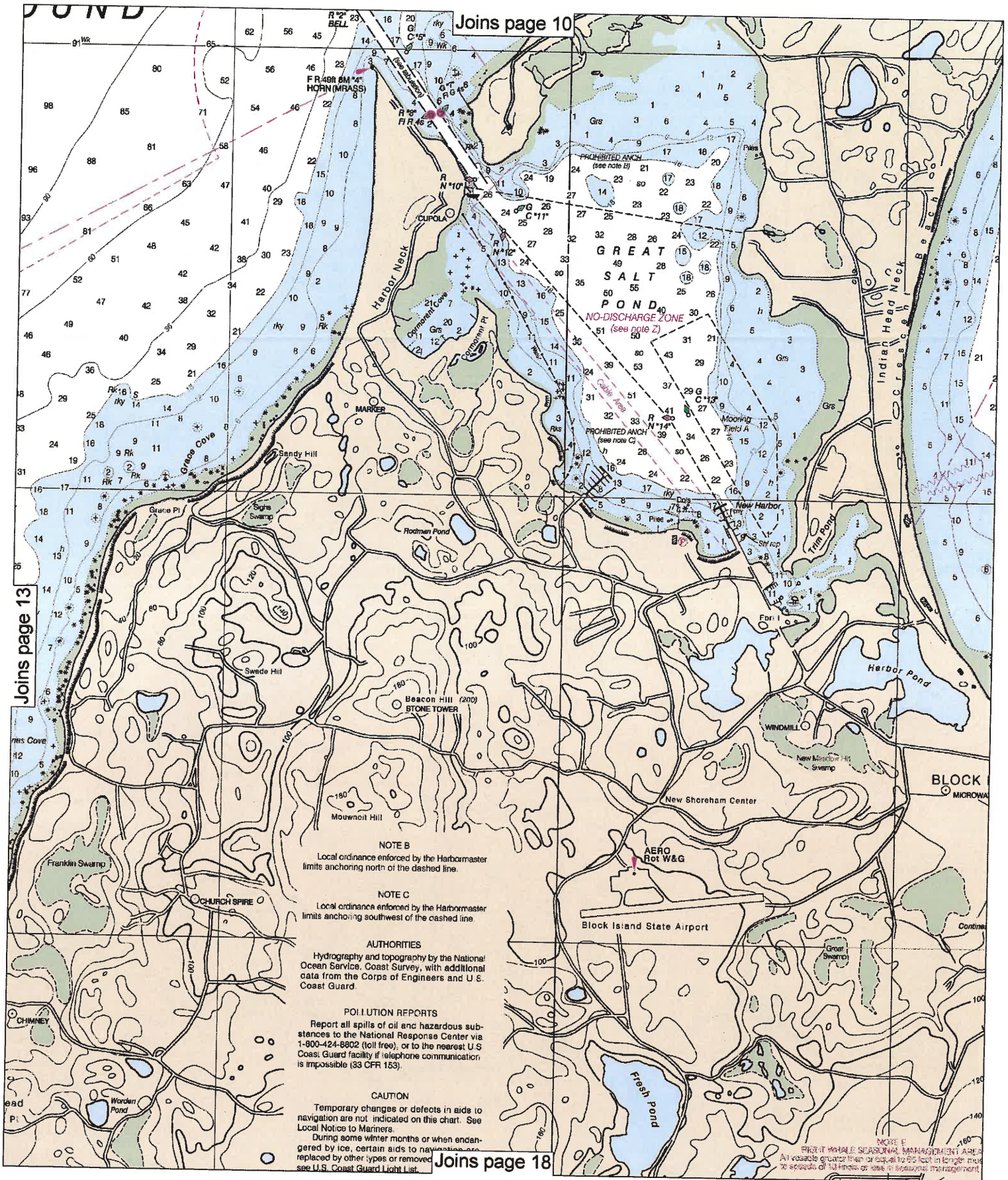
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Joins page 9

Joins page 14

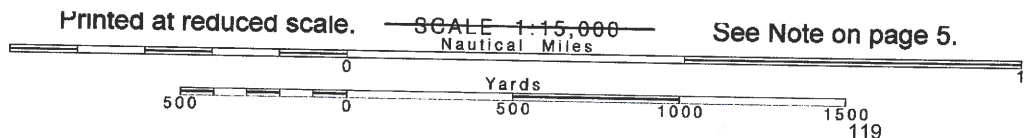
Joins page 17



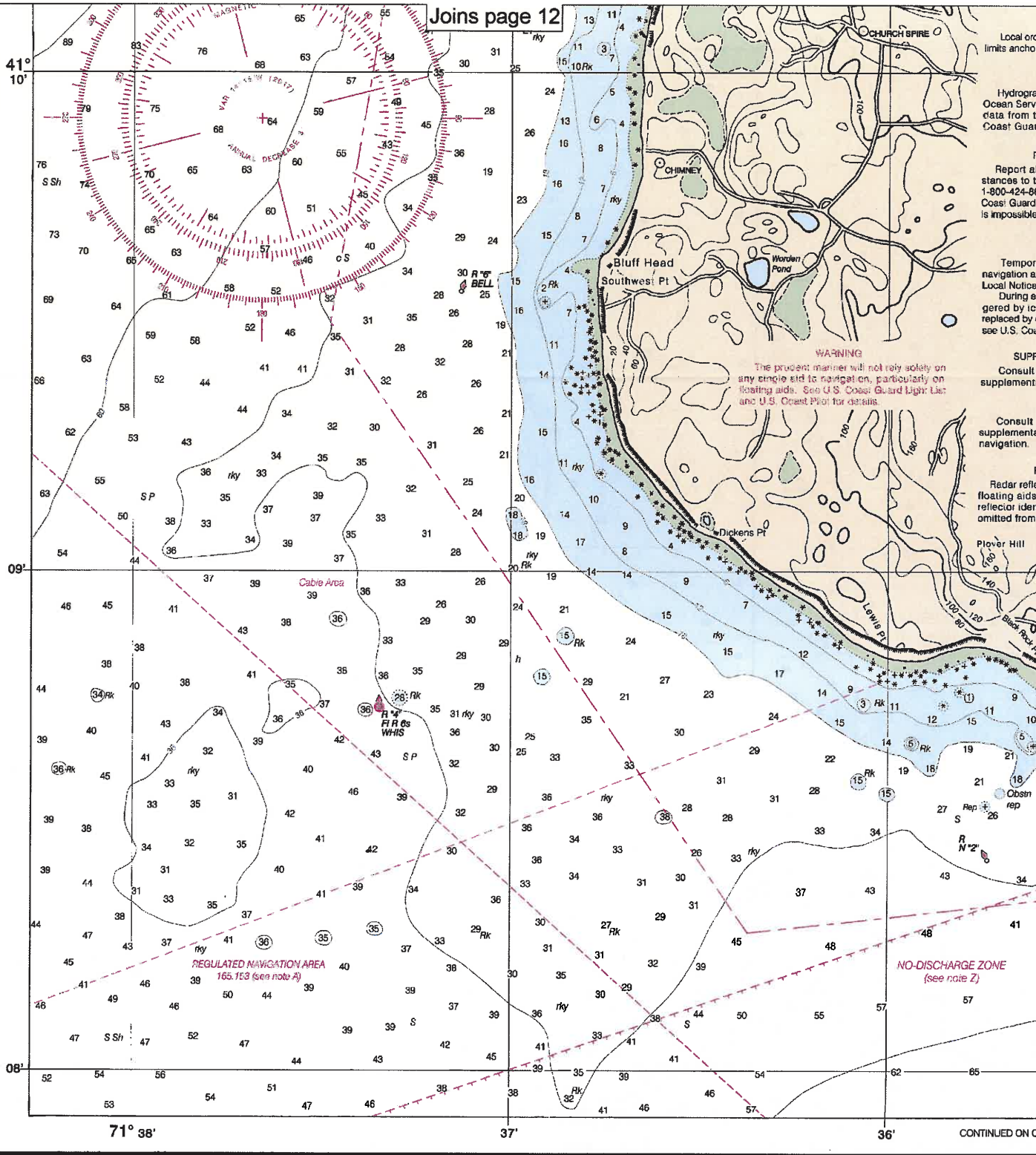


14

Note: Chart grid lines are aligned with true north.



See Note on page 5.



Local or
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1-800-424-880
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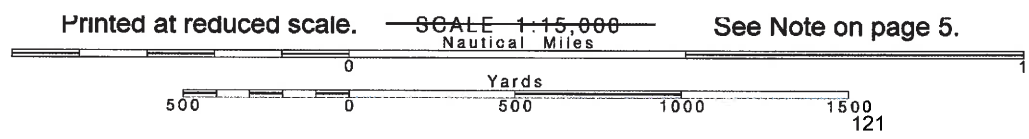
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13217

17th Ed., Aug. 2013. Last Correction: 6/5/2018. Cleared through:
LNM: 4218 (10/16/2018), NM: 4318 (10/27/2018), CHS: 0918 (9/28/2018)

16

Note: Chart grid
lines are aligned
with true north.



See Note on page 5.

Joins page 13

NOTE C

Enforcement by the Harbormaster
ring southwest of the dashed line.

AUTHORITIES

Depth and topography by the National
Coast Survey, with additional
the Corps of Engineers and U.S.
Army.

POLLUTION REPORTS

Spills of oil and hazardous sub-
stances to the National Response Center via
800 (toll free) or to the nearest U.S.
Coast Guard facility if telephone communication
is not available (33 CFR 153).

CAUTION

Any changes or defects in aids to
navigation are not indicated on this chart. See
the U.S. Coast Guard Light List for
updates. In some winter months or when endan-
gered, certain aids to navigation are
removed or obscured. For details see
the U.S. Coast Guard Light List.

ADDITIONAL INFORMATION

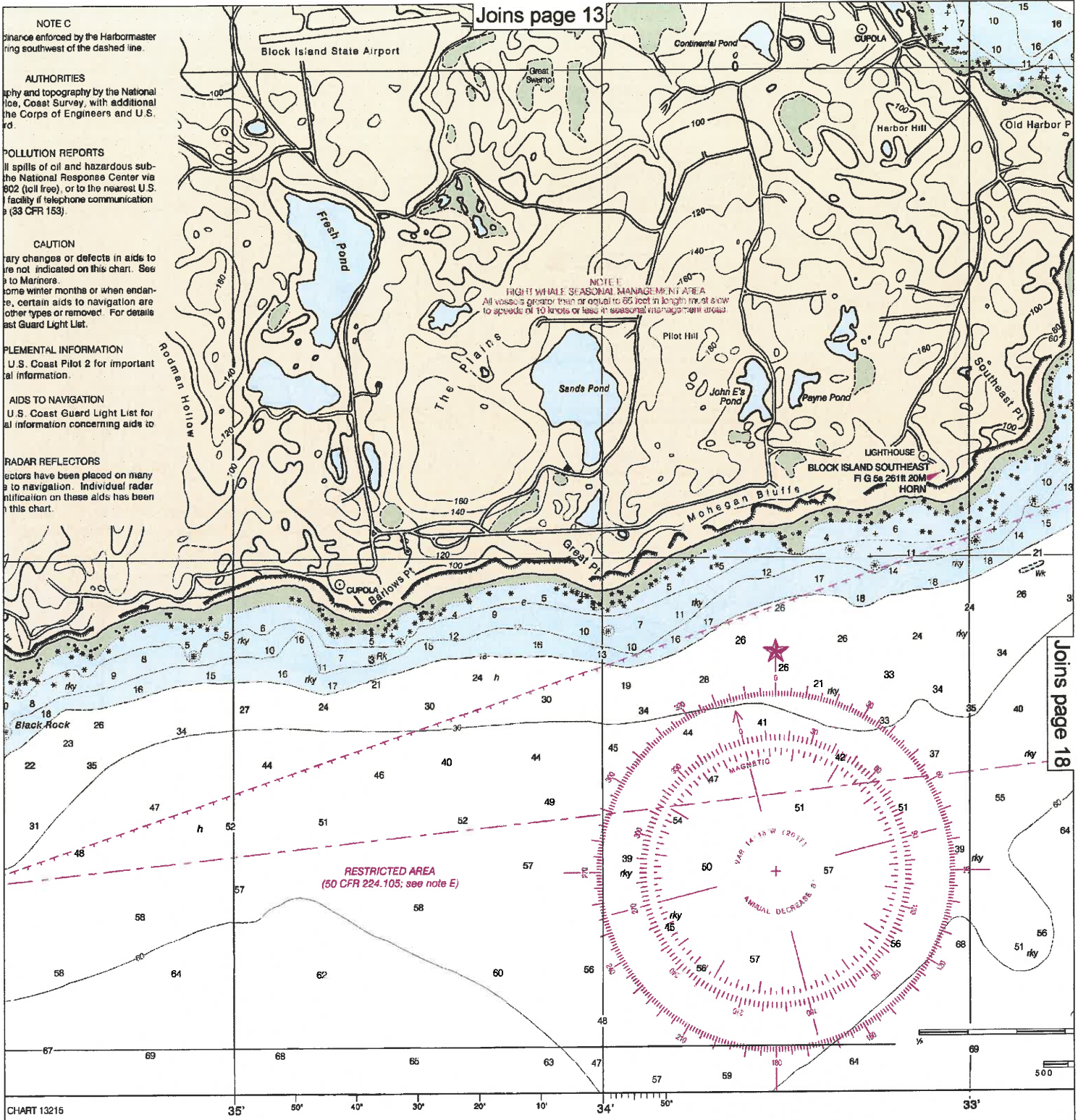
U.S. Coast Pilot 2 for important
information.

AIDS TO NAVIGATION

U.S. Coast Guard Light List for
information concerning aids to
navigation.

RADAR REFLECTORS

Reflectors have been placed on many
aids to navigation. Individual radar
reflectors on these aids has been
indicated on this chart.



Joins page 18

CHART 13216

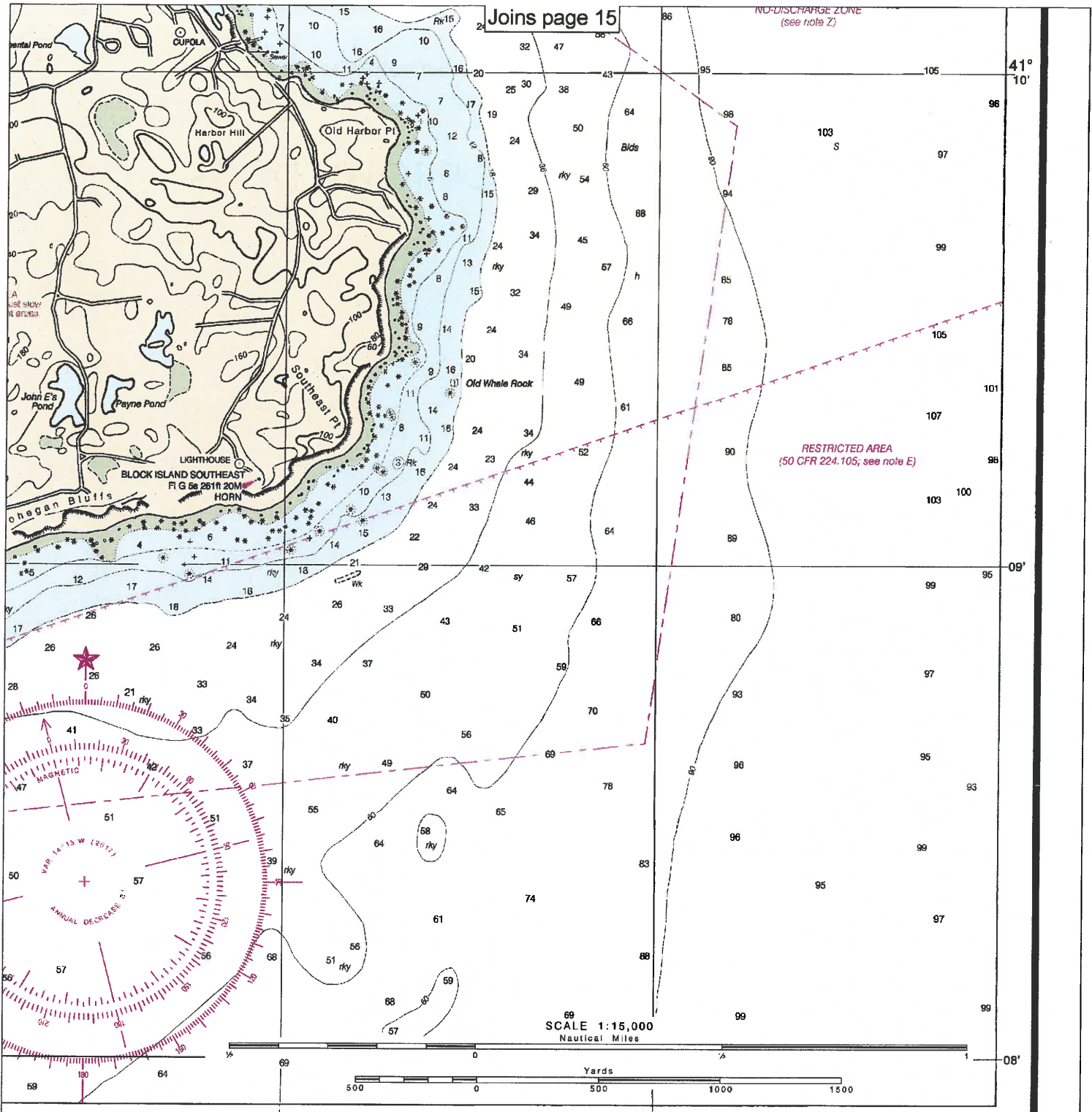
Published at Washington, D.C.
U.S. DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
NATIONAL OCEAN SERVICE
COAST SURVEY

SOUNDINGS IN FEET

FATHOMS	1	2	3	4	5
FEET	6	12	18	24	30
METERS	1	2	3	4	5

Joins page 15

NO-DISCHARGE ZONE
(see note Z)



DEPTH SOUNDINGS IN FEET

FATHOMS	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
FEET	6	12	18	24	30	36	42	48	54	60	66	72	78	84	90	96	102
METERS	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

Block Island
SOUNDINGS IN FEET - SCALE 1:15,000

13217

January 11, 2022

APPENDIX E – OLD HARBOR TOWN DOCK POLICY

OLD HARBOR TOWN DOCK POLICY

The Town Dock at Old Harbor is a public facility used by commercial, charter, and transient vessels. The purpose of this policy is to establish a system for the governing and proper use and care of the docks in Old Harbor. This policy, upon its effective date, shall supercede any/all policies or rules previously established by the Town of New Shoreham regarding the use of the Old Harbor Docks. The Town of New Shoreham Harbor Management Plan (HMP) shall take precedence over these policies where applicable. All terms and definitions shall be as outlined in the Town of New Shoreham HMP.

Appeals to a decision or order by the Harbors Department may be submitted in writing to the Harbors Committee for review and recommendation to the Town Council.

A. USE OF PIERS

- 1. No vessel shall berth at any of the Town docks without proper authorization from the Harbors Department.**
- 2. Applications and waiting lists for berths for commercial and charter vessels are available and maintained by the Harbors Department.**
- 3. An assigned berth shall be used only by the vessel assigned to it; however, the harbormaster may permit the temporary use of a berth by another vessel in emergency situations or adverse weather conditions. Use of a berth by a non-registered vessel shall constitute a violation of this article, and may result in revocation of the berthing permit.**
- 4. No more than one berthing permit shall be issued to any one person or corporation.**
- 5. A boat owner, whose application has been approved and accepted, has one year of date of approval to show required paperwork.**
- 6. A boat owner whose application has been approved and has been so notified by registered and regular mail shall pay the required dockage fee and any arrearages owed prior to the issuance of a berthing permit. If such payment is not received within twenty (20) days after applicant's receipt of**

notice of approval of an application, the Town shall deem the approval withdrawn, and consider other applications.

7. A boat owner who holds a berthing permit and who is not in arrears on any payment to the Town and meets all the requirements herein shall have his permit automatically renewed for the following year provided that all documentation requested by the Harbors Department has been provided by May 1st annually. Dockage fees in arrears for 90 days or more after the due date shall be considered cause for revocation of berth permits. Berth holders who have their permits revoked lose all seniority rights and cannot be reinstated in the harbor or be placed on a waiting list for entry into the harbor.
8. **When a vessel is sold, the berth contract does not transfer with the sale of the vessel. The berth contract is valid for the remainder of the contract term and may be renewed by the original vessel owner provided that the new vessel is purchased within one (1) year of the sale of the previously owned vessel and all fees remain paid in full. The sale of the ownership of 50% or more in the ownership of a vessel shall be deemed to be the sale of the vessel with the same prohibition on the transfer of berthing rights as described above. If the vessel is incorporated, the original owner of the vessel or corporation must own 51% or more of the corporation for the vessel to still be subject to the terms of the original berth contract. If the vessel is incorporated, and the original owner of the vessel or corporation owns less than 51% of the corporation then the original berth contract is void.**
9. The holder of a berthing permit shall be entitled to transfer the berthing permit on one occasion only either during the permit holder's lifetime or upon the permit holder's death to any one of the following relatives of the permit holder: spouse (including common-law spouse), child (including step child), sibling (including step sibling), grandparent or parent (including step parent), or grandchild (including step grandchild).
 - a. **In no event shall the recipient of a berthing permit transferred pursuant to this subsection (b)(6) be entitled to transfer the berthing permit to any other person either during the permit recipient's lifetime or upon the permit recipient's death.**
 - b. **In order to effectuate the transfer of the berthing permit, the permit holder shall file a notice of transfer with the harbors department. The harbors department shall not accept a notice of transfer and no transfer shall be effective if there are fees owed with respect to the permit to be transferred or if the permit to be transferred is under a notice of revocation.**

10. **The Town practice of permitting a one-time transfer of a berthing permit will expire December 31, 2023.**
11. **Upon death of berthing permit holder, the decedent's estate shall be allowed to hold the permit for the current season and must participate in the yearly renewal process.**
12. **The fee for a berth is dependent upon the length of the boat. For this purpose the length shall be determined by measuring the overall length of the boat (including pulpit, if any). Boat lengths involving fractions of a foot of six (6) inches or more shall be increased to the next highest foot. Fractions under six (6) inches shall be ignored.**
13. **Fees shall be as ordered by the Town Council of the Town of New Shoreham annually.**
14. **The minimum rate for all vessels is based on 20 foot boats. All vessels less than 20 feet in length shall be billed at the 20 foot minimum.**
15. **Residency for Charter and Commercial slip holders: Residency is defined in Chapter 2, Article I, Section 2-2 of the Ordinances of the Town of New Shoreham and Article 3 Section 9-41 of the Harbor Management Plan. A person shall live on Block Island for 9 months out of the year and also be a registered Block Island voter. Fees shall be as ordered by the Town Council of the Town of New Shoreham annually. Slip holder residency will be reviewed annually.**

Subsequent to the approval of this policy, current existing slip holders, where it pertains to resident/non-resident status, will be grandfathered in.
16. **All fees are due to the treasurer by Dec 31st. The Town shall have a lien upon the boat for any monies due for fees which are in default more than 90 days. Said lien may be enforced by sale of boat in accordance with the procedure set forth in Title 34, Chapter 35, of the General Laws of 1956 and any amendments thereto. The owner of the boat or his agent shall be subject to penalties set forth in Title 46, Chapter 22 of the General Laws of 1956, and any amendments thereto. For purposes of Section 9 (e) of said Chapter, a failure to pay all fees when due shall effect an automatic withdrawal of any consent by the Town of New Shoreham.**
17. **Piers are occupied at the sole risk of the users thereof.**

18. **Dumping of garbage, oil, refuse, fish offal, waste, or other substances in public tidewaters of the Town is prohibited by State and Federal Laws and shall be considered cause for revocation of a berthing permit and other penalties prescribed by law.**
19. **No person shall in any manner violate any Town Ordinance within the limits of the piers and harbor.**
20. **No person shall refuse or neglect to obey the directions of any enforcement officer or any other authorized representative of the Town of New Shoreham.**
21. **ALCOHOLIC BEVERAGES: Consumption of alcoholic beverages is prohibited on Old Harbor Docks and all adjacent Town property in accordance to New Shoreham General Ordinances Chapter 10 Sec. 10-9**
22. **OPEN FIRES PROHIBITED ON DOCKED AND MOORED VESSELS: Open fires, wood burning, coal, charcoal, or portable stoves are prohibited on vessels moored anywhere at Old Harbor Docks, and any wooden portions of the docks**
23. **TRASH DISPOSAL (BOAT OWNERS ONLY): Dumpster next to Old Harbor Dock Office.**
24. **PENALTIES:**
 - a. **The Harbors Department shall have the right to terminate a contract and require removal of the berth contract holder's vessel for any violation of these regulations, including, but not limited to, non-payment of fees when due, and violations of these regulations. That person forfeits any and all rights to utilize the Town facility.**
 - b. **Illegally berthed vessels may be removed from the Town facilities at the owner's expense.**

B: CHARTER BOATS

1. **Charter boats shall be defined as any vessel carrying passengers for hire.**
2. **Six (6) slips are provided for charter boats on the South dock.**

3. **Charter vessels shall tie stern to the dock. The Harbormaster or Dockmaster will assign slips and re-assign slips as deemed necessary.**
4. **Charter slips will only be issued for those vessels which are, and will be, actively engaged as charter boats during the year for which the slip is issued.**
5. **Maximum length of charter boats shall be no more than 45 feet overall and 15 ft beam. Three (3) slips shall be designated for boats no more than 30 feet in length and three (3) slips designated for boats up to 45 feet.**
6. **Applicants must provide to the Harbors Department, proof of vessel ownership, copy of current Coast Guard License to carry passengers for hire for applicant and each operator. In the event a permit holder is a corporation, the slip holder must provide a copy of the annual report for their corporation with their permit application or renewal.**
7. **Applicants must meet all State of Rhode Island requirements for licenses for charter boats and provide copies to the Harbors Department annually with the application. This includes, but not limited, to R.I. DEM charter boat licensing and participation in a random drug testing program.**
8. **Applicants must demonstrate that they will be engaged in carrying passengers for hire by certifying that:**
 - a. **That the vessel is documented in Coastwise Trade to carry passengers for hire; or properly registered in the State of Rhode Island.**
 - b. **That the vessel was used for carrying passengers for hire on at least 40 days of the previous year from Memorial Day to Columbus Day.**
 - c. **New applicants must provide documentation of purchase of new vessels and all necessary documentation in compliance with the permit application.**
9. **The season runs May 1st to April 30th. Bills are sent in the month of March of each year. Failure to pay within ninety (90) days may result in revocation of the slip space.**
10. **The Town of New Shoreham reserves the right to use any or all charter slips if deemed necessary by the Harbormaster in emergency situations or for safety purposes.**

11. **Signs shall not be larger than 2 ft. x 3 ft. and shall not be permanently affixed to the dock.**
12. **Dock area for each charter slip shall be kept clean and free of fish debris, scales, etc. No equipment shall be left on the dock overnight other than fish cleaning tables and fresh water hoses.**
13. **A permit for berthing does not otherwise include the right to occupy land on the waterfront in any manner.**

C: WEST DOCK – COMMERCIAL VESSELS

1. **Permits will be issued only for those vessels which are and will be actively engaged as commercial fishing during the year for which the permit is issued. The Harbormaster will assign slips and re-assign slips as deemed necessary.**
2. **Applicants for permits must be holders of a commercial lobster fishing license or a multipurpose license or any other State or Federal Commercial/Fishing License.**
3. **Applicants for permits must demonstrate that they will be engaged in commercial fishing by certifying either:**
 - a. **That the vessel was used for commercial fishing on at least 40 days of the previous year or as regulated by Federal and/or State regulations; or**
 - b. **That the vessel is new or was purchased within 6 months, and that the applicant has the ability to comply with 1, 2, and 3a.**
 - c. **New applicants must provide documentation of purchase of new vessels.**
4. **Annual wharfage fees are due and payable no later than 90 days from billing date. Annual wharfage period is from May 1 to April 30.**
5. **Permit holders must annually provide copies of the following to the Harbors Department:**
 - a. **Vessel registration and documentation.**
 - b. **Commercial lobster or multipurpose license.**
 - c. **Federal or State vessel trip reports for fishing activity**
6. **Maximum length of commercial fishing vessels shall be 50 ft.**

7. **The bait dock shall be used by commercial fishing vessels only. The Harbormaster shall have the discretion to temporarily put non-commercial vessels on the bait dock when deemed necessary for safety.**
8. **Slip holders shall give the Harbormaster notice to the best of their ability prior to any bait boat deliveries so that accommodations can be planned.**
9. **No gear, barrels, nets, equipment, or other material shall be allowed to remain on a pier or on land adjacent to and providing access to the pier for more than 7 days. Plastic 35-gallon to 50 gallon bait barrels are permissible on the bait dock or immediately behind each slip. No gear, barrels, nets, or other equipment/materials shall be allowed to remain on the loading ramp for more than 48 hours.**
10. **Storage of Bait: All bait storage shall be on the bait dock exclusively.**
 - a. **Storage of un-refrigerated bait must be in sound (no leaks) plastic barrels with tight fitting lids.**
 - b. **Barrels must be covered at all times and shall not obstruct passage on the docks.**
 - c. **The owners name or the name of the vessel shall be legibly stenciled on the barrel.**
11. **A permit for berthing space does not include the right to occupy land on the waterfront in any manner.**

D: TRANSIENT VESSELS:

GENERAL: The Town Dock at Old Harbor is a public facility used by commercial, charter, and pleasure boats. Please register at the Dockmaster's Office and remit dockage fees in advance. No reservations are necessary. Space is assigned on a first come, first served basis at the discretion of the Dockmaster. Check out time is 12:00 pm.

SOUTH DOCK:

- **Vessels are berthed stern to the dock.**
- **A large fender board is necessary to keep the stern away from or from going under the dock.**
- **Vessels with outdrives or anything extending beyond the transom may encounter difficulty at the dock.**

EAST DOCK

- **Vessels should tie up on their starboard side, bow pointing north.**
- **Rafting is allowed, but appropriate fenders and lines must be provided.**
- **Raft to vessels of similar size and not to a larger vessel.**

WEST DOCK:

- **Only commercial slip holders are allowed.**
- **Loading ramp use is restricted to commercial & charter boats only.**
- **The Dockmaster may allow use of the loading ramp by other vessels in cases of emergencies.**

SHOWER AND TOILET FACILITIES:

- **Shower and toilet facilities are available to the charter, commercial and transient vessel customers only.**
- **Two (2) free shower tokens per day for mooring and wharfage customers issued upon showing a receipt.**
- **Free outside shower.**

E. OFF SEASON TEMPORARY BERTHING

During the off-season, November 1 to April 30, (as berths become vacant as a result of boats being hauled out for the winter), the Harbormaster may temporarily assign these berths in accordance with the following fee schedule:

- a. Off-season temporary berth contracts shall pay the monthly fee set by the Town of New Shoreham Town Council.
- b. Payment is to be made to the Harbors Department office prior to berthing, or a notice to remove berthed vessel will be issued by the Harbormaster.
- c. The off-season temporary berth contract holder must provide a copy of valid vessel registration and proof of liability insurance before a berthing slip is assigned.
- d. There is no waiting list for temporary off-season berths. Temporary off-season berths shall be assigned on a first come first serve basis, including assignments to noncommercial vessels, in accordance with the availability of space. These assignments shall not contribute toward the port seniority nor change one's relative position on any full time berth waiting list.
- e. Berth assignments are made at the Harbormaster's sole discretion. Offseason temporary berth assignments may be reallocated at the sole discretion of the Harbormaster, including, but not limited to, the maximum utilization of Town infrastructure for the continued flow of commerce.
- f. Upon receipt of notice to move or vacate the berth by the Harbormaster the off-season temporary berth contract holder must comply with the instructions contained within the notice within twenty-four (24) hours.

F: BERTHING PERMIT AND WAITING LIST APPLICATION

1. **The Harbors Division shall maintain waiting lists commercial and charter boat requests when no berthing space is available. Commercial and charter boat waiting list applications are available from the Harbors Department and must be returned to the Harbors Department completed with: name, address, contact phone number and email of owner and fee for application.**
2. **To qualify for a charter slip, applicants must provide proof to the Harbors Department of vessel ownership, a photocopy of state registration in applicant's or applicant's corporation name, copy of current Coast Guard License to carry passengers for hire for applicant and each operator, and proof of residency.**
3. **To qualify for a commercial slip, applicants must be holders of a commercial lobster fishing license, a multipurpose license, or any other State or Federal Commercial/Fishing License. Applicants must provide proof to the Harbors Department of vessel ownership, a photocopy of state registration in applicant's or applicant's corporation name, and proof of residency. Applicants must demonstrate that they will be engaged in commercial fishing by certifying either:**
 - g. **That the vessel was used for commercial fishing on at least 40 days of the previous year or as regulated by Federal and/or State regulations; or**
 - h. **That the vessel is new or was purchased within 6 months, and that the applicant has the ability to comply with 1, 2, and 3a.**
 - i. **New applicants must provide documentation of purchase of new vessels.**
4. **It shall be the burden of the applicant to notify the Harbormaster's Office of any change of address. Your name will be removed from the list if any notifications are returned in the mail.**

Adopted by the New Shoreham Town Council December 6 2021.

January 11, 2022

APPENDIX F - STORM PREPAREDNESS PLAN

TOWN OF NEW SHOREHAM STORM PREPAREDNESS PLAN FOR GREAT SALT POND AND OLD HARBOR

This harbor storm preparedness plan has been written in conformance with the guidance detailed in Guidelines for The Development of Municipal Harbor Management Plans, State of Rhode Island, Coastal Resources Management Council. Block Island harbors contain many of the physical attributes found in a typical harbor in Rhode Island. In the development of this plan, features from Great Salt Pond, located in Block Island, Rhode Island, were used as a framework for the plan. This plan will also be utilized for hazard mitigation in the Old Harbor areas.

New Harbor Summary

- RIDEM Water Quality Designation: Great Salt Pond, SA/SB
- CRMC Use Type Designation: Great Salt Pond, Type 1, 2, 3
- FEMA Flood Zone(s): 4400360002D and 4400360004D - A6, A8,
- A9 and V9 zones, subject to 100-year storm flooding and wave action. (Maps available at Town Hall)
- Land Use: The land use along the shores of this harbor has been a mix of sensitive habitat, low-density residential and water-dependent commercial development, such as marinas and boat yards.
- Moorings: The town regulates 90 of 100 permitted Town rental, five (5) emergency, and 290 private moorings in the harbor. The town sets and/or enforces standard mooring gear with the average scope of 2.5:1 resulting in 50 percent overlap between moored vessels.

Old Harbor Summary

- Rhode Island Department of Environmental Management Water Quality Designation: SB
- Coastal Resources Management Council use type designation: Type 5
- Land Use: Land use along the shore is almost entirely commercial (ferries, commercial fishing, marina)
- Moorings: Ten private moorings regulated by the Town
- Wharfage: the Town operates a public dock providing season wharfage for recreational vessels and year-round wharfage for numerous commercial fishing vessels.
- Boat counts at times exceed 250 vessels.

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- The Old Harbor is protected by breakwaters on the east, west, and north providing a safe anchorage and wharfage for numerous commercial and transient vessels. Land use along the shores of the harbor is almost entirely commercial encompassing a large ferry terminal, town operated marina and a commercial fishing dock. A commercial strip fronts the harbor along the west side of the harbor. This commercial area is generally restaurants and retail sales. There are no high hazard uses (i.e.: gas stations, chemical storage, etc.).

100. Authority

The primary authority for carrying out the responsibilities detailed in this plan is vested in the Harbormaster, who will work in cooperation with the Harbor Committee. However, to successfully complete the activities outlined in this plan, the Harbormaster is required to work with other town departments, including the planning board, police and fire departments, town planners, building code official, department of public works, and the Director of Emergency Management as appropriate.

200. Goals of the Harbor Hazard Mitigation Plan

To prevent the loss of life and property by:

- properly preparing harbor and shoreline areas for storm events;
- having a completed and enforceable response and recovery plan;
- working in cooperation with harbor and shoreline users to ensure that a coordinated approach is applied to hazard mitigation;
- integrating harbor hazard mitigation activities with other, ongoing, local hazard mitigation programs; and
- identifying and completing long-term actions to redirect, interact with, or avoid the hazard.

Although this plan strives to eliminate all damage from natural disaster, providing that level of protection is clearly impossible. Therefore, the plan seeks to provide the greatest degree of protection from storm events.

310. General Harbor Characteristics:

The bottom consistency is varied rock, sand, grass, and mud, with depths ranging from three (3) to fifty five (55) feet. This bottom type provides generally good holding for anchoring and moorings. The harbor opens westward with a man-made 200 foot wide channel and breakwater marking the entrance. The breakwater and narrow entrance separates the harbor from a stretch of open water extending north-westward approximately twelve miles. The breakwater and narrow entrance provides good protection from surge and swell, however, the 683 acre harbor can develop wave action up to five feet.

January 11, 2022

The surrounding harbor uses can be divided into three general uses:

1. Open space - this use totals approximately 30 percent of the land surrounding the harbor area and is predominantly located in the northeast section. However, approximately 80% of the Great Salt Pond contains sensitive habitat.
2. Residential - this use totals approximately 50 percent of the land use surrounding the harbor area. Generally, the single family dwellings are built upon lots that range from 20,000 square feet to three or more acres.
3. Commercial - commercial waterfront uses, such as marinas, dominate the southwest section of the harbor. There are five marinas located in the harbor. Their total in-water capacity exceeds 500 boats. Three facilities operate a fuel dock. One of the marinas provides upland storage and limited repair facilities.

All waterfront structures are built to local and state building codes (State of Rhode Island Building Code Section SBC-8/Town of New Shoreham Zoning Ordinance Section 315). A full time building official ensures that the codes are adhered to during construction.

320. High Hazard Areas:

According to FEMA flood insurance maps, all of the land surrounding the harbor is within the 100-year storm floodplain.

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RISK ASSESSMENT TABLE

Threat	Marine Interest	Effect	Result - 1	Result - 2
Flood/Surge	Boats on moorings	Decreased scope	Dragging	Threat to shoreline homes Threat to shoreline business Threat to auto bridge
	Marina facility	Flooded facility Docks topping piles	Floating debris Spills of hazardous material Freed docks and boats	Threat to Surrounding wetland
	Private residences	Flooded property Docks topping piles	Freed docks and boats	
Wind	Boats on moorings	Windage	Dragging or pennant breakage	
	Marina facility	Windborne debris	Structural damage	

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400. Strategies for Preparedness, Response, and Recovery

410. Town

The harbormaster will coordinate all harbor activities related to preparation, response, and recovery in cooperation with the emergency management director and the police department.

410.1 Preparedness

The town, through the harbormaster, will activate the following preparedness, response, and recovery plan 72 hours prior to a severe storm event or as requested by the town manager.

LEVEL 3

72 HOURS

1. If a major storm event, begin tracking and monitoring hourly weather reports.
2. Contact any services under contract for after event to assess their readiness.
3. Manage harbor traffic as it increases during marina/boater preparation activities.
4. Ensure vessels' fuel tanks are full and reserve batteries are charged.
5. Inventory and update first aid equipment and other on board emergency tools.
6. Maintain radio watch.
7. Alert local port community, encouraging boat owners to seek safe refuge, remove boats from water, or take action to minimize damaging effects.
8. Alert local marina, marine interests, holders of mooring permits, and occupants of special anchorage areas to impending emergency.
9. Keep U.S. Coast Guard Marine Safety Office (MSO), Providence apprised of hazardous conditions in harbors.

LEVEL 2

48 HOURS

1. Continue to perform activities in level 3 as required.
2. Contact those town mooring holders who are not complying with their preparedness plan. Plans are prepared by mooring holders in accordance with the guidelines provided herein and submitted with mooring applications to the Harbors Department.

Town of New Shoreham Harbor Management Plan FINAL DRAFT

January 11, 2022

3. Assist marina/waterfront business with special requests as identified in the facilities plan submitted to the harbormaster. Plans are prepared by marina owners/managers in accordance with the guidelines provided herein and submitted to the Harbors Department.
4. Finalize emergency work schedule with assistant harbormaster.
5. Confirm arrangements to have harbormaster vessel(s) hauled and stored.
6. Prepare town properties, with Department of Public Works, including:
 - * securing all items such as trash bins, benches, etc. that are located in shoreline areas
 - * completing necessary precautions for harbormaster office
7. Establish liaison with police, public works departments and Emergency Response Director.
8. Alert maritime community to unsafe conditions in the harbor as needed via VHF radio and Harbors Department vessels.
9. Curtail regular business activities.
10. Begin regular patrols of the harbor to ensure that necessary individual precautions are being taken.
11. Advise MSO Providence of the status of emergency preparedness in progress.
12. Alert local harbor community to any impending closure of anchorages or waterways.
13. Encourage local marinas to suspend fueling operations and to secure fueling piers sufficiently to minimize pollution threat.

LEVEL 1

24 HOURS

1. Continue to perform pertinent level 2 activities.
2. Undertake final patrol of the harbor:
 - * Inventory number of vessels and precautions taken by harbor and shoreline users
 - * Clear public pier of vessels and equipment
3. Log information on transient boats (see section 425.2).

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4. Fuel harbormaster vessel(s).
5. Haul and store harbormaster vessels.
6. Complete shoreline survey and final harbor check from shore.
7. Alert harbor community and MSO to any unsafe conditions in harbor.

410.2 Response

All requests for assistance will be forwarded to the nearest Coast Guard Station. This policy will remain in force unless revoked by the Emergency Management Director or the Town Manager.

The Harbormaster will remain on-site in the harbor's station, police department or other established command center to address any harbor-related issue. All vessels will be launched to allow the harbormaster to begin operations immediately at the conclusion of the storm.

410.3 Recovery

Immediately after the event has terminated, the town has three recovery priorities:

- | | |
|-------------|---|
| Priority 1. | Reestablish the Harbors Department as an operational unit in order to facilitate the second and third priorities. |
| Priority 2. | Take the necessary immediate action to minimize additional risk to life and property. |
| Priority 3. | Reopen the harbor for recovery activity. |

To achieve these priorities, the Harbormaster will take the following sequential actions:

IMMEDIATE

24 HOURS

1. Assess readiness of the Harbors Department; correct deficiencies, reestablish radio communications.
2. Complete rapid appraisal of damage.
3. Provide damage assessment information to town's public information center and to MSO Providence.
4. Initiate pre-established contract services (towing, salvage) if required.
5. Institute security watches as necessary.
6. Alert maritime community to unsafe conditions in the harbor.

Town of New Shoreham Harbor Management Plan FINAL DRAFT

January 11, 2022

7. Track beginning time and resource allocation of Harbors Department for possible state and federal reimbursement.

MID-TERM

1 TO 14 DAYS

1. Complete comprehensive inventory of damage using photographs and video if possible.
2. Notify appropriate parties regarding damage (i.e., mooring holders).
3. Provide list of identified and unidentified boats to MSO Providence and DEM Enforcement.
4. Contact local harbor and shoreline users to assess their situation and identify requests for assistance.
5. Provide MSO Providence with a daily harbor status.
6. Begin to remove large pieces of floating debris from the harbor and bring to designated shorefront collection area.
7. Assist town and state agencies with damage assessments and emergency permitting process.

LONG-TERM

14 TO 90 DAYS

1. Analyze effects of storm on the harbor. Complete summary report for the Town Manager within 30 days of storm event.
 2. Review mitigation list and select actions that could be implemented during the recovery phase.
 3. Conduct an evaluation meeting for harbor and shoreline users to identify problems not properly addressed by this plan.
 4. Complete a survey of boat damage.
 5. Update hazard mitigation plan and identify new mitigation opportunities.
 6. Assist in emergency situations as appropriate.
 7. Transfer collected harbor debris from collection site to town disposal area.
420. Harbor and Shoreline Users
421. *Marina facilities*

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As part of the town's harbor hazard mitigation plan, all marina facilities, as defined by CRMC, will submit a hazard mitigation plan to the Harbormaster with 90 days of approval of this document. The facility's plan will be updated annually, and any changes will be reported to the Harbormaster by January 1st of each year.

Facility plans will include:

- * Name of primary contact person and primary and secondary phone numbers
- * VHF channel facility monitors
- * List of facility staff who are expected to assist in preparation, response, and recovery phases
- * List of hazardous materials stored on site (i.e. waste oil, fuel tanks, solvents). This information can be extracted from the facility's Environmental Operations and Maintenance Plan
- * Inventory of potential recovery equipment (heavy equipment, generators), including services provided by outside contracts
- * Debris disposal plan
- * Special assistance requested from town
- * List of preparation, response, and recovery activities and timing

422. Boaters

Boat owners who require a town mooring permit must submit an individual preparedness plan. This will be accomplished by attachment of a preparedness plan to the annual mooring renewal forms. For a mooring permit to be approved, an individual preparedness plan must be attached to the mooring application. Boaters will be expected to comply, to the best of their ability, with the plan they have prepared. The boat owner should advise the Harbormaster of any significant changes to the plan made during the boating season.

The individual preparedness plan will include the following information:

1. Preparedness

- A. Action completed before a major storm event season
- B. Where the vessel will be moored/stored during storm event
- C. Actions completed within 48 hours of the predicted storm event

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2. Post storm event

A. Description of how vessel will be secured after storm event

3. First and second alternate captains' addresses and phone numbers

Both the first and second alternate captains should have the necessary information and experience to safeguard your vessel if the Harbormaster is unable to reach you.

Mooring standards have been developed to maximize safety during normal weather conditions. To safeguard a moored boat during a severe storm event, additional precautions will be necessary. At a minimum, these actions will include:

- * Improving the connection between the vessel and the mooring chain by using chafing gear and extra lines
- * Reducing windage
- * Whenever possible, increasing scope

Boater owners should also consider:

- * Bypassing the mooring swivel and attaching the chain directly to the pennant
- * Hauling the boat and storing it upland
- * Leaving auto bilge pumps on
- * Ensuring that self-bailing cockpit drains are clear of debris
- * Adding an emergency centenary weight at the vessel end of the chain to absorb shock

Boat owners are encouraged not to stay aboard during major storm events. The town's standard procedure is NOT to respond to on-the-water requests for assistance during a major storm event. Such requests for assistance will be forward to the nearest U.S. Coast Guard Station.

423. *Waterfront business (excluding marinas)*

All waterfront businesses are expected to take the necessary precautions to protect their property.

424. *Shore front home owners*

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All shore front home owners are expected to take the necessary precautions to protect their property.

425. *Special Hazards*

425.1 *Commercial Dock*

All vessels shall be adequately secured or cleared of the town dock 12 hours prior to expected storm event.

425.2 *Transients*

Vessels not usually moored in the harbor but seeking safe refuge will be allowed to moor in the federal anchorage areas. Transient yachts will not be allowed to tie to a mooring unless authorized by both the mooring owner and the harbormaster. Transient vessels seeking shelter will provide the harbormaster with:

- * Name of owner and captain, if different
- * Home port
- * Registration/documentation numbers
- * Length, draft, and type (power/sail)
- * Number of persons aboard
- * Address and phone where owner can be contacted

425.3 *Commercial vessels and ferries*

As deemed necessary by the harbormaster, local commercial vessels and ferries will submit individual plans to the harbormaster prepared in accordance with their appropriate company guidelines.

500. *Inventory of longer-term mitigation projects*

1. Maintain existing seawalls to their original specification. Although it does not provide complete protection, a properly maintained seawall offers a measure of safety.
2. Explore methods to increase scope within the harbor without losing surface area maximization. Actions may include a targeted approach to removing vessels from moorings and increasing the scope with storm pennants for those that remain. In the existing mooring configuration, increasing mooring scope is difficult. Therefore, the town should explore alternative methods to grid the

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mooring field that will allow space maximization and increased scope for each vessel.

3. Implement an annual education and training program conducted by the harbormaster for the public. The program should focus on storm preparedness for the boater. Other workshops should be conducted with the help of the building inspector and planning board to discuss shoreline construction standards and storm-proofing homes and businesses.
4. Compile a list of educational materials that can be shared with harbor and shore front users.
5. Maintain an accurate inventory of principal harbor and shoreline users, including:
 - * Marinas
 - * Waterfront businesses
 - * Neighboring harbormaster
 - * Coast Guard
 - * Towing and salvage companies
 - * Environmental response teams
 - * Commercial vessel operators (charter boats and ferries)
 - * Fishing cooperatives
6. At the beginning of each boating season;
 - * Review local harbor hazard mitigation plan and update as necessary
 - * Distribute and post revised plan
 - * Inspect all storage sheds, outbuildings, and trailers for proper tie-down
 - * Inspect all emergency power sources and lighting systems in Harbormaster office to ensure that they are operational
 - * Distribute a storm checklist to boaters
7. Conduct a disaster mitigation workshop for business and industry in cooperation with R.I. Emergency Management Agency. Propose activities that can be implemented to mitigate damage. Suggested actions for local coastal businesses may include:

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1. Placing more essential equipment and functions on higher levels of the structure, above the anticipated flood level
 2. Constructing berms around the facility
 3. Installing or activating dewatering pumps
 4. Providing emergency generators and potable water storage
 5. Installing blowout plugs in floor slabs whose elevation is below anticipated flood elevation
 6. Installing master shutoff valve controls for sewer, gas, and water above anticipated flood elevation
 7. Reinforcing walls to carry hydrostatic and hydrodynamic loads
 8. Installing flood proof electrical systems and utility cores in areas subject to flooding
 9. Installing safety glass in windows
8. Assess the feasibility of developing a volunteer corp. that can assist the harbormaster to secure vessels during the preparation phase or maintain security patrols after an event.

600. Coordination

Memorandum of Agreement shall be entered into with the Emergency Response Director, Police Department and the Department of Public Works to establish its working relationship with the Harbormaster for preparing public waterfront property for a storm event and hauling and storing the Harbormaster vessels.

The Harbors Committee shall work with the planning board and planning department to establish redevelopment policies for shoreline areas. These policies will be consistent with CRMC and DEM regulations.

In order to discourage redevelopment of critical shoreline areas and to reduce vulnerability of life and property to coastal hazards the town should:

1. Limit development and redevelopment in hazardous coastal areas to protect lives and property from coastal storms and hazards. Post storm development shall avoid extensive rebuilding and intensification of land uses in critical areas and encourage reductions in the amount and intensity of development in order to reduce exposure of lives and property to coastal hazards.

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2. Attempt to minimize public expenditures and reduce risk to public infrastructure and facilities through redevelopment.
3. Encourage relocation of structures landward of critical areas. This can be done by influencing state policies, expenditures, and programs to reduce the amount and intensity of development and redevelopment.
4. Require shore front area replacement of nonconforming uses and eliminate unsafe conditions and inappropriate uses as opportunities arise.
5. Identify shore front areas that will be subject to post storm regulations and acquisition in order to reduce loss of life and damage to property.

In order to further coordinate local policies contained in the comprehensive land use plan for resource protection and coastal management, the town should consider the following policies:

1. Work with appropriate state agencies to ensure that post storm shoreline management options for shoreline areas shall be consistent, to the extent possible, with use, density, and other land uses policies and standards contained in the comprehensive land use plan.
2. Create local priorities for acquiring coastal properties to promote hazard mitigation, public recreation, and resource management objectives contained in the comprehensive plan.
3. Consider impacts to evacuation routes, as determined by emergency management officials, in post storm redevelopment options.
4. Maintain and/or adopt minimum parcel size and configuration requirements on the subdivision of critical shoreline features.
5. Discourage platting of shoreline properties and encourage platting to accommodate landward post storm relocation of structures.

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HAZARD MITIGATION PLAN FORM

Name of Marina / Facility:

Last Updated:

1. GENERAL INFORMATION

Primary contact:

VHF channel:

List of facility staff:

Preparation:

Response:

Recovery:

List of hazardous material stored on site:

Inventory of recovery equipment:

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Debris disposal plan:

Special assistance requested from town:

The Town may request that the Harbormaster maintain contact with the facility clerk about special hazards in the harbor and assist in identifying damaged vessels after the storm event.

2. PREPARATION, RESPONSE, AND RECOVERY ACTIVITIES*

Preparation

Phase Three (Alert)

72 - 48 Hours Prior to severe storm event's ETA

(Earlier if a Weekend is involved)

- * Notify all personnel that the facility is on a severe storm event alert. All personnel will commence preparations for putting the Severe Weather Preparedness Plan in action.
- * Man the communications center and notify all volunteers and other parties of the severe storm alert.
- * At 72 hours prior to ETA, initiate plans to evacuate personnel and equipment in the flood-prone locations.

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- * Begin facility protection preparations by policing all yard, marina, and dock areas to stow away or secure loose equipment and items. Store in covered or sheltered areas.
- * Secure all flammable and hazardous materials, such as waste oil receptacle.
- * Remove small boats and trailers and secure in upland area with ground screws.
- * Commence plans for securing remaining in-water vessels. Ensure that all vessel removal operations are well underway. The facility has established a list of vessels to be hauled from the water and secured. Those vessels that remain in the water will be secured with extra lines and fenders. The facility carries those actions out with pre-approval from the vessel owners. Pre-approvals will be signed when the ship contract is completed. After the storm event, all tenants are charged a fee per foot for the preparedness services provided by the facility.
- * Top off vehicles with fuel as necessary, in preparation for the securing of all fueling operations and equipment. (We expect that loss of electrical power during a severe storm event may disrupt fuel supplies after the storm).
- * Check and secure any loose siding or roofing on work sheds and business buildings.
- * Request that other companies that have supplies or equipment in the facility remove their items.
- * Remove computer equipment and key files to a secure upland location.
- * Take down large signs, antennas, or other removable items subject to wind damage.
- * Commence facility protection precautions. Install storm shutters or protect windows with masking tape to reduce the possibility of flying glass.
- * Process and mail all paperwork that can be completed immediately. Set all new paperwork aside to be completed after the severe storm event.
- * Remove expensive equipment or products to a secure upland location.
- * Reduce inventories as much as possible and delay ordering materials, stocks, or supplies until after the storm. If materials or inventories are

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enroute, try to divert them to a temporary warehouse or area not subject to the storm.

- * Monitor storm's progress and maintain contact with Harbormaster

Phase Two (Watch)

48 - 24 Hours Prior to ETA

- * Notify all personnel that facility is on severe storm event watch.
- * Continue to monitor storm's progress and maintain contact with the Harbormaster.
- * Complete securing operations in lowland locations. All dock structures, field buildings, and offices will be secured.
- * In areas subject to flooding, move vehicles and/or equipment to the highest point available. If outside storage is necessary, do not park under trees, towers, signs, or power lines. Vehicles are to park with the emergency brake on.
- * Remove all employee personal belongings from evacuated locations.
- * Secure all electrical power supplies to areas that may be flooded by turning off the power at the main breaker switch.
- * Secure all fuel supply tanks and lines at the shore side installation.
- * Disconnect and protect all electric motors, pumps, and like equipment at or below ground level, or place in a safe location.
- * Turn off fresh water supplied from municipal or other water lines at the meter.
- * Complete securing all facility "shop" operations. Tape windows, secure and lock doors.
- * Check that all emergency supplies are readily available, such as first aid kits, fire protection equipment, sufficient stores of provisions, including bottled fresh water, fuel for emergency generators, battery-powered lighting, flashlights or lanterns, battery-powered radios, VHF units.
- * Notify Harbormaster when evacuation is complete and the location secured.

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Phase One (Warning)

24 - 0 Hours Prior to ETA

In these hours prior to the projected arrival of the severe storm event, the "hurricane warning" advisory will have been issued and it is highly likely that the severe storm event will make landfall or pass near the marina facility. Continue or complete the following activities:

- * Notify all personnel that the facility is on severe storm event warning.
- * Continue to monitor storm's progress.
- * Complete vessel removal and securing operations no later than 14 hours prior to the storm.
- * With all vessel protection and securing operations completed, make a final check of doubled mooring lines, tied off with sufficient slack, and fender boards and/or other protective equipment in place.
- * Secure as necessary any remaining operational facility buildings.

- * Release employees who are not manning facilities during the storm no later than 12 hours prior to the storm. Give instructions for reporting back to work after the storm at that time.
- * Insure that all perimeter access points in the form of fences, gates, and building doors are locked and secured, except the main entrance gate.
- * Complete all facility preparations 12 hours prior to the severe storm event's arrival. Depending on the track of the storm, the extent of preparation based on information received may or may not be adequate.

Response

The following suggestions are issued in the interest of personal safety:

- * Evacuate when your local emergency management advises.
- * Exercise extreme caution in all outdoor activities.
- * Do not attempt to move or secure a loose vessel or equipment during storm period.

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- * Anyone required to perform any activities on or near the docks or piers during severe storm phases will wear a life jacket.
- * Do not operate vehicles or equipment during the storm period.

Recovery

The following will be considered when returning to the area:

- * We understand that extensive damage may have been caused by the severe storm event. While checking the condition of the marina facility is main concern, there may be limitations to access to the facility or at the facility itself. An inspection of the facility will be made as soon as practicable to determine conditions, damages, and security of premises.
- * ***When declared a State of Emergency by the State of Rhode Island***, post storm security will be provided as a priority to protect against vandalism.

Personnel returning to the facility and beginning the preliminary damage assessment are to be aware of the following:

- * Wear boots and use extreme caution.
- * Be aware of possible downed electrical wires, which should be considered "hot" and avoided until the power company or facility electrical maintenance personnel services the wires.
- * Check facility fueling docks and tanks for leaking gasoline or diesel fuel, where applicable. File a report with your local harbormaster if a leak is found.
- * Do not start electrical equipment that has been submerged in water until it has been checked and repaired as necessary.
- * Report immediately broken sewer or water mains to the harbormaster.
- * Check buildings', shops', and docks' electrical wiring completely prior to turning on the main power switch.
- * Inspect and repair or replace as necessary wet electrical appliances, such as hot plates, toasters, calculators, typewriters, etc., prior to operation.

As soon as the facility has been deemed safe for complete inspection, and where damage has occurred, a complete survey of the facilities, inventories, equipment, and

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stocks will be made and documented with photographs or video, where possible. Any losses or damages should be reported immediately to the facility's insurance agent.

A written assessment of damage will be prepared as soon as possible. Estimated damage to docks and piers and other harbor facilities, cranes, mast hoist, boat sheds, toilets, showers, lockers, fuel dock and office, electrical service, and telephones is to be included in the assessment. After making damage assessments, plan repairs and implement a repair program as soon as possible.

While it is understandable that immediate repairs may need to be undertaken, all actions taken during the course of repairs prior to any insurance adjustment must be properly documented and filed. In the case of facility property damage, appraisers assigned by the insurance company will be involved in assisting with the claims.

If there has been any theft or vandalism loss or damage to the facility, other than storm-related, a report will be made to the harbormaster. The incident report number and, if possible, a copy of the incident report, are to be obtained from the harbormaster to substantiate any insurance claim or tax property loss reporting.

It is obvious that vessel owner, captains, caretakers, and others with vessel interests will inquire as to the status of their vessels. These inquiries will be fielded as well as possible, especially if there is no damage to their property. Notification of any vessel damage should be made as soon as possible. A dedicated phone line with a prerecorded message will be established. Vessel owners will be advised as soon as practical of the situation at the facility and of the availability of berthing facilities for their vessels. If damages preclude the facility from providing berthing spaces for vessels, the owners will be notified and advised as to when the facility may be able to provide a berth.

Facility personnel will be put in charge of security, with considerations given to the handling of:

- * Tenants and non-tenants
- * Radio, television, and press representatives
- * Outside salvage contractors, repairers, estimators, surveyors, adjusters, and appraisers

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3. FACILITY CHECKLIST BY STAFF RESPONSIBILITIES*

Administrative Staff

Phase Four

Automatically Set June 1 through 30 November

_____ Review severe weather preparedness plan and update.

_____ Address areas of responsibility and complete.

_____ Distribute and post revised severe weather plan.

_____ Brief marina personnel, tenants, and volunteers on severe weather preparedness plan.

_____ Coordinate plans requirements with local authorities.

_____ Check first aid supplies and restock.

_____ Check emergency supplies and restock.

_____ Make vender list for rental and leased equipment.

_____ Ensure severe storm event preparedness sector of tenant contract is updated for each boat in facility.

Phase Three

72 - 48 Hours Prior to Severe storm event's ETA

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- _____ Set up communications center.
- _____ Initiate severe storm event warning and activate communications plans.
- _____ After phase three is set, release unnecessary marina personnel so that they can gather their personal belongings and prepare their homes.
- _____ Notify tenants and volunteers of impending conditions.
- _____ Work closely with harbormaster and marina volunteers to update posted storm information and disseminate other information to employees, boat owners, and volunteers.
- _____ Process and mail all paperwork that can be completed immediately.
- _____ Close marina stores to general public.
- _____ Earmark supplies for marina use at the first sign of a severe storm event threat to avoid depletion of stock by customer demands.
- _____ Begin preparation of marina grounds:
 - * Stock emergency food and water supplies
 - * Check emergency generators, lighting, and fuel supply. Obtain additional generators if required
 - * Secure outdoor furniture, large signs, flags, trash cans, carts, fire extinguisher, antennas and other loose items that can be affected by wind.
- _____ Back up computers and store archive tapes with records to be removed.
- _____ Start plans to vacate personnel and equipment in flood-prone locations.
- _____ Request other companies or concerns with supplies and equipment at the marina to move them.
- _____ Notify any suppliers to hold shipment until after the storm.
- _____ Ensure that first aid supplies are on hand.

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_____ Arrange security staff and volunteers schedules.

Phase Two

48 - 24 Hours Prior to ETA

_____ Track position of severe storm event in communication center.

_____ Maintain contact with local harbormaster.

_____ Ensure that marina is secured from nonessential traffic.

_____ Issue emergency supplies and equipment to crews are required.

_____ Move files and expensive equipment to higher shelves and drape with plastic.

_____ Implement check-in, check-out, and duty list for personnel entering and leaving the marina.

Phase One

24 - 0 Hours to ETA

_____ Secure marina

_____ Coordinate status reports on severe storm event position and intensities to crews, tenants, and volunteers at marina.

_____ Evacuate marina, if directed.

MAINTENANCE STAFF

PHASE FOUR

Automatically Set 1 June through 30 November

_____ Review severe weather preparedness plan, update and submit to administration.

_____ Address areas of responsibility and complete tasks.

_____ Ensure that all essential vehicles and portable generators are operational and ready for use.

_____ Inspect buildings, piers, and wharfs.

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_____ Inspect all storage sheds, outbuildings, and portable office trailers for proper tie-down.

_____ Inspect all emergency lighting systems and ensure that they are operational.

Phase Three

72 - 48 Hours Prior to Severe storm event's ETA

_____ Schedule marina's crew for storm duties. Include "shore leave" for crew to prepare homes and families at the first notice of storm.

_____ Secure dumpsters with tie-downs.

_____ Remove trash, scrap and excess materials.

_____ Fuel all vehicles to 100 percent.

_____ Fill all gas and diesel fuel storage tanks.

_____ Clear all loose gear from wharves and piers.

_____ Secure piers, docks, and dry storage areas:

- * Remove unclaimed trailers, boats, and equipment from piers, docks, and dry storage areas
- * Move drink, ice machines, etc. to higher grounds
- * Remove trash cans from piers and secure
- * Anchor portable buildings
- * Check tractors and lifts
- * Begin stripping removable boats and moving to hoisting area
- * Coordinate securing of marina facilities, equipment and boats
- * Monitor the need to disconnect floating and fixed piers' power cables and water and fuel lines if tidal surge is expected. Be prepared to disconnect floating dock ramps and secure docks to fixed pier piling

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- _____ Police marina and dock areas to stow away or secure loose equipment and items that could become missile hazards in high winds.
- _____ Secure all hazardous materials.
- _____ Remove boats and trailers. Secure with tie-downs when moved.

Phase Two

48 - 24 Hours Prior to ETA

- _____ Inspect all work done in phase three.
- _____ Begin evacuation of boats and dinghies.
- _____ Evacuate trailerable boats to predesignated area.
 - * Arrange to have boats tied down after move.
- _____ Evacuate non-trailerable boats.
- _____ Evacuate cruising boats.
- _____ Board up all windows and glass doors.
- _____ Remove or lock all dock boxes and check tie-downs.
- _____ Secure waterside sewage pump-outs. Turn off sewage grinder pump breakers at last call to evacuate marina.

Phase One

24 - 0 Hours Prior to ETA

- _____ Brief departing released personnel on recall procedures.
- _____ Stage personnel who are scheduled to ride out storm.
- _____ Respond to last-minute items.
- _____ Secure fuel and oil tanks.
- _____ Secure main switch gear to piers and low-lying areas.
- _____ Remove all excess gear from piers and dock area.
- _____ When appropriate (extra high tide or storm surge expected) loosen floating dock ramps from hinges and secure.

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_____ At last call, remove outside like rings and fire extinguishers from floats and other outside locations.

_____ Secure power to marina, if evacuated.

TENANTS

Phase Four

Automatically Set 1 June Through 30 November

_____ Review severe weather preparedness plan, update and submit to administration.

_____ Address areas of responsibility and complete tasks.

_____ Update marina Tenants Severe Weather Questionnaire and return of office.

_____ Know your evacuation route and shelter plan.

_____ Ensure that your emergency gear is serviceable and ready for use.

Phase Three

72 - 48 Hours Prior to Severe storm event's ETA

_____ Secure your boat in accordance with your pre-approved plan.

Phase Two

48 - 24 Hours Prior to ETA

_____ Evacuate area.

VOLUNTEERS

Phase Four

Automatically Set 1 June Through 30 November

_____ Review severe weather preparedness plan, update and submit to administration.

_____ Address areas of responsibility and complete tasks.

_____ Participate in exercises of hurricane planning.

Phase Three

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72 - 48 Hours Prior to Severe storm event's ETA

_____ Staff communication center.

_____ Assist in securing marina and boats, as agreed.

Phase Two

48 - 24 Hours Prior to ETA

_____ Continue to staff communication center.

Phase One

24 - 0 Hours Prior to ETA

_____ Evacuate marina and return to family.

4. ALL MARINA PERSONNEL - GENERAL NOTES

Prior to the hurricane season, take the following actions.

Each employee will have a written plan for his/her personal preparation and evacuation in order to effectively reduce his/her required leave time. This will also ensure that other crew members can have adequate time. This plan should be discussed with your family so that they will be prepared and know what is expected of them. When preparing your plan, you should consider the following:

Prepare your home and yard early in Phase Three to allow for an organized early evacuation. You should try to reduce wind and flood damage by boarding windows, raising furniture, covering books and appliances, etc.

Decide where to go. This will depend on the track and severity of the storm. Local emergency shelters may not be as comfortable as a stay with out-of-town relatives, but will allow you to return more quickly.

If your family decides to go to different locations during evacuation, decide on destinations, alternatives and communication options to reduce anxiety over the well-being of family members. Calling a designated out-of-state relative is one option to reestablish contact.

How will you evacuate? Plan your route and departure time to avoid low areas, which may be flooded due to torrential rains and high tides. Consult the evacuation maps for your area. Scout your route ahead of time for local hazards and alternatives. Plan to leave early.

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Decide what to take. Important documents should be designated in advance for removable. Small valuables, heirlooms, photos, etc. can be boxed for evacuation.

Be prepared to evacuate early and leave as soon as possible after evacuation has been called for. You may want to send your family ahead if other responsibilities may delay your own evacuation until Phase One.

Returning after an evacuation may be a time of despair or rejoicing. Concentrate on the positive aspects of your survival, and meet the challenge with optimism and safety consciousness.

Because of the uncertainty of time crew members will be required to be on duty, at first notice of a storm, staggered relief shifts will be implemented to allow each person time to go home and prepare their homes and families.

In order to return to preparations as soon as possible, leave time will be scheduled with team leaders going first. Because the fatigue factor during and after storms can be expected to be high, staffing prior to the storm's arrival should be kept at a minimum.

Marina Tenant's

Severe Weather Questionnaire

Boat Owner _____ Phone # _____

Pier# _____ Slip # _____ Locker # _____

Alternate Captain _____

Insurance Carrier _____

Boat Type _____ Boat Name _____

PLEASE COMPLETE THE FOLLOWING QUESTIONNAIRE

AS APPROPRIATE:

Group A - Sunfish, Board Boat, Dinghy

_____ I intend to remove my boat(s) and equipment from the marina grounds.

_____ I intend to temporarily store my boat(s) and equipment in the following location:

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Group B - Trailerable Boats

____ I intend to remove my trailer(s), boat(s), and equipment from the marina grounds, and relocate them to

____ I intend to temporarily store my trailer(s), boat(s), and equipment in the following location: _____

____ I have inspected my boat trailer(s) to insure that is in operable condition and agree to maintain the trailer in operable condition while it remains on marina property.

Group C - Non-trailerable Boats

____ I intend to secure my boat in the following location:

____ I intend to haul out my boat for temporary storage in the following location:

____ I agree to report to the marina during the severe weather warning to prepare my boat.

GROUND TACKLE ON BOARD

Anchor(s) _____

Chains(s) _____

Anchor Line(s) _____

Mushroom Anchor _____

Bridle(s) _____

Chafing Gear _____

____ I have reviewed the marina's severe weather preparedness plan.

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_____ I have a severe weather preparedness checklist on board the boat, which is in conformance with the marina's plan.

_____ I have reviewed and rehearse my severe weather preparedness plan with my alternate captain.

Dock Box

_____ I understand that the dock box belongs to the marina and is not insurable under the marina insurance policy.

_____ I intend to remove my dock box and/or belongings during a severe storm event warning.

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BOATER HAZARD MITIGATION PLAN

Name of Boat: _____

Registration Number: _____

Owner/Captain Name: _____

Address: _____

I. Preparedness:

A. Before the hurricane season, the following activities will be completed:

B. The vessel will be secured:

C. Within 48 hours of a predicted storm event, the following activities will be completed:

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2. Post storm:

My vessel will be secured by completion of the following actions:

3. Alternate Captain's Name and Address:

Phone: _____

Second Captain's Name and Address:

Phone: _____

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4. I agree to report, or will ensure that one of the alternate captains will report, to my vessel during the severe weather warning to prepare by boat as detailed in the plan.

Signature: _____

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SAMPLE

BOATER HAZARD MITIGATION PLAN

Name of Boat: *S/V Minnow*

Registration: *RI 0001A*

Owner/Captain: *Don Johnson*

Address: *Vice Av., Miami, FL 33193*

1. Preparedness
 - A. Before the hurricane season, the following activities will be completed:
 - * *All emergency equipment is checked and in good working order*
 - * *Cleats checked for security and backing*
 - * *Chafe gear and storm pennants are on board and labeled*
 - * *Status of insurance policy and reporting procedures checked*
 - B. This vessel will be secured: *at its current town mooring location.*
 - C. Within 48 hours of predicted storm event, the following activities will be completed:
 - * *Chafe gear and storm pennants installed and checked*
 - * *Fuel tanks shut off*
 - * *All spare rigging, sails, dodgers, cowlings, and deck gear removed*
 - * *Thru-hulls, except self-bailing drains, closed*
 - * *Self-bailing drains cleared of any blockages*
 - * *All portable fuel and oil storage containers removed*
 - * *All power turned off, except auto bilge and anchor light*
2. Post storm:

My vessel will be secured by completion of the following actions:

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- * *Vessel located, if vessel cannot be located, harbormaster contacted*
- * *Damage assessed, once vessel located.*
 - Vessel secured*
 - Any displaced portals reinforced*
- * *Preselected salvage company contacted*
- * *Previously established insurance company procedures followed*

3. Alternate Captain's Name and Address:

Joe McGinn, 12 Stewart St., Small Town, RI 02111

Phone: (401) 555-3721

Second Captain's Name and Address:

Andy Kinzie, 44 Waterway, Small Town, RI 02111

Phone: (401) 555-2187

4. I agree to report, or will ensure that one of the alternate captains will report, to my vessel during the severe weather warning to prepare my boat as detailed in the plan.

Signature: _____

January 11, 2022

APPENDIX G – OIL/GAS SPILL RESPONSE PLAN



OIL SPILL RESPONSE PLAN

Town of New Shoreham Harbors Department

Rhode Island, Long Island, and Block Island Sounds are used as transport routes for tankers and barges bound for New York, New Haven, Providence, Boston, and Portland. This use of Rhode Island waters raises that threat of a potentially damaging oil or gas spill.

Block Island lies directly in the route of the transported goods and should be prepared in the event of a spill. One only has to look to the spill of the World Prodigy and the North Cape to realize how fragile our beaches, wetlands, and harbors are. Under different wind, weather and tidal conditions, these groundings could have devastated both our environment and tourism economy.

Small spills are also a chronic problem. Each year, hundreds of thousands of gallons of fuel and oils are spilled in Rhode Island waters. Most of this can be attributed to spills of less than 50 gallons.

The objective of this plan is to facilitate a speedy and efficient local response to an oil or gas spill in or around Block Island waters especially those that threaten to impact the Great Salt Pond. This plan will not detail shoreline types and habitats and their susceptibility to marine spills nor will it detail all the various containment or cleanup equipment and techniques. This information is available in a number of sources such as the "State of Rhode Island Oil Spill Contingency Guide: Protection Strategies for Vulnerable Coastal Features", "Occupational Safety and Health Guidance Manual for Hazardous Waste Site Activities", US Department of Transportation "Emergency Response Guidebook" or the "National Oil and Hazardous Substance Pollution Contingency Plan" and is the responsibility of the on-site coordinator to determine the correct methods of containment and clean-up.

The purpose of this plan is to address responsibility in case of a spill and the efficient and timely mobilization of equipment and personnel for containment and clean-up.

When a spill occurs in Rhode Island navigable waters, the primary responsibility and liability for clean-up rests with the polluter. The agency responsible for ensuring that a clean-up occurs is the United States Coast Guard (USCG). The USCG on-scene coordinator (Captain of the Port, Providence RI) monitors the polluter's clean-up efforts and, if judged inadequate, coordinates clean-up activities.

The Division of Water Resources (DEM) assists the USCG in identifying the source of pollution and responsible parties. Both Coast Guard and Division staff must certify that a spill has been satisfactorily cleaned up.

The DEM staff is primarily responsible for maintenance of or improvement to the quality of state waters. Much of the Division's work involves tidal waters, but the responsibilities are statewide and include freshwater systems.

The US Environmental Protection Agency has primary responsibility for spills on inland waters and usually contracts the same clean-up contractors used by the Coast Guard.

Municipal governments have no formal responsibilities for oil spill clean-up. However, government officials can provide valuable information, such as assisting the on-scene coordinator mobilizing heavy equipment. The Town Manager, Emergency Management Director and Harbormaster are the most logical Town officials to be involved in the coordination of municipal resources.

BEFORE A SPILL

1. Booms and absorbent materials should be kept in a trailer and/or stored at a central location such as the Fire Barn or the Coast Guard Station. This would allow for rapid deployment should a spill threaten Great Salt Pond, or Old Harbor. Recommended minimum inventory is 1000 ft. of absorbent boom 500 lbs of Enviro - Bond chemical or equivalent and sufficient anchors and line to effect deployment.
2. As many islanders as possible should be encouraged to attend oil spill containment and clean-up courses and/or seminars. A list of who attend training sessions should be kept at the Dispatch center and the offices of the Town Manager, Harbormaster, and Emergency Management Director.
3. Small maneuverable boats should be available at all times in both harbors and at least two small inflatables should be available for deployment in the inner ponds and at any of our fresh ponds. A list of owner's names and phone numbers should be kept at the Dispatch center and the offices of the Town Manager, Harbormaster and Emergency Management Director.
4. An informational training session on the effects of different types of petroleum and methods/equipment for containment/clean-up should be held on the island. Marina owners, Harbors Department Staff, Town officials and any other interested persons should be invited. In the event of a spill these people may provide very valuable volunteer assistance.
5. Informational brochures on the proper methods of fueling boats should be provided to all marinas and visiting boaters.

IN THE EVENT OF A SERIOUS SPILL

Immediately notify:

- | | |
|---|---------------------------------|
| 1. Marine Safety Office (Captain of the Port) | |
| Providence, RI | I-800-424-8802 / (401) 435-2500 |
| 2. Harbormaster Office | VHF Ch. 12 / (401) 466-3204 |
| 3. Dispatch Center | VHF Ch. 12 / (401) 466-3220 |

- | | |
|-----------------------------|----------------|
| 4. Town Manager | (401) 466-3210 |
| 5. First Warden | (401) 466-3220 |
| 6. Emergency Mgmt. Director | (401) 466-3220 |
| 7. DEM - Water Resource | (401) 277-3961 |
| 8. DEM - Fish and Wildlife | (401) 789-3094 |
| 9. Nature Conservancy | (401) 466-2129 |
| 10. Sewer/Water | (401) 466-3231 |

This list should be kept available at the Dispatch Center and the offices of the Town Manager, Harbormaster and Emergency Management Director.

RESPONSE / RESPONSIBILITY CHAIN OF COMMAND

Town Manager 466-3210

Emergency Management Director 466-3220

Police Chief	466-3220	Fire Chief	466-3229
Harbormaster	466-3204	Nature Conservancy	466-2129
Sewer Commission	466-3231	Water Department	466-3232

Department heads should assign staff members to be trained and/or available in the event of a spill.

Locations of Important Buildings, Deployment and Clean-Up Sites:

- Command Center - Fire Barn, Coast Guard Station, Harbormaster or Dockmaster Office
- Waterfowl Recovery Center - Fire Barn, Coast Guard Station
- Medical - Fire Barn (Block Island Volunteer Fire & Rescue Dept.), Medical Center

Boom Deployment:

- Great Salt Pond - public launch ramp, Coast Guard Station, BI Boat Basin beach, Block Island Club, Mosquito Beach boardwalk
- Old Harbor - West Dock loading ramp, Interstate Navigation ferry ramp, beach across from the Beach Head
- Housing for off-island personnel - Various Hotels, Coast Guard Station
- Clean-Up Sites - Coast Guard Station, BI Club, East side of Harris Point, East end of Narragansett Inn beach, beach at west end of BI Boat Basin, Bonnell Beach, the Northwest shore, and Fort Island and the bridges at Ocean Ave. and Beach Ave for the inner ponds

Access Routes:

- Coast Guard Station - West Side Road to Champlin Road
- B.I. Club and Harris Pt. - Corn Neck Road
- Beaches at B.I. Boat Basin and Narragansett Inn - Ocean Ave to West Side Road

- Bonnell Beach - Right of way off Champlin Road.
- Northwest Shore - Right of way off Champlin Road to Cormorant Pt.

CURRENT USES INVENTORY

MARINAS / WHARVES

Harbor Road Yacht Basin	Hog Pen	23 non transient slips
Paynes Fort Island Marina-	Hog Pen	17 non transient slips
Paynes Hog Pen Marina	Hog Pen	12 slips
Smuggler's Cove (BI Maritime Inst.)	Hog Pen	12 non transient slips
Paynes New Harbor Dock	Ocean Ave	150 slips
New Harbor Boat Basin	West Side Rd	80 slips
Champlins Marina & Resort	West Side Rd	250 slips
Old Harbor Dock	Old Harbor	80 slips
Interstate Ferry Terminal	Old Harbor	-
Ballards Marina	Old Harbor	8 slips

BOATYARDS

Harbor Road Yacht Basin - Ocean Ave - Marine fork lift – boats up to 27 feet – with limitations

Maritime Institute- Ocean Ave

Commercial fishing dock & loading ramp- West Dock, Old Harbor

COMMERCIAL FISHING FACILITIES

Old Harbor Dock, West Dock - Old Harbor - 9 slips

BOARDWALKS

Beach access boardwalk - Corn Neck Rd. - New Harbor

LAUNCH RAMPS

Indian Head Neck right-of-way between Dead Eye Dicks Restaurant and BI Maritime Inst.

(Smuggler's Cove) - Ocean Ave

INVENTORY OF ISLAND SERVICES	
<u>HEAVY EQUIPMENT</u>	
A. TRANSUE CORPORATION	466-5907
SPRAGUE FARM	466-5882
ROSE ENTERPRISE	466-2021
MIKE ERNST	466-5638
RICK BATCHELDER	466-2195
<u>FERRY</u>	
INTERSTATE NAVIGATION	466-2261/783-4613
ISLAND HI-SPEED	MAY-OCT
MONTAUK FERRY	MAY-OCT
BLOCK ISLAND EXPRESS	MAY-OCT
<u>AIRLINE SERVICES</u>	
ACTION AIRLINES (PRIVATE CHARTERS)	800-243-8623
NEW ENGLAND AIRLINES	466-5881
RESORT AIR	466-2000
<u>MARINE/VEHICLE REPAIR</u>	
BLOCK ISLAND MARINE	466-2028
EDWARDS MARINE	466-2655
MURPHY'S AUTO	466-5492
<u>MARINAS</u>	
NEW HARBOR BOAT BASIN	480-1429
CHAMPLIN'S MARINA	466-2641
PAYNE'S DOCK	466-5572
BALLARD'S MARINA	465-3136

TOWN OFFICIALS

Harbormaster	466-3204
Police Department	466-3220
Physician	466-2974
Fire Department	466-3220
Rescue Squad	466-3220
Town Manager	466-3210

STATE OF RHODE ISLAND SERVICES

State Airport	466-5511
State Police (Hope Valley)	539-2323
State Public Works Garage	466-2621

EQUIPMENT LIST

1. 1000 ft. - 18 inch containment boom - 100 ft. sections
2. 1000 ft. - absorbent boom- 80 ft. sections
3. 500 lbs. - Enviro-Bond chemical or equivalent
4. Six (6) 300 lb. mushroom anchors
5. Boats: 1 boat capable of setting 300 lbs. mushrooms
2 small maneuverable boats - 13 plus feet 2 small inflatable boats -
8 to 10 feet
6. One (1) Backhoe or excavator
7. Two (2) or more trucks for transport of equipment
8. Vehicles for transport of personnel
9. Two (2) one ton come-a-longs
10. Boom lights, 30 flashing yellow and 6 double red
11. Rope: 600 ft. 5/8" Nylon rope
1200 ft. 3/8" Dacron line 1200 ft. 5/16" Poly
line
12. Shackles/Thimbles:
24- 1/2" shackles/24- 1/2" thimbles 24- 3/8" shackles/24-

- 3/8" thimbles
13. Fuel/Oil for boat operations
 14. VHF radios - available from Harbors Department
 15. Miscellaneous: shovels, paper towels, rags, absorbent pads, soap, water, first aid kits, and gloves.
 16. Empty drums and large heavy-duty plastic bags for disposal of oil and contaminated materials.

SITE CHARACTERISTICS/CONTINGENCY

I. IDENTIFICATION

Site name: *Great Salt Pond*
 Water body: *Block Island Sound*
 Municipality: *New Shoreham (Dispatch Center 466-3220)*

II. CHARACTERISTICS

Size: *Approximately 683 acres*
 Ecosystem: *Coastal lagoon/barrier beach/marsh system*
 Water quality: *SA/SB*
 Vulnerability: *Open channel to Block Island Sound approximately 250 feet wide at low tide, 300 feet wide at high tide*

III. SITE-SPECIFIC FACTORS

- Wide, permanently open channel is exposed to NW-NNW-N winds with fetch greater than 5 miles.
 - Currents exceed 1 knot during ebb and flood.
 - Mean tidal range is approximately 3 .5 feet.
 - Pond is used extensively for recreational boating and commercial fishing, and is the site of two ferry transport terminals: Champlin's Resort and Payne's Dock.
 - Pond contains two smaller embayments (Trims Pond and Harbor Pond) in the southeast corner which are prime flounder and finfish spawning areas.
 - Shoreline development is moderate; access to containment areas is fair to good.
 - Moderate oil threat from upland sources near a small petroleum storage station and marinas on the south side of the pond.
- a) Payne's Dock -two water edge above ground fuel tanks - 1000 plus gallons each state of the art concrete double wall tanks.

- b) Pennington Sprague fuel depot in the Hog Pen - installation with complete state-of-the-art tank failure containment system.
- c) Champlins Marina - in ground tanks - fiberglass double wall, alarmed-approximately 400 ft. of fuel lines under the dock -with automatic shut-off spill protection on site.
- d) Block Island Power Co. - single wall, in-ground tanks monitored by D.E.M.
- e) Ballard's Oil Co., Inc. - new gas station, state of the art, in-ground tanks.

*Marsh bordering north shore has been identified as a significant wildlife resource.

*The entire Great Salt Pond is habitat to numerous bird species, shellfish beds and finfish.

CONTINGENCY PLAN

It would be nearly impossible to keep oil entirely out of Great Salt Pond should a spill occur near the entrance channel during northerly or northwesterly winds and an incoming tide. This is due to the extensive fetch, fast currents and the wide deep channel into the pond. The most effective method of protecting the Great Salt Pond would be the deployment of large deflective sea booms outside the channel entrance, deployment of three or more staggered containment booms in the channel deflecting toward the west side of the channel and deployment by boats of containment and/or absorbent booms inside the channel entrance. See attached examples of boom deployment.

Oil should be skimmed from the water surface if possible. If this cannot be accomplished, oil should be directed to one of the beach or rocky shoreline areas accessible for clean-up away from any salt marshes, shellfish beds or other wetlands in that area. It is of utmost importance to keep oil away from the more extensive marshes on the pond's northern shore (Beane Pt. to Andy's Way) and the sensitive areas on Trim's and Harbor Pond due to their well-recognized fishery and wildlife significance. Shoreline and estuary booming of these areas is advisable.

Infiltration of oil into the inner portions of Trims and Harbor Pond can be minimized by booming at the public launch ramp, at the bridges at Ocean and Beach Avenues and at Fort Island.

RESPONSE EVENT SEQUENCE

In the event of a serious oil spill with an imminent threat to Block Island the following events should be accomplished as soon as possible:

1. Notify all Federal, State, Local officials as listed.
2. Establish a command center and notify all parties of its location and time of first meeting.
3. Designate a response coordinator, (usually the Emergency Management Director), on-site coordinator(s) and various team leaders for work crews.
4. Notify all listed support facilities and volunteers for mobilization of work teams and

readying of boats, equipment and supplies.

5. Establish contact with the mainland oil spill command center if applicable and post list of contact personnel and phone numbers.
6. Mobilize work crews, boats, trucks and equipment to applicable sites for deployment of booms, and equipment.
7. Types of booms and equipment, where and how deployed, shall be determined by the Emergency Management Director and/or the on-site coordinator as may best serve the situation existing at the time.
8. If needed, pursue requests for additional assistance and equipment via the Captain of the Port, MSO Providence and/or mainland command center.
9. U.S. Coast Guard personnel and/or those of their designated clean-up contractor(s) have primary authority and responsibility for oil spill response and should be the primary response coordinator(s) when on the scene.
10. All contained oil should be directed to an appropriate location for clean-up and disposal. A number of suggested sites are listed herein and identified on the accompanying map.
11. Ensure that all clean-up materials and contaminants are processed in accordance with all applicable laws and regulations for hazardous materials.
12. After spill threat is over: retrieve, clean, and return all equipment and materials to storage. Order replacements as needed.
13. Coordinate assessment of all damages, materials and labor costs, equipment costs and damages to the environment and/or property and equipment both short and long term. File claims and/or law suits as may be necessary.

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APPENDIX H – FEMA FIRM MAPS

NOTES TO USERS

This map is for use in determining the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from low surge, surge waves or other sea level rise. The community may require other flood insurance for protection against other flood hazards.

To obtain more detailed information on areas where Base Flood Elevations (BFEs) are shown, contact the National Flood Insurance Program. The BFEs are based on the Flood Insurance Study (FIS) and are subject to change. The community may require other flood insurance for protection against other flood hazards.

Coastal Barrier Resources System (CBRS) areas are shown on this map. The CBRS is a system of federal lands and other lands that are subject to flooding. The CBRS is a system of federal lands and other lands that are subject to flooding. The CBRS is a system of federal lands and other lands that are subject to flooding.

The AE Zone category has been divided by a Limit of Moderate Wave Action (LMWA). The LMWA represents the maximum wave height of the 100-year return period wave. The LMWA is shown on this map. The LMWA is shown on this map. The LMWA is shown on this map.

For information on the National Flood Insurance Program, contact the National Flood Insurance Program. The National Flood Insurance Program is a federal program that provides flood insurance to property owners in the United States. The National Flood Insurance Program is a federal program that provides flood insurance to property owners in the United States.

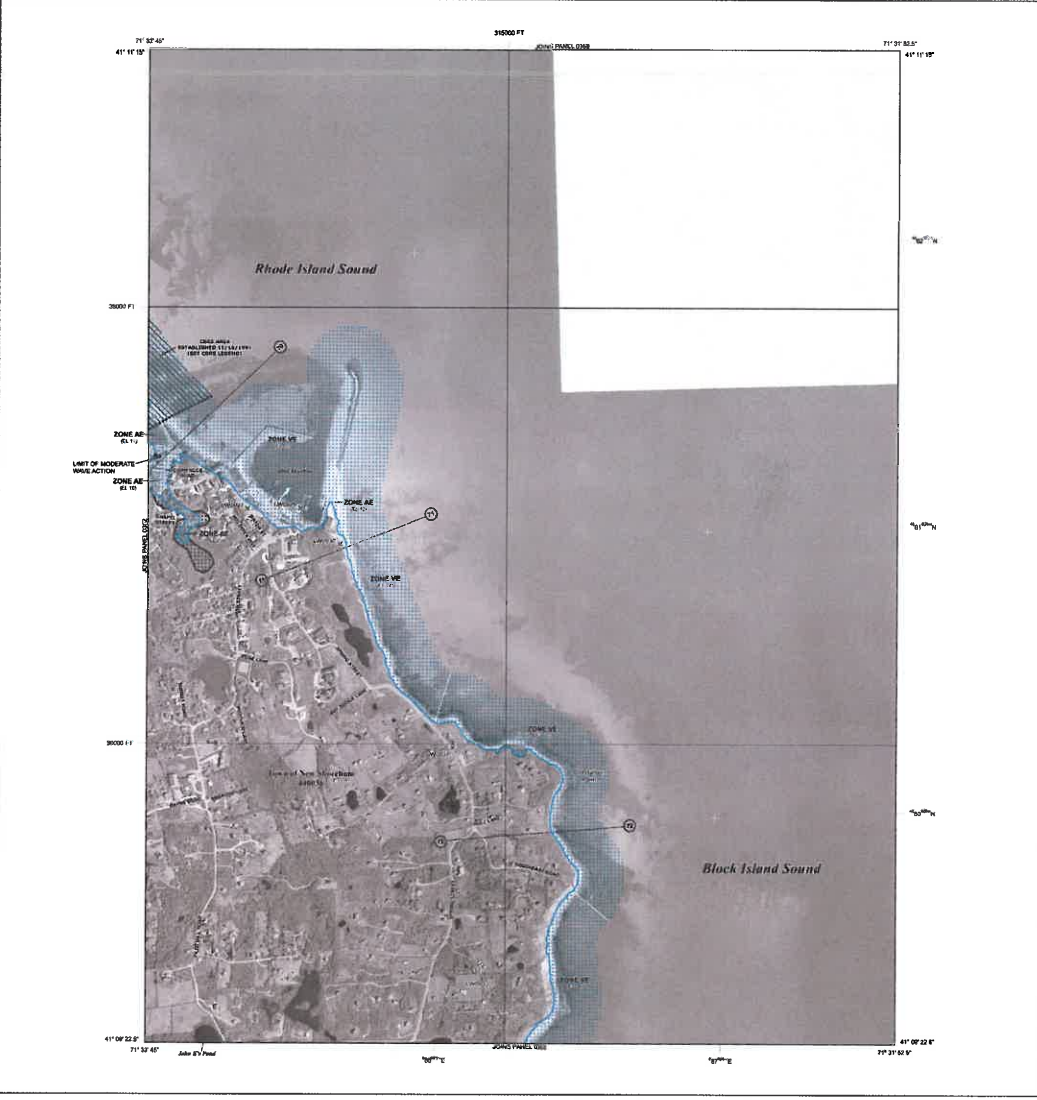
Based on a digital elevation model (DEM) derived from the National Flood Insurance Program, the map shows the BFEs for the 100-year return period wave. The BFEs are shown on this map. The BFEs are shown on this map. The BFEs are shown on this map.

For information on the National Flood Insurance Program, contact the National Flood Insurance Program. The National Flood Insurance Program is a federal program that provides flood insurance to property owners in the United States. The National Flood Insurance Program is a federal program that provides flood insurance to property owners in the United States.

If you have questions about this map, contact the National Flood Insurance Program. The National Flood Insurance Program is a federal program that provides flood insurance to property owners in the United States. The National Flood Insurance Program is a federal program that provides flood insurance to property owners in the United States.

COASTAL BARRIER RESOURCES SYSTEM (CBRS) LEGEND

11-99-901 CBRS Area
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LEGEND

- SPECIAL FLOOD HAZARD AREAS (SFHA) SUBJECT TO FLOODING BY THE 100 ANNUAL CHANCE FLOOD**
 The 100 annual chance flood is the flood that is expected to occur on average once every 100 years. The 100 annual chance flood is the flood that is expected to occur on average once every 100 years. The 100 annual chance flood is the flood that is expected to occur on average once every 100 years.
- AE Zone**
 Areas subject to flooding by the 100 annual chance flood. The AE Zone is shown on this map. The AE Zone is shown on this map. The AE Zone is shown on this map.
- X Zone**
 Areas subject to flooding by the 1% annual chance flood. The X Zone is shown on this map. The X Zone is shown on this map. The X Zone is shown on this map.
- V Zone**
 Areas subject to flooding by the 1% annual chance flood. The V Zone is shown on this map. The V Zone is shown on this map. The V Zone is shown on this map.
- Other Flood Areas**
 Areas subject to flooding by other flood hazards. The Other Flood Areas are shown on this map. The Other Flood Areas are shown on this map. The Other Flood Areas are shown on this map.
- Coastal Barrier Resources System (CBRS)**
 Areas subject to flooding by the 100 annual chance flood. The CBRS is shown on this map. The CBRS is shown on this map. The CBRS is shown on this map.
- Other Areas**
 Areas subject to flooding by other flood hazards. The Other Areas are shown on this map. The Other Areas are shown on this map. The Other Areas are shown on this map.

FIRM FLOOD INSURANCE RATE MAP, WASHINGTON COUNTY, RHODE ISLAND (ALL JURISDICTIONS)

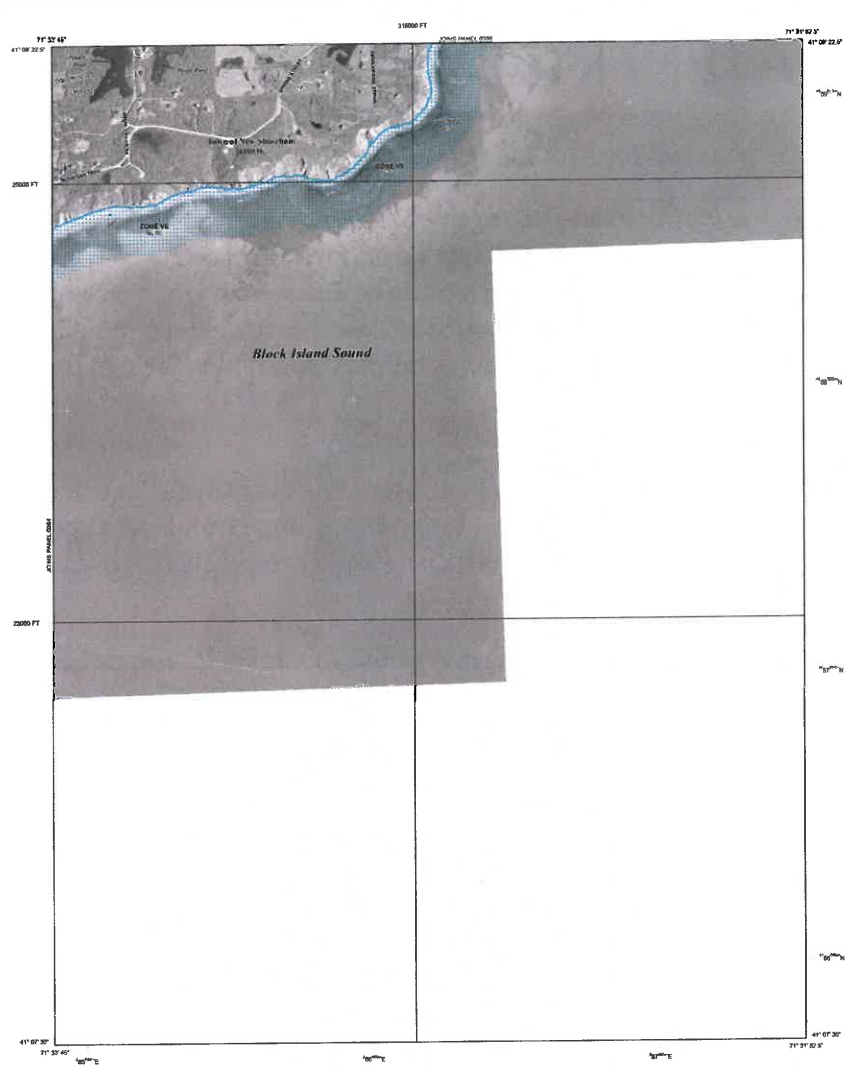
PANEL 386 OF 388
 (SEE BACK MATTER FOR THIS PANEL LIST)

DATE: 10/16/2015
 SCALE: 1" = 1000'

FIRM NUMBER: 400000046
MAP REVISED: OCTOBER 16, 2015
 Federal Emergency Management Agency

NOTES TO USERS

This map is for use in administering the National Flood Insurance Program. It does not constitute a warranty of accuracy. It is not intended to be used as a substitute for a professional engineering or architectural drawing. It is not intended to be used as a substitute for a professional engineering or architectural drawing. It is not intended to be used as a substitute for a professional engineering or architectural drawing.



LEGEND
SPECIAL FLOOD HAZARD AREAS (SFHA) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD
OTHER FLOOD AREAS
CONSTANT BASELINE REDUCED SYSTEM (CRS) AREAS
OTHERWISE PROTECTED AREAS (OPA)
Map Scale: 1" = 200'

FIRM
FLOOD INSURANCE RATE MAP
WASHINGTON COUNTY,
RHODE ISLAND
(PANEL 308 OF 388)
MAP NUMBER
A9000308J
MAP REVISION
OCTOBER 16, 2013

January 11, 2022

APPENDIX I – ZONING ORDINANCE SECTIONS RELATED TO WATERFRONT USES

Section 314. Coastal Zone (C Zone).

A. Purpose. The Coastal Zone (C Zone) comprises the Island's environmentally vulnerable coastal bluffs, dunes, and wetlands and the area landward one hundred (100) feet from such delineated coastal feature or mean high water as determined by the Coastal Resources Management Council (CRMC), whichever is more inclusive. It is intended that these critical coastal features be provided a high level of protection.

B. Permitted Uses.

1. Pedestrian paths and travelways for recreational and/or educational use, provided however that, there will be no breaching or other disturbance of dunes or dune vegetation, no clear cutting of existing vegetation or alteration of wildlife habitats.
2. Town roads or pathways or public launch or rescue access ways to the water.
3. WECS subject to Section 508, limited to Assessor's Plat 1, Lot 1-2. (Amended September 5, 2001; December 7, 2009)

C. Uses Allowed by Special Use Permit (See Article 4).

1. Waterfront Uses (See Sections 318, Waterfront Overlay 415, Waterfront Uses)
2. Utility WECS subject to Section 508G and limited to Assessor's Plat 2 Lot 48-1 and Lot 39. (Amended December 7, 2009)

Section 318. - Waterfront Overlay (W Overlay).

A. Purpose. The Waterfront Overlay (W Overlay) comprises the Island's saltwater harbors and ponds and the lands contiguous to them, which contain important ecological systems and archaeological sites and provide the basis for economic activity vital to the Island: facilities and services associated with recreational boating, commercial fishing, and marine transportation. It is intended that the W Overlay be protected by controls not provided by other provisions of the Zoning Ordinance, namely, the establishment of uses for the Island's harbors, ponds, and marshlands which conform

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to State and Federal regulations for managing coastal resources. (Amended May 19, 2004)

B. Jurisdiction. This section shall apply to all of the land area between the mean high water of all tidal waters and a line fifty (50) feet landward thereof together with the abutting waters over which the Town has legal jurisdiction, either along with or concurrent with other State or Federal regulatory agencies. (Amended May 19, 2004)

C. Permitted Uses. Permitted uses along the shorelines within the Waterfront Overlay shall conform to the priorities, restrictions and designations established by the Coastal Resources Management Council (CRMC) for uses and activities on the adjoining waters. These are set forth in the Coastal Management Plan as amended together with the Addendum to that Plan with specific regard to the Block Island Quadrangle.

1. Type 1 Districts. Defined as the shoreline along the northern and eastern portions of the Great Salt Pond, extending from a point of land on the eastern shore of the channel to Trim's Pond being the high water mark on the northerly stone rip rap of Indian Head Neck Road running northerly to can buoy #13 (ref. NOAA Navigation Chart #13217); northeasterly to Harris Point; northwesterly to the point of land on the southeast side of the Great Salt Pond breachway. Trim's Pond east of a line from a point of land on the eastern shore of the channel to Trim's Pond being the high water mark on the northerly stone rip-rap of Indian Head Neck Road running southeasterly across the northerly boundary of Lot 116 on Tax Assessor's Plat 5 as laid out on March 4, 1989; Trim's Pond west of Ocean Avenue. All of Harbor Pond, Great Salt Pond and Cormorant Cove west of a line drawn from the point of land on the southwest side of the Great Salt Pond breachway running southeast to the intersection of the layout of Type 3 waters as designated by CRMC and subject to change; and adjoining and contiguous tidal marshes.

a. Commercial and recreational shellfishing not involving the construction or placement of structures.

2. Type 2 Districts. Defined as the central portion of the Great Salt Pond lying within an area created by lines drawn from the breakwater on the western side of Great Salt Pond breachway; running south-easterly to the boundary of Type 3 Waters as designated by CRMC and subject to change; easterly to can buoy #13; northeasterly to Harris Point; northwesterly to a point of land on the southeast side of the Great Salt Pond breachway. The waters of Trim's Pond, excepting the area known as the "Hog Pen," or a line from the high water mark on the northerly stone rip-rap of Indian Head Neck Road running southeasterly across the northerly boundary of Lot 116 Tax Assessor's plat 5 as laid out on March 4, 1989, including the portion of Trim's Pond south of the "Hog Pen" extending west to Ocean Avenue. Bounded on the west by a line from the intersection of the northern

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boundary of Lot 104 with the western boundary of Lot 103, thence running northwest to the northernmost corner of Lot 64-1.

a. All recreational uses not involving the construction or placement of structures, as defined.

b. Commercial and recreational shellfishing not involving the construction or placement of structures.

3. Type 3 Districts. Defined as the southern shoreline of the Great Salt Pond from the boundary of the New Harbor Commercial Zone north of Champlin's Dock to the western side of the channel leading into Trims Pond. In addition, that portion of Trim's Pond known as the Hog Pen. West of a line starting at the northernmost corner of Lot 64-1 and running generally southeasterly to the intersection of the northern boundary of Lot 104 with the western boundary of Lot 103.

a. All recreational uses not involving the construction or placement of structures, as defined.

b. Commercial and recreational shellfishing not involving the construction or placement of structures.

4. Type 5 Districts. Defined as the shoreline of the Old Harbor, from the outer end of the east breakwater to the outer end of the west breakwater.

a. All recreational uses not involving the construction or placement of structures, as defined.

b. Commercial and recreational shellfishing not involving the construction or placement of structures.

D. Uses Allowed by Special Use Permit (See Article 4).

1. Type 1 Districts. (See definition noted in Section 318(C) (1) above)

a. Activities/alterations to the shoreline designed to preserve and/or enhance the site as a conservation area and/or as a natural buffer against storms.

b. Aquaculture.

2. Type 2 Districts. (See definition noted in Section 318(C) (2) above)

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- a. Activities/alterations to the shoreline designed to preserve and/or enhance the site as a conservation area and/or as a natural buffer against storms.
 - b. Aquaculture.
 - c. Construction of residential boating facilities, including docks and launching ramps, and accessory structures appropriate for recreational non-commercial use.
 - d. Public launching ramps.
3. Type 3 Districts. (See definition noted in Section 318(C) (3) above)
- a. Activities/alterations to the shoreline designed to preserve and/or enhance the site as a conservation area and/or as a natural buffer against storms.
 - b. Aquaculture.
 - c. Construction of residential boating facilities, including docks and launching ramps, and accessory structures appropriate for recreational non-commercial use.
 - d. Commercially operated docks and marinas appropriate to support recreational boating, fishing, and shellfishing.
 - e. Public launching ramps and any use accessory thereto.
 - f. Boatyards and boat storage facilities.
 - g. All retail uses, including restaurants whose principal use is marine-related or otherwise marine dependent.
4. Type 5 Districts. (See definition noted in Section 318(C) (4) above)
- a. Activities/alterations to the shoreline designed to preserve and/or enhance the site as a conservation area and/or as a natural buffer against storms.
 - b. Aquaculture.
 - c. Construction of residential boating facilities, including docks and launching ramps, and accessory structures appropriate for recreational non-commercial use.

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- d. Commercially operated docks and marinas appropriate to support recreational boating, fishing, and shellfishing.
- e. Public launching ramps and any use accessory thereto.
- f. Boatyards and boat storage facilities.
- g. All retail uses, including restaurants whose principal use is marine related or otherwise marine dependent.
- h. Office, storage and parking areas required for marine related uses, including but not limited to those uses and structures which depend on tourism and the accessibility to Block Island via Old Harbor.
- i. Terminal facilities for passenger, vehicle and freight-carrying vessels.
- j. Public recreational structures.

Section 415. - Waterfront Uses.

- A. Purpose. The purpose of this Section and the specification of waterfront uses set forth in each zone is to provide regulations and standards for waterfront uses which are parallel to those set forth in "The State of Rhode Island Coastal Resources Management Program," as amended, and which identify uses associated with tidal and coastal pond waters by type, as associated with shoreland features and areas of historic and archaeological significance.
- B. Standards for Particular Waterfront Uses.
 - 1. Recreational Paths and Passive Recreational Uses. Paths shall not be constructed or used so as to cause breaching of dunes or disruption of wildlife habitats.
 - 2. Rights-of-Way to Water. Existing access ways shall be maintained and new access ways constructed so as to control erosion and cause minimal change to the natural environment.
 - 3. Shoreline Alterations. Shoreline alterations involving filling or modifying of the shore and/or shoreline features shall be carried out only for increased protection from storm winds and water or enhancement of beaches and other natural conditions.
 - 4. Aquaculture. Aquaculture facilities and their use shall conform to accepted standards and procedures, the application of which shall be evidenced as part of Development Plan Review.

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5. Docks, Ramps, and Accessory Use Structures. Docks, ramps, moorings and related marine service structures shall conform to accepted siting and engineering standards, the application of which shall be evidenced as part of Development Plan Review.
 6. Marinas. (See Section 414, Marinas.)
 7. Warehouse and Storage Facilities. (See Section 416, Warehouse and Storage Facilities.)
 8. Parking Lots. (See Section 420, Parking Lots.)
 9. Other Waterfront Uses. (See Section 401, General Criteria for Special Use Permits.)
- C. Special Provision for Type 3 District. A municipally owned or controlled passenger boat facility to be used only under emergency conditions when the facilities of Old Harbor are inaccessible as a result of stormy weather or other dangerous circumstances as reasonably determined by the person directly responsible for operating the vessel using the emergency facility.

