

TOWN OF NARRAGANSETT
HARBOR MANAGEMENT PLAN

Submitted by the
Narragansett Harbor Management Commission

Adopted by the
Narragansett Town Council on
December 18, 2006

This Harbor Management Plan is dedicated to

Andrew “Captain Andy” Dangelo
(1926-2005)

whose love and knowledge of our waters and many years of service
on this commission was instrumental in bringing this document to
fruition.

Tight Lines

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HARBOR MANAGEMENT PLAN REFERENCES

ACRONYMS

ACOE – Army Corps of Engineers
CRMC – Coastal Resources Management Council
DEM – Department of Environmental Management
EPA – Environmental Protection Agency
FEMA – Federal Emergency Management Agency
GIS – Geographical Information System
GPS – Global Positioning System
HMC – Harbor Management Commission
HMP – Harbor Management Plan
MHW – Mean High Water
MLW – Mean Low Water
MOA – Memorandum of Agreement
MSD – Marine Sanitation Device
NMFS – National Marine Fishery Service
NSSP – National Shellfish Sanitation Program
RIGL – Rhode Island General Law
RIWW – Rhode Island Watershed Watch
ROW – Right of Way
SAMP – Special Area Management Plan
URI – University of Rhode Island
UST – Underground Storage Tank

1.0 Overview

The coastline of Narragansett has changed dramatically since it was first colonized in the 1600's. Throughout the years, waterfront development has escalated and this has furthered the increase of water use and waterfront recreation. These and other factors have played an important role for those who have and those who continue to visit, use and enjoy the beautiful shorefronts and waterways of Narragansett. Recreational boating has increased dramatically in popularity and has added new dimensions to the uses of the waterfronts and water-bodies. The increasing variety and density of the multi-uses of the water-bodies and waterfronts have further persuaded the need for the wise conservation and management of these resources. This Harbor Management Plan (HMP) provides extensive policies, goals and recommendations for the purpose of positively managing the activities in and around the water-bodies of Narragansett.

1.1 Definition and Purpose

The Town Council of Narragansett, in recognition of the exceptional environmental and commercial assets provided by the tidal and other waters of Narragansett, hereby adopts this HMP as a thorough examination of current uses, and as a long term guide for activities on or adjacent to the tidal waters of Narragansett.

The HMP was created as a guide to establish and revise ordinances for the benefit of all waterway users within the jurisdictional boundaries of the waters managed by the Town of Narragansett under this HMP. The HMP was developed to be compatible with relevant management and regulatory policies of both Federal and State programs. The Plan also promotes the principal authority for implementation of the HMP to the Town of Narragansett.

The HMP is a comprehensive document which follows the Guidelines for the Development of Municipal Harbor Management Plans produced by the Coastal Resources Management Council in 1998 and includes:

- 1) the identification of the existing and potential issues associated with waterway areas;
- 2) goals, objectives and policies for guiding the public and private use of land and water in the defined harbor area;
- 3) identifies the coastal and water resources of the Town; and
- 4) sets forth an implementation approach indicating the programs for achieving the desired patterns of use on and adjacent to the waters managed by the Town of Narragansett under this HMP.

Within the Plan is the Harbor Management Ordinance, outlining the powers, duties and responsibilities of the Harbormaster. The ordinance also empowers the Harbormaster to enforce any rules and regulations promulgated by Narragansett to implement the approved HMP.

1.2 Goals of the Plan

The goal of the HMP is to manage the coastal waters, harbor areas, and other water-bodies under the jurisdiction of the Town of Narragansett, as described herein, by establishing policies, goals and regulations that balance and manage the diverse uses of and access to the waters, harbor areas, waterfronts, and that minimize user conflicts.

The HMP will provide mechanisms to insure that the administration of the plan's objectives is implemented efficiently and effectively. This will necessarily include that the operational costs are shared by the Town of Narragansett, private and commercial mooring owners, recreational and commercial boaters, slip and dock owners, and other groups or individuals.

The HMP will strive to maintain, develop and improve public knowledge of and access to coastal and other water-bodies in the Town of Narragansett. Toward this intent, the HMP will set forth goals that will promote further and improved public access opportunities that will both serve all user groups including the boating community, and will reduce current congestion difficulties.

The HMP will remain consistent with the goals and regulations of the Rhode Island Coastal Resources Management Council (CRMC), Guidelines for the Development of Municipal Harbor Management Plans, and the Rhode Island Department of Environmental Management (DEM). The HMP will also be reviewed for consistency by the Rhode Island Department of Administration, and the U.S. Army Corps of Engineers (ACOE).

1.3 Objectives of the Plan

- Safeguard and improve the water quality of the harbors and coastal waters to ensure their continued use for safe public contact recreation, recreational and commercial fishing activities and boating.
- Gain the proper balance between the preservation of the living resources of the harbors and the diversity and intensity of activities they support.
- Provide defined mooring fields for the safe, equitable and efficient distribution of private and commercial moorings and ensure that public health and safety are the primary interests. Set forth a means for the fair and efficient collection and distribution of all fees relating to moorings, and for reasonable minimum mooring standards to be established.
- Provide a vehicle for consistent discussion and coordination among the different authorities responsible for boating safety and enforcement; including Harbormasters, Harbor Management Commissions, and local enforcement officials from Narragansett, North Kingstown and South Kingstown. This shall be promoted by recommending that such representatives from North Kingstown and South Kingstown serve as ex-officio members of the Narragansett Harbor Management Commission (HMC).
- Enhance the quality, maintenance and management of coastal access locations in town and identify appropriate new areas for coastal access. Support environmental organizations and the Conservation Commission's Adopt-a-Spot cleanup program to improve coastal access areas in Narragansett.
- Recognize the importance, historically and economically, of the local fin and shell fisheries, and take appropriate measures to prevent encroachment on the impairment of these resources.

- Identify and provide opportunities for marine related and water dependent industries.
- Designate areas for multiple use water opportunities for swimming, conservation and wildlife, sailing, commercial fishing, recreational fishing, shell-fishing, wind surfing, water skiing, jet skiing, and indicate the importance of incorporating future water uses.
- Advocate for continued and aesthetically pleasing waterfront views by encouraging development setback criteria in zoning ordinances for waterfront properties, and by encouraging uses and architectural designs that complement the surrounding area and the goals of the HMP.
- Support the request for Point Judith Pond and the Pettaquamscutt River to be added to the ISDA Coastal Pond Critical Resource Area, and advocate that these water-bodies be added to the State's request for a federally designated No-Discharge Zone. All RI marine waters were declared no discharge in August of 1998.
- Support intergovernmental cooperation and coordination to enhance protection of the coastal resources and water-bodies of Narragansett. Participation from municipal boards of the bordering towns, CRMC, and DEM would improve the promotion of these necessary protection efforts.
- Develop a storm preparedness/hazard mitigation plan for all coastal resource and water-body uses that will allow Narragansett to effectively, efficiently and safely respond to storm events.
- Provide a vehicle for consistent discussion and coordination among the different municipal bodies within town to ensure that the goals of the HMP are being realized. Provide for a clear organizational structure to include staffing abilities and to determine define responsibilities of the HMC, Harbormaster, and Town Council including their interrelations.

1.4 Jurisdiction and Authority

Jurisdiction

The coastal waters and harbor areas of the Town of Narragansett included under the jurisdiction and authority of this Plan and ordinance are those coastal waters and harbor areas within the jurisdiction of the corporate boundaries of the Town of Narragansett. The northern coastal boundary of Narragansett begins at a line at the center point between the Town of North Kingstown and the Town of Narragansett and runs south between the two towns divided by the Pettaquamscutt River (also known as the Narrow River), as well as the Town of South Kingstown. The Narrow River, a tidal estuary is within the corporate boundaries of the Town of Narragansett, the Town of South Kingstown and the Town of North Kingstown. In 1985, the CRMC established for this river and its watershed a Special Area Management Plan (SAMP). The Narrow River is subject to the authority granted to the Town of Narragansett, consistent with

the goals and objectives of the SAMP and the authority vested in the CRMC. The Town boundary extends northerly to a point in the Narragansett Bay 733 yards from shore (North Kingstown's southerly point), and extends southerly to and includes the Harbor of Refuge at Point Judith Pond. This area includes both shores of the breachway at the entrance of Point Judith Pond and then northerly along the eastern shore of Point Judith Pond to the head end of the Pond at Route 1, and also includes East Pond which is contiguous to Point Judith on its easterly side. The boundary between Narragansett and the Town of South Kingstown is a line drawn through Point Judith Pond, with the small section of Jerusalem included within the Town of Narragansett. For the purposes of the HMP, the inland boundary of the area under the jurisdiction and authority of this ordinance extends to Route 1, which is the approximate northern landward limit of Point Judith Pond. There are approximately 44 miles of coastline within the Town of Narragansett that constitute the coastal jurisdictional boundaries of Narragansett.

Authority

Chapter 4 of Title 46 of the Rhode Island General Laws (RIGL) (Waters and Navigation) confers upon the Narragansett Town Council certain powers to regulate public waters in its jurisdiction. RIGL 46-4-6.8 gives the Town Council of Narragansett the authority to regulate the size, type, location, and use of all anchorages and moorings within the public waters of the Town's jurisdiction. It also allows the Town to impose penalties for the violation of ordinances, not exceeding one hundred dollars \$100, or imprisonment not exceeding ten (10) days for any one offense.

The 1983 amendments to the Coastal Resources Management Plan added Section 300.15, the Municipal Harbor Regulations. This section defines municipal harbor management regulations to include all rules and/or regulations that apply to the use of the tidal waters within the jurisdiction of the Town. The 1989 amendments to this section require that a municipality shall submit its regulations to the CRMC for a determination of consistency, and contains a general description of what must be included in such application. Furthermore, Municipal Harbor Management Plans and/or regulations must conform to the Coastal Resources Management Program and the RIGL.

A permit from the ACOE is required for all work beyond mean high water in navigable waters of the United States under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403). In Rhode Island, for purposes of Section 10, navigable waters of the U.S. are those subject to the ebb and flow of the tide. Permits are also required under Section 404 of the Clean Water Act (33 U.S.C. 1344) for those activities involving the discharge of dredged or fill material into all waters of the U.S., including not only navigable waters of the U.S., but also inland rivers, lakes, streams, and wetlands. On the coastline, the Corps' jurisdiction under the Clean Water Act extends landward to the high tide line (i.e., the highest predictable tide) or to the landward limit of any wetlands, whichever is more extensive. In interior waters, the Corps' jurisdiction under the Clean Water Act extends landward to the ordinary high water mark; in addition, the Corps has jurisdiction over all wetlands, including those wetlands not directly associated with a body of open water. Any work done in waters of the U.S., including wetlands, without the necessary Federal authorization is in violation of Federal laws; further, such work could result in prosecution by the U.S. Government.

The HMP will provide guidance to the Town Government, Boards and Commissions throughout the decision-making process of waterfront development projects within the Town. The HMP will also provide a reference to State decision making bodies indicating the objectives of the Town regarding coastal development and other proposed waterfront projects.

2.0 RESOURCE INVENTORY

2.1 Physical Setting

DEM Water Quality Classifications

DEM assigns a classification to the waters of Narragansett that are based on public health, recreation, fish and wildlife ecosystems, and economic and social development considerations. The parameters for defining water quality by DEM include fecal coliform, total coliform, ph, taste, odor, color, turbidity and dissolved oxygen (DO) concentrations. These standards establish minimal physical and chemical standards as well as allowable uses within each water classification. It should be noted that these standards are based on water quality goals of the particular area for the future, and may not reflect actual conditions of the water at the present time.

DEM characterizes water classifications as SA, SB and SC. For the DEM water classifications for waters in Narragansett see Appendix 1, Map 1.

SA waters are suitable for shell-fish harvesting for direct human consumption, bathing and contact recreation, and fish and wildlife habitat.

SB waters are suitable for shell-fish harvesting for human consumption after depuration, bathing and contact recreational activities, and fish and wildlife habitat.

SC waters are suitable for boating and secondary contact recreation, fish and wildlife habitat, and industrial cooling and aesthetic value.

The concentration of fecal coliform bacteria that is present in the water is monitored by DEM. All regions of Narragansett, including those on or near water-bodies have had high occurrences of septic system failure, and those near water-bodies have had severe impacts on water quality.

Narragansett has addressed this area of concern by establishing the entire Town a Wastewater Management District. By ordinance, all ISDS's must be pumped at least once in four years. Failure to comply with this regulation results in prosecution in municipal court.

Flood Zones

Flood zones in Narragansett that are regulated by Section 4.7 of the Zoning Ordinance, include "A" zones and "V" zones. These flood zones can be found on the FEMA Flood Insurance Rate Maps, Community Panels Numbers 445402-0001-0009, available in the Department of Community Development. Both of these zones are considered to be Special Flood Hazard

Areas (SFHA) within the 100 year floodplain with a 1 percent chance of flooding within any given year. The “V” or velocity zone is associated with wave action as well as flooding. Areas within the SFHA along the coast are subject to flooding from storm surges and or heavy rains associated with hurricanes or severe storms.

There are specific construction requirements for any new or substantially improved structure located within an “A” or “V” zone. The most important of these requirements is proper elevation of the structure. Specific construction standards required by the National Flood Insurance Regulations are administered through the State Building Code.

Most lending and mortgage institutions require that all structures, residential and commercial, located within the SFHA have flood insurance. In addition to the “A” and “V” zones there is a Coastal Barrier Resource Area (CBRA). Construction that complies with the building codes is allowed, however flood insurance is not available for any new or substantially improved structure built or remodeled on or after November 16, 1991.

Water Depths

The water depths in the waters of Narragansett can be found on NOAA charts 13221, 13219, and 13215, which are available in the Department of Community Development. Shoal/dredged areas and navigational hazards can also be found on these charts.

2.2 CRMC Water Use Designations

Priority Uses

DEM, Division of Water Resources, has established standards for water quality for the various harbors, inlets and waterways of the state. CRMC classifies the types of activities that can be conducted in the waters and on the adjacent lands.

There are six water types defined by the CRMC. These are linked to the characteristics of the shoreline, as the activities on the adjacent waterfront are the primary factors determining the quality and uses of specific water sites. For water types in Narragansett see Appendix 1, Map 2.

Type 1 waters abut shorelines in a natural undisturbed condition and are generally classified as conservation areas, with the goal of preserving and protecting these waters from adverse uses and activities.

Included in this category is 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.

The Council'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.

Type 2 waters are adjacent to mostly residential areas. Low intensity uses such as docks are allowed. This classification of waters encourages high scenic value and water quality, as well as the preservation of natural habitats.

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.

The Council'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.

Type 3 waters are generally dominated by commercial facilities that support recreational boating such as marinas, boatyards and associated businesses. Areas designated as a Type 3 classification support high-intensity boating and their associated activities. These activities take priority over other uses, and, where possible, should be preserved, protected and enhanced.

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.

The Council'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 Council jurisdiction are (a) marinas, mooring areas, public launching ramps, and other facilities that support recreational boating and enhance public access to tidal waters; and (b) boatyards and other businesses that service recreational boaters.

Type 4 waters include large expanses of open waters of Narragansett Bay and Rhode Island Sound. This classification finds waters that support commercial traffic, recreational and commercial fishing, while also preserving quality fish and wildlife habitat. Type 4 waters may also be found adjacent to waterfronts that may support multiple-use water dependent activities.

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.

The Council'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 Council shall work to preserve and restore ecological systems.

Type 5 waters include 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 following harbor areas:

- (1) Newport Harbor
- (2) Bristol Harbor
- (3) Warren waterfront
- (4) Wickford Harbor
- (5) Old Harbor, Block Island
- (6) East Greenwich Harbor
- (7) Watch Hill Harbor

The Council'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 Council 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 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 Council shall suitably modify or prohibit activities that significantly detract from or interfere with these priority uses.

Type 6 waters include industrial waterfronts and commercial navigation channels. These areas are usually extensively altered in order to accommodate these water-dependent and water-enhanced uses. Areas surrounding Galilee and Jerusalem have been classified as Type 6 waters.

These water areas are extensively altered in order to accommodate commercial and industrial water-dependent and water-enhanced activities. They include all or portions of the following areas:

- (1) Port of Providence
- (2) Tiverton shipping area
- (3) Quonset Point and Davisville
- (4) Coddington Cove
- (5) Melville
- (6) Galilee and Jerusalem
- (7) Westerly waterfront

The Council's goals for Type 6 waters and adjacent lands under Council jurisdiction are to encourage and support modernization and increased commercial activity related to shipping and commercial fisheries.

2.3 Current Uses

Harbor Structures

Marinas/Boatyards

There are 5 privately owned marina/boatyards in Point Judith Pond that includes, Briggs Farm, Long Cove Marina, Harbor Island, Jim's Docks and Skip's Dock. There were 9 registered moorings held by private marinas and boat yards in the waters of Narragansett in Point Judith Pond.

There are three (3) private marina/boatyards in the Narrow River, the Mettatuxet Yacht Club, Bob Eddy's Marina and the marina at the end of Indian Trail.

Commercial Fishing Facilities

An inventory of commercial fishing facilities/operations in Galilee can be found in the *Commercial Fishing Infrastructure Report* by Skip O'Leary, which is available in the Department of Community Development.

Docks/Wharves

There are no municipally owned docks/wharves in Town. CRMC can provide a list of all privately owned docks, wharves and piers.

Boardwalks

There are no boardwalks in the Town of Narragansett.

Launching Ramps

Refer to Appendix 2 – Public Access Inventory for a list of all launching ramps.

Federal Navigation Areas

Channels

Along the western arm of the breakwater, is a Federal Navigation Channel, which begins at the west gap and extends northward into Point Judith Pond. The navigation channel forks in two directions upon entering the breachway. The easterly fork travels northward past many commercial docks on its east side, which are occupied by large fishing vessels, fish buyers, suppliers, repair facilities, the U.S. Coast Guard, the State Pier, and the Block Island ferry.

Jerusalem is located on the westerly fork of the navigation channel when entering the breachway. The navigation channel runs northward from here until it reaches the Narrows. Just east of

Cummock Island it turns 90 degrees to the east and then 90 degrees to north. From here it runs almost directly through the middle of the Upper Pond.

Turning Basins

One turning basin exists in the Town of Narragansett, which exists at the northern edge of Point Judith Pond.

Anchorage

The following Designated Anchorage Areas are defined as follows:

All coordinates are in R.I. State Plane Feet.

Anchorage Area AA: Commencing at the northern end of the east wall of the breakwater at an approximate point at (N 328,345, E 100,707) running in a westerly direction for approximately 3850' +/- to an approximate point (N 324612, E 100825) at the westerly side of the east wall, thence following along the east wall to the point of origin. The approximate area of Anchorage Area AA is 376,374 sq. ft.

Anchorage Area BB: Commencing at the most seaward extension of the northern and eastern section of the east side of the breakwater at a approximate point at (N 330553, E 100547), and thence running in a north westerly direction toward the west wall of the breakwater for approximately 6800' +/- to a location at (N 324569, E 103784) outside of the channel into Point Judith Pond and then turning and running northerly for approximately 1980' +/- parallel to the west wall to an approximate point at (N 324556, E 105756) an area that is approximately 550' +/- from the coastal feature. The approximate area of Anchorage Area BB is 16,999,550 sq. ft.

Anchorage Area CC: Commencing at an approximate point at (N 324278, E 108530) at the most northeasterly corner, thence running southeasterly for approximately 750' +/- to a point at approximately (N 324400, E 107799), thence running southwesterly for approximately 325' +/- to an approximate point at (N 324214, E 107523), thence running northwesterly for approximately 300' +/- to an approximate point at (N 324222, E 107523), thence running northerly for approximately 635' to an approximate point at (N324131, E 108167), thence running in a northwesterly direction for approximately 330' +/- to an approximate point at (N 323997, E 108461), thence turning in an easterly direction and running approximately 300' +/- back to the point of origin. The approximate area of Anchorage CC is 161,837 sq. ft.

Anchorage Area DD: Commencing at an approximate point at (N 326390, E 116943) at the most northwesterly corner then running approximately 400' +/- in an east-southeasterly direction to an approximate point at (N 326787, E 116823), thence turning in a south-southwesterly direction for approximately 1600' +/- to an approximate location of (N 326351, E 115225), thence running in a westerly direction for approximately 600' +/- to a point at approximately (N 325795 E 115215), thence following the town border in a generally north-northwesterly direction back to the point of origin. The approximate area of Anchorage DD is 846,631 sq. ft.

Special Anchorage Areas

According to Chart 13219, a channel with three dredged sections marked by buoys and a daybeacon extends from Point Judith Harbor of Refuge along the west side of the pond to the State Pier at Jerusalem, and thence northerly to the turning basin at Wakefield. A branch channel, on the east side, extends northeasterly from the entrance to the pond to the State Pier at Galilee, and into anchorage areas westward of Galilee and southward of Little Comfort Island.

Moorings and Mooring Areas

Moorings

Of the 319 registered moorings, the total resident moorings were 189 or 59% and the total non-resident moorings were 130 or 41%. There are approximately 75 boats greater than 25'. A list of all mooring owners can be obtained from the Harbor Master.

Mooring Areas

There are three mooring area designations in the Town waters, A, B, and C. All mooring areas are managed by the Town. One-hundred and thirty-two moorings exist in Mooring Area A, one-hundred and thirty-two in Mooring Area B, and fifty-five in Mooring Area C. These three designations are broken down into the following mooring fields.

All coordinates are in R.I. State Plane Feet, NAD 83.

Mooring Area C

South Ferry: Commencing at an approximate point (E 349982, N 153014) running approximately 175' +/- in an easterly direction to an approximate location at (E 350165, N 153011), thence running in a southerly direction approximately 3900' +/- to an approximate point at (E 350292, N 149118), thence running northwesterly for approximately 700' +/- to an approximate point {E 349814, N 149600) and running in a northerly direction, 50' offset from the shoreline/docks, to the point of origin. The approximate area of this mooring field is 1,728,370 sq. ft. (39.6 acres).

Riverdell: Commencing at an approximate point (E 342101, N 152470), running approximately 85' +/- in a westerly direction to an approximate point (E 342012, N 152478), thence running in a southerly direction approximately 430' +/- to an approximate point (E 342012, N 152046), then running in an easterly direction approximately 215' +/- to an approximate point (E 342232, N 152053), and running in a northerly direction, 50' offset from the shoreline/docks, to the point of origin. The approximate area of this mooring field is 81,697 sq. ft. (1.8 acres).

Pettaquamscutt: Commencing at an approximate point (E 342431, N 151405), running in a southerly direction approximately 500' +/- to an approximate point (E 342436, N 150900), then running in an easterly direction approximately 200' +/- to an approximate point (E 342642, N 150900), and running in a northerly direction, 50' offset from the shoreline/docks, to the point of origin. The approximate area of this mooring field is 71,011 sq. ft. (1.6 acres).

Edgewater: Commencing at the an approximate point (E 342398, N 149734) running approximately 135' +/- in a westerly direction to an approximate point on the town boundary (E 342273, N 149738), thence running in a southerly direction along the town boundary approximately 1030' +/- to an approximate point (N 342480, E 148722), then running in an easterly direction approximately 175' +/- to point at an approximate location of (E 342663, E 148710) and running in a northerly direction, 50' offset from the shoreline/docks, to the point of origin. The approximate area of this mooring field is 198,611 sq. ft. (4.5 acres)

Lacey Bridge: Commencing at the an approximate point (E 342616, N 147286) running approximately 57' +/- in a westerly direction to an approximate point (E 342562, N 147293), thence running in a southerly direction approximately 133' +/- to an approximate point (E 342556, N 147153), then running in an easterly direction approximately 48' +/- to point at an approximate location of (E 342608, N 147135) and running in a northerly direction, 50' offset from the shoreline/docks, to the point of origin. The approximate area of this mooring field is 8,418 sq. ft. (0.19 acres).

Mettatuxet: Commencing at the an approximate point (E 342208, N 140591) running approximately 33' +/- in a westerly direction to an approximate point on the town border (E 342175, N 140590), thence running in a southerly direction along the town border approximately 450' +/- to an approximate point (E 342099, N 140177), then running in an easterly direction approximately 190' +/- to point at an approximate location of (E 342289, N 140144), and running in a northerly direction, 50' offset from the shoreline/docks, to the point of origin. The approximate area of this mooring field is 82,970 sq. ft. (1.9 acres).

Anawan Cliffs: Commencing at an approximate point (E 347384, N 137979) running approximately 310' +/- to an approximate location at (E 347701, N 137994), thence running in a southerly direction approximately 485' +/- to an approximate point at (E 347811, N 137521), thence running westerly for approximately 185' +/- to an approximate point (E 347625, E 137566), and running in a northerly direction, 50' offset from the shoreline/docks, to the point of origin. The approximate area of this mooring field is 109,947 sq. ft. (2.5 acres).

Mooring Area B

State Pier Francis Fleet: Commencing at an approximate point (E 326014, N 109698), running approximately 1100' +/- in a westerly direction to an approximate point (E 324938, N 109613), thence running in a northerly direction approximately 170' +/- to an approximate point (E 324898, N 109778), and running in a easterly direction, 50' offset from the shoreline/docks, to the point of origin. The approximate area of this mooring field is 435,007 sq. ft. (9.9 acres).

East Pond – East Side: Commencing at an approximate point (E 330745, N 112813) running approximately 920' +/- in a northwesterly direction to an approximate point (E 330056, N 113240), thence running in a southwesterly direction approximately 3600' +/- to an approximate point (E 328617, N 109884)), and running in a northeasterly direction, 50' offset from the shoreline/docks, to the point of origin. The approximate area of this mooring field is 1,102,400 sq. ft. (25.3 acres).

East Pond – West Side: Commencing at an approximate point (E 328378, N 111718) running approximately 300' +/- in a southeasterly direction to a point (E 328658, N 111573), thence running 2600' +/- in a southwesterly direction to an approximate point (E 326752, N 109775), then running 250' +/- in a westerly direction to an approximate point (E 326503, N 109755), and running in a northeasterly direction, 50' offset from the shoreline/docks, to the point of origin. The approximate area of this mooring field is 506,735 sq. ft. (11.6 acres).

Stallion Cove: Commencing at an approximate point (E 326057, N 112302), thence running approximately 400' +/- in a westerly direction to an approximate point (E 325660, N 112258) thence running in a southerly direction to an approximate point (E 325927, N 111709), then running in an easterly direction 150' +/- to an approximate point (E 326067, N 111749), and running in a northeasterly direction, 50' offset from the shoreline/docks, to the point of origin. The approximate area of this mooring field is 114,601 sq. ft. (2.6 acres).

Potato Island: Commencing at an approximate point (E 326919, N 114066) thence running in a southerly direction for approximately 1425' +/- to an approximate point (E 326732, N 112658) thence running in a northeasterly and then a northwesterly direction, 50' offset from the shoreline/docks, to the point of origin. The approximate area of this mooring field is 735,518 sq. ft. (16.8 acres).

Mooring Area A

Wheatfield Cove: Commencing at an approximate point (E 327972, N 119439) and running for approximately 1405' +/- in a south-southwesterly direction to a point (E 327491, N 118113), thence running an easterly direction for approximately 1050' +/- to an approximate location of (E 328533, N 118067) thence running in northerly and then a northwesterly direction, 50' offset from the shoreline/docks, to the point of origin.. The approximate area this mooring field is 944,878 sq. ft. (21.6 acres).

Pine Tree Point – Toby Point: Commencing at an approximate point (E 327434, N 121128), thence running in a southwesterly direction for approximately 1730' +/- to an approximate point (E 327956, N 119484) thence running in a northerly and then a northwesterly direction, 50' offset from the shoreline/docks, to the point of origin. The approximate area of this mooring field is 598,719 sq. ft. (13.7 acres).

Betty Hill – Pine Tree Point: Starting at an approximate point (E 327924, N 121698), thence running approximately 644' +/- in a southwesterly direction to an approximate point (E 327505, N 121217) thence running in a southeasterly and then a northerly direction, 50' offset from the shoreline/docks, to the point of origin. The approximate area of this mooring field is 132,928 sq. ft. (3 acres).

Upper Pond: Commencing at an approximate point (E 329660, N 125408) on the town boundary and running southwesterly along the town boundary for approximately 250' +/- to a point (E 329445, N 125274), thence running in a south-southwesterly direction along the town boundary for approximately 2575' +/- to an approximate point (E 329049, N 122739), and then running in

an easterly direction for approximately 290' +/- to an approximate point (E 329734, N 122722), thence running in a southeasterly and then a northerly direction, 50' offset from the shoreline/docks, to the point of origin.. The approximate area of this mooring field is 1,388,940 sq. ft. (31.8 acres).

Champlin Cove – Briggs Farm: Commencing at an approximate point (E 330567, N 117646) and running westerly for approximately 950' +/- to a point (E 329622, N 117713), thence running in a southerly direction for approximately 450' +/- to an approximate point (E 329625, N 117260), and then running in an easterly direction for approximately 200' +/- to a point (N 329832, E 117246), thence running in generally a northeasterly direction, 50' offset from the shoreline/docks, to the point of origin. The approximate area of this mooring field is 220,553 sq. ft. (5 acres).

All moorings other than those in Bonnet Shores are administered by the Narragansett Harbor Master.

Other Use Areas

Swimming Areas

In the Point Judith Harbor of Refuge, swimming occurs along the near-shore areas at the two State beaches and many private properties which are located here. Also swimmers can be found in the northern half of the harbor, between the west and east gaps. Swimming from shore in Jerusalem takes place on both sides of the State Pier and people jump and fish from the pier as well in Jerusalem. The navigation channel runs very close to this areas. A few swimmers can be found using the areas northward to the Town line as well. Swimming also takes place from anchored boats west of Great Island close to the navigation channel. In Narrow River swimming occurs in the Lower Pond, at beaches between Middlebridge and Lacy Bridge and along the easterly end of the Narrows.

Public Beaches

Narragansett's bay and ocean shoreline varies from cobble/cliff to rocky shore to sandy beaches. The shoreline is exposed to ocean swells which enter Narragansett Bay from the south and southeast. Barrier beaches, composed to fine sand include Narragansett Town Beach and the Dunes Club extending to the inlet at Narrow River; Wesquage Beach at Bonnet Shores; Sand Hill Cove (Roger Wheeler) and Matunuck Beach. Scarborough Beach, stretching from Black Point to a point just north of the treatment plan is a gently sloping, fine-sand beach, backed by till upland. These beaches which are among the most popular in the state regularly attract tens of thousands of persons per season.

Windsurfing/Sailing/Water Skiing Areas

The northern half of the Harbor of Refuge, between the west and east gaps, is shared by a variety of users. Boats at anchor, swimmers, sailing, jet-skiing, fishing and lobstering can all be

observed in this area. The deep water on the western side of Harbor Island is used daily for most of the year for sailing activities. Water skiers also use this area when space allows. The southern end of the Upper Pond is occasionally used by a local sailing club, which also has a small floating dock located here. In the Lower Pond of Narrow River, uses include swimming, water skiing, sail boarding, sailing, canoeing, kayaking, wildlife watching, fishing and crabbing.

Aquaculture Operations

On the northwest side of Ram Island, to the east of Beach Island, is a commercial aquaculture operation. This consists of submerged cages which are marked by small buoys on the water surface, and occupies a rectangular area approximately 200 feet by 500 feet, oriented with the longer measurement running in a northeast/southwest direction. There is always a minimum of four feet of water covering the cages allowing small vessels to pass directly over them. To the north of the island is another smaller site, approximately 50 feet by 50 feet, containing a small floating dock which is used by this operation as well.

Municipal Shoreline Zoning Districts

There are four shoreline zoning districts. Waterfront Business Zone (B-C) is composed of certain land and structures used primarily for the retailing of goods and services for water oriented activities. Galilee - fishing zone (G-Fi) is that area within the Port of Galilee special district which encompasses the developed waterfront and certain other areas which are to be used primarily for commercial fishing and related activities, and other water-dependent uses including charter fishing. Galilee - ferry zone (G-Fe) is that area within the developed waterfront of the Port of Galilee special district which is to be used for land-based activities supporting ferry service to Block Island. Galilee - business zone (G-B) is that area which comprises the general commercial and mixed-used area within the Port of Galilee special district which is to be used primarily for retail goods and services, commercial off-street parking and mixed uses.

2.4.1 Natural Resource Areas

Wildlife or Conservation Areas

There is one U.S. Fish and Wildlife reserve in Town. It is located along Pettaquamscutt Cove, south of Sprague Bridge.

In 1984, CRMC adopted the SAMP for the Salt Pond Region of RI. In 1985, The Salt Pond Watchers, a citizens' water quality monitoring program, was formed to monitor the impact of the SAMP on protecting water quality in these areas. The Salt Pond Watchers have measured water quality parameters to assess the eutrophication and bacterial contamination problems that are associated with both residential and commercial development.

In 1986, CRMC adopted the Narrow River SAMP. This document contains a wealth of technical information on Narrow River and outlines CRMC's policies and regulations relative to development within the watershed.

The importance of this resource as a significant natural area has been specifically identified by the RI Natural Heritage Program. Additionally, Narrow River is listed in Open Space Preservation in RI: An Inventory of Significant Sites and in the RI Landscape Inventory: A Survey of the Scenic Areas.

Water quality in the Narrow River has been documented for the past 40 years. Various studies, monitoring efforts and especially the instigation of the Watershed Watch program in the early 1990's have contributed to the wealth of data. Measurements of water clarity, dissolved oxygen, temperature, salinity, chlorophyll, fecal coliform and nutrients have been made during each monitoring season as part of the Watershed Watch program. Levels of all parameters generally either follow seasonal trends or are related to rainfall events.

Measurements for dissolved oxygen levels follow a seasonal trend with the lowest concentrations generally recorded in July and August. From 2001 to 2003, dissolved oxygen levels have generally been above 5 ppm, indicating good conditions. Levels have generally been below 5 ppm (low oxygen conditions) for durations of several weeks in July and August only at stations in the pond areas where oxygen concentrations were measured at 3 m depth. As in earlier years, oxygen concentrations below 5 ppm were reported only occasionally at surface stations in July or August from Lacey Bridge to Pettaquamscutt Cove. Concentrations below 3 ppm rarely occurred in the River. The lowest oxygen concentrations at a site generally occurred at the time of the temperature maximum.

According to the RIDEM, Narrow River TMDL Monitoring Studies (RIDEM, 2001) and 2004 Watershed Watch Data (A. DeSilva, 2004), the Narrow River has consistently violated fecal coliform standards with the possible exception of Lower Pond, especially during wet weather sampling. The following trends in fecal coliform levels have emerged from historical, RIDEM and Watershed Watch data (RIDEM, 2001; Watershed Watch, 2004; A. DeSilva, 2004): 1) the highest concentrations have consistently been found in the southern portion of Pettaquamscutt Cove; 2) concentrations in the middle sections of the river between Lacey Bridge and Middlebridge Bridge have consistently exceeded allowable limits in July/August; 3) concentrations peaked in the warmest summer months (July-September) and 4) concentrations also peaked for a 72-hour period following significant rainfall.

Storm water runoff is the most significant wet weather source of bacteria to the Narrow River and its tributaries. Polluted runoff is collected, concentrated and routed to storm sewers before discharging to receiving waters. Storm sewer outfalls are the only point sources of fecal coliforms and supply the major fecal coliform load to the middle part of the river. As a result of the TMDL study, these outfalls have been or will be targeted for Best Management Practices (BMPs) to significantly reduce loadings during wet weather to improve water quality (RIDEM, 2001).

New regulations mandated by USEPA require amending existing Rhode Island Pollution Discharge Elimination System regulations to include Phase II Storm Water Regulations. Municipalities, such as Narragansett, must develop a Storm Water Management program plan (SWMPP) that includes minimum control measures. The Town has moved ahead to build

detention ponds at the Wampum Road and Conanicus Road outfalls and one at the Mettatuxet Road Outfall is under construction. Many other outfalls are targeted for BMPs (RIDEM, 2001). As more efforts at mitigation are undertaken and come online, reductions in fecal coliform levels during wet weather should become apparent.

Recreational/Commercial Fishing Areas

Two anadromous fish runs currently exist in Town waters. Herring run from mid-March to May in the Narrow River with a destination of Gilbert Stuart Stream. A herring run also exists in Point Judith Pond, which ends up in the Saugatucket River.

A winter flounder spawning area exists in the center portion of the Upper Pond. Several shellfishing beds exist in Town waters as well. They can be found along the northern portions of the Jerusalem shoreline in Point Judith Pond, the cove at the extreme southern end between Little Comfort Island and the Great Island Bridge on the southeastern side of Great Island and around Toby Point and Pine Tree Point on Harbor Island (See Appendix 1, Map 3). Continuing efforts to reseed the Pond with scallops have not yet been very successful. The Town and the HMC will monitor shellfish reseeding efforts by the State which are consistent with the use and priorities established by the Town.

The Commercial Fishing industry, both fin and shell fisheries are recognized for their importance, historically and economically, to the Town and the region. Accordingly, it is an objective of this plan to prevent encroachment on, and impairment of, these resources. The Town of Narragansett recognizes the significance of its commercial fishing industry, and in order to improve this interest, shall work to protect and preserve the spawning grounds and habitat of the shellfish and finfish that utilize the coastal habitats within the jurisdiction of Narragansett.

It is the goal of the Town of Narragansett to ensure the integrity of the commercial fishing industry by protecting it as a major economic source without compromising the environment or the multi- uses of the waters. The Town shall also work to protect the recreational fishing interests in the salt ponds. The objective is to provide the fair and equitable use of all of the coastal and marine resources in Narragansett.

The Town will further protect the shell and finfish by working to decrease the pollution problems in the waters within the jurisdiction of Narragansett.

Shellfish

Point Judith Pond There are three types of commercially harvested species of shell-fish in the Point Judith Pond (a) the soft shell clam (*Mya arenaria*), the bay scallop (*Argopectin irradians*) and the quahog (*Mercenaria mercenaria*). During the late 1800's, a large oyster fishery also existed, with over 10,000 bushels harvested annually. The bay scallop harvest was greater than 35,000 harvested bushels in 1978, but failed in 1985. Further studies have indicated that there is

very heavy fishing pressure on the remaining quahog population. In 1990, DEM stocked 100,000 bay scallops in Point Judith Pond. This program has been continued for the past few years. Contact DEM, Department of Fisheries and Wildlife for more information on this subject.

Point Judith Pond supports both recreational and commercial fisheries. Point Judith Pond is designated as a shellfish management area by Rhode Island Marine Fisheries Council. This means that the state can regulate shellfish closure areas, size limits, seasonal and daily catch limits, methods of harvest and capture and transplant activities. Reduced catch limits are throughout the certified waters in the Pond. A small shellfish hatchery operation also exists in Point Judith Pond. Existing shellfish areas and polluted shellfish areas in Point Judith Pond can be seen in Appendix 1, Map 3.

Narrow River Shellfish resources remain plentiful in the Narrow River. However, DEM has closed the entire water-body to harvesting due to unacceptable water quality ratings (See Appendix 1, Map 3). Prior to the entire water-body being closed to shellfish, the Narrow River supported a substantial recreational and commercial shellfishery.

Finfish

Point Judith also serves as a spawning ground and nursery for several species of commercial finfish, including a large population of Winter flounder as can be seen in Appendix 1, Map 3. Flounder is harvested seasonally by both recreational and commercial fishermen in Point Judith Pond. Flounder migrate into the pond in mid-October and spawn from late December into April. Flounder generally requires a hard gravel bottom and spawn in the shallower portions of salt ponds.

Forty-four species of finfish were inventoried in Point Judith Pond in 1976 by Stolgitis, et. al., and included larval and juvenile forms of commercially valuable species such as Atlantic menhaden, hake and scup.

Biological Habitats

The RIDEM Narragansett Bay Estuarine Program has mapped submerged aquatic vegetation, such as eel grass, in half-acre minimum areas. According to these maps, there are no areas of eel grass in Town waters. However, a 2005 CRMC habitat restoration survey identified several eel grass beds between Middlebridge and Sprague Bridge in the Narragansett portion of Narrow River.

Intertidal flats can be found in along the northern portions of the Jerusalem shoreline in Point Judith Pond, the cove at the extreme southern end between Little Comfort Island and the Great Island Bridge on the southeastern side of Great Island and around Toby Point and Pine Tree Point on Harbor Island (See Appendix 1, Map 3).

Tidal wetlands can be found in Appendix 1, Map 3.

3.0 ISSUE IDENTIFICATION

3.1 Public Access

Access to the coastal waters of the Town is of vital concern to the development of a successful Harbor Management Plan. The Town recognizes the significance of its unique and precious resources intrinsic in and adjacent to its coastal waters. It is the purpose of this section to identify the issues related to coastal Right-of-ways (ROW's) and document potential and existing access points and provide recommended guidelines to the Town of Narragansett to ensure that individuals are able to reach the shore.

In Appendix 2 –Public Access Inventory, there is a list of over 90 public and private ROW's, including CRMC designated ROW's that exist in the Town. The list includes those sites which have launching ramps and dedicated easements. Generally, the three categories that coastal public access sites have been divided into include:

- 1) Those sites for which there is positive documentation of public ownership or use by right.
- 2) Those sites for which there is no formal documentation of public control or ownership, but which historically have been mapped as extensions of road systems or pathways.
- 3) Access points for which there is formal documentation of private ownership.

For more information on coastal public access, please refer to the Narragansett Comprehensive Plan.

A list of municipal paper streets and drainage outfalls can be obtained from the Department of Community Development. Fishermen's Memorial State Park is the only state park in Town. To the extent there are any buried cables, they will be considered potential public access sites.

Below is list of policies to enhance public access to the shoreline along with implementation methods for these policies.

Policies/Implementation

- The Town will promote dedicated access to the shore. This will be accomplished by updating the Coastal Public Access list. The Department of Community Development, Harbor Management Commission and Conservation Commission will work together to update this list within the next five years. In addition to describing the conditions at the listed access points, research of the legal status, identification of potential future access points and identification of potential CRMC ROW's will be included in this update.
- The Town will support an annual review of public access ways, which will include modifications to the ROW inventory and recommendations by the Harbor Management Commission regarding adoption of these access points.
- The Town will support the Conservation Commission in its efforts to develop selected coastal access sites through the Adopt-a-Spot Program. The Conservation Commission currently has over 20 sites adopted by local residents and businesses and is continuously updating this list.
- The Town will preserve, protect and enhance the existing ROW's to the waters of the town. The provision of mooring and anchorage areas appropriate for the use of the Town's waters must be accompanied by development of functional parking, on and off loading, and possibly dinghy storage as appropriate at each site. The HMC along with the Town Manager will develop this plan within the next three years.

- The Town will support the development of a CRMC ROW plan that ranks those access points that require improvements. Development plans for these including a schedule and estimated cost of improvements will be completed by the HMC within the next three years.
- The Town will support the development of public boat ramps in areas that provide safe and easy access to the ocean in order to relieve boating pressure on Narrow River and Point Judith Pond. The HMC will continuously examine this issue.
- The Town will work to minimize those impacts associated with public access to shoreline areas, particularly with destruction of vegetation and natural habitats. Other impacts including noise, trash, overgrown access ways and on site parking will also need to be thoroughly addressed for all public access sites. This ROW maintenance program will be developed by the HMC, Conservation Commission and Public Works Department will developed within the next year.

3.2 Water Quality

Narragansett and South County as a whole are growing at an exceptional rate compared to the rest of the State. It is important to remember that as development increases the probable result will include increased algal growth, decreased water transparency, and a decline in the biological and recreational quality of the waters in Narragansett. Furthermore, many other factors affect the fish, shell-fish and overall water quality. These factors include hydrocarbons, such as oil and grease, from roads and outboard motors, inorganic fertilizers used in landscaping practices, trash left on beaches which is unable to break down into organic matter such as plastics and Styrofoam, common automotive spills of transmission fluid, antifreeze, and ethylene glycol, organic chemicals and metals from antifouling paints, herbicides, over-fishing, disturbance and shading of the bottom of docks and the transport of sand into the ponds through the breachways.

All mooring fields are located in SA waters and are reviewed annually by the Harbormaster. They are all non-transient in nature and those that have at least 10 boats or more with marine toilets have pump-out service available. Marine sewage pump-out facilities are provided in Point Judith Pond in order to improve water quality and to qualify for Federal No-Discharge status. Ram Point Marina, located in the upper pond in the Town of South Kingstown, shares water resources with Narragansett in the Narrow River and Point Judith Pond. It currently has an operational pump-out station which services boaters free of charge. Dutch Island Marina, located on Dutch Island in Jamestown, has a pump-out station and will serve those in the South Ferry mooring field.

Through the Town Zoning Ordinance and the Storm Water Management Plan (available in the Engineering Department), programs and policies are in place to minimize water pollution and regulate inorganic waste disposal.

Policies/Implementation

- The Town will encourage operation and maintenance measures for the marinas located in Town waters. The Harbormaster will continuously examine the marinas conditions.

- The Town will uphold its Zoning Ordinance which regulates all development within 150' of coastal and wetland features. The Planning and Zoning Boards continuously approve development adjacent to the coast or wetlands conditional upon the development standards set forth in the Zoning Ordinance being met. No adverse impacts are to occur from the development such as runoff during the construction phase.
- The Town will support measure to improve water quality in the Narrow River through its Storm Water Management Plan (SWMP). Specific items to be addressed by the Engineering Department within the next three years are to detect illicit discharges from the outfalls and perform Best Management Practices (BMP's) such as storage and treatment of storm water runoff.
- The Town will encourage the development of a hazardous waste recycling program. As per the SWMP, the Department of Community Development is to organize a hazardous waste recycling day within the next year. This event will provide for the disposal of oil, paint, varnish and other inorganic materials.
- The Town will work with RIDEM to develop an organic waste plan and ordinance to implement it.
- The Town will support measures to reduce storm water runoff. The Department of Community Development, Engineering Department and Planning Board are to revise the current Zoning Ordinance regarding allowable lot coverage. This action item of the SWMP is to be completed within the next year.
- The Town will continue to support and inform the public about the existing pump-out facilities in Point Judith Pond.

3.3 Mooring Management

Mooring information is included in Section 2.3 - Current Uses (Moorings and Mooring Areas). Regulation of moorings is included in the Harbor Management Ordinance (section 4.0).

3.4 Storm Preparedness

The Storm Preparedness Plan is in Appendix 4. In addition, the Town has adopted a local hazard mitigation plan, *Strategy for Reducing Risks from Natural Hazards in Narragansett, Rhode Island; A Multi-Hazard Mitigation Strategy*. The Hazard Mitigation Plan provides a hazard risk assessment for the Town as well as a set of short and long term mitigation actions. These mitigation actions are to protect infrastructure and other sensitive features and outline the lead agency responsible for the coordinated implementation. The publication is available from the Rhode Island Sea Grant Communications Office and a copy is also available in the Department of Community Development.

4.0 HARBOR MANAGEMENT ORDINANCE

Chapter 82 WATERWAYS*

*Charter references: Authority as conferred by state law to regulate boats and anchorage, § 2-1-7f.

Cross references: Buildings and building regulations, ch. 10; environment, ch. 22; parks and recreation, ch. 50; streets, sidewalks and other public places, ch. 66; zoning, app. A; coastal and freshwater wetlands overlay district, app. A, § 4.3; coastal resources overlay district, app. A, § 4.4.

State law references: Authority to regulate the public waters within town's jurisdiction, G.L. 1956, § 46-4-6.8.

ARTICLE III. BOATS*

*State law references: Regulation of boats, G.L. 1956, § 46-22-1 et seq.; local regulation of boats, G.L. 1956, § 46-22-14; reckless operation of boats, G.L. 1956, § 46-22-9; powers conferred on Town of Narragansett to regulate boats in the public waters, G.L. § 46-4-6.8; definitions, G.L. 1956, § 46-22-2; reinforcement of the Town's commitment to the boat sewage laws, G.L. 1956, § 46-12-39 thru 41.

Sec. 82-86. Definitions.

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

Motorboat means any vessel propelled, in whole or in part, by mechanical means, either inboard or outboard, and using a motor powered by gasoline, diesel fuel, naphtha, kerosene, steam or fuel oil.

Water means all lakes, rivers, streams, ponds or other bodies of water located within or partly within the boundaries of the town.

(Code 1986, § 4-71)

Cross references: Definitions generally, § 1-2.

Sec. 82-87. Operation from beach or near bathing areas.

(a) It shall be unlawful for any motorboat or other watercraft while being operated upon waters within the boundaries of the town to pass closer than a reasonable distance to a public bathing area on the shores of the waters of the town.

(b) No boat or other personal watercraft shall operate from the town beach.

(Code 1986, § 4-72)

Sec. 82-88. Reckless operation.

It shall be unlawful for any motorboat or other watercraft upon the waters within the boundaries of the town to be operated in a reckless or negligent fashion upon the waters within the boundaries of the town either as to speed or conduct of operations.

(Code 1986, § 4-73)

Sec. 82-89. Passing near other vessels.

Motorboat or other watercraft operators shall use due and reasonable care in passing close to or near other vessels and shall slow to a reasonable and safe speed when passing rowboats, canoes, sailboats or other vessels not propelled by mechanical means.

(Code 1986, § 4-74)

Sec. 82-90. Police directions.

Motorboat operators shall obey lawful directions given to them by the harbormaster or by any police officer of the town in enforcement of the provisions of this division, and shall immediately, upon being instructed by any police officer or harbormaster of the town, comply with such lawful directions.

(Code 1986, § 4-75)

State law references: Similar provisions, G.L. 1956, § 46-22-173.

Sec. 82-91. Speed limit in certain areas.

(a) It shall be unlawful for any person to operate any boat or vessel, other than a vessel operated by any branch of the United States government, in the entrance to or within the harbor at Point Judith within the town between a line running east to west drawn across the breachway 200 feet north of the southerly end of the easterly bulkhead of the breachway to Point Judith Pond, and a line drawn across Point Judith Harbor running east to west from the northerly side of the state pier on the Galilee side to the northerly side of the state pier on the Jerusalem side, at a speed in excess of five miles per hour or so as to create a wake.

(b) A speed in excess of five miles per hour and/or the creation of a wake is prohibited in the following areas: within 100 feet of any bridge, marina or posted bathing area, and within the area between a line running northeast to southeast, beginning at the westerly end of the channel in Narrow River and extending for a distance of 800 feet.

(Code 1986, §§ 4-76, 4-96; Ch. 797, §§ 2, 3, 8-21-2000)

State law references: Regulation of public waters, G.L. 1956, § 46-4-6-8.

Sec. 82-92. Violations; fines.

(a) Enumeration. The following violations and the payment of fines may be handled administratively through the method provided for in section 18-30 of this Code. The schedule of violations is as follows:

Violations Schedule

TABLE INSET:

Code		Fine
82-87	Operation near bathing area	\$ 50.00
82-88	Reckless operation	100.00
82-89	Passing near other vessels reasonable care	50.00
82-90	Police directions	100.00
82-91	Speed limit in certain areas	50.00
82-93	Flotation devices	50.00
82.94	Regulation of personal watercraft	100.00
82-161	Vessel speed	50.00
82-162	Vessel operation	50.00
82-164	Obstruction of channels	50.00
82-165	Swimming in channel	50.00
82-166	Fishing in channel	50.00
82-173	Boat standards	50.00
82-178	Transient anchoring and anchorages	50.00
82-179	Failure to stop	100.00

(b) Failure to act. If the offender does not pay the fine as specified in subsection (a) of this section, the offender shall have waived his rights to dispose of the offense by mail, and a notice shall be issued against the offender for his personal appearance before the municipal court on a date set by the harbormaster or his designee for the disposition of the offense.

(Ch. 787, § 1, 8-16-1999; Ch. 797, § 1, 8-21-2000)

State law references: Authority to regulate boats, G.L. 1956, § 46-4-6.8.

82-93. Flotation devices – children. Any person transporting a child ten years of age or under in a vessel less than 26 feet in length on the waters of the Town of Narragansett shall require that the child wear a personal flotation device approved by the United States Coast Guard.

82-94. Regulation of personal watercraft. (a) A person may not operate a personal watercraft at any time between the hours of one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise.

(b) No person under the age of sixteen (16) shall operate a personal watercraft on the waters of the Town unless an adult accompanies him or her or unless he or she has passed a Department of Environmental Management approved or United States Coast Guard approved boating safety course.

Secs. 82-95--82-100. Reserved.

ARTICLE IV. COASTAL WATERS AND HARBOR AREAS*

*State law references: Powers of town to regulate public waters, G.L. 1956, § 46-4-6.8.

DIVISION 1. GENERALLY

Sec. 82-101. Goals of this article.

The goals of the town in the adoption of this article are to:

(1) Manage the coastal waters and harbor areas of the town, as described in this article, by establishing regulations that balance and manage the diverse uses of the waters, harbor areas and waterfront and to minimize user conflicts.

(2) Provide a mechanism to ensure the administration and operational costs of provisions of this article and the harbor management plan are shared by the town, mooring owners and other groups or individuals as may be identified by the harbor management commission, described in this article.

(3) Provide a mechanism to ensure that all waterway activities are occurring in a safe, efficient and controlled manner so as to prevent accidents and unnecessary losses.

(4) Remain consistent with the goals and regulations of the town comprehensive plan, the state coastal resource management program, the state department of the environment, the state guide plan, and the United States Army Corps of Engineers.

(5) Provide for harbormaster authority and duties.

(Code 1986, § 4-130)

Sec. 82-102. 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:

Abode means the principal, nonwater dependent use of a structure or vessel as a dwelling or home.

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

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 carriage of passengers for hire.

Fairway means any locally designated and/or maintained water areas reserved for unobstructed movement of vessels.

Guest privilege means a mooring may be occupied by a guest of the permitted mooring owner for a period not to exceed ten days. Guest moorings may not be rented, leased or used by the same vessel on a continuous basis.

Harbor management commission means the body appointed by the town council to prepare the harbor management plan, develop policies for implementation of the plan, develop appeals procedures, and to provide other recommendations regarding harbor and coastal resource issues as specified within this article.

Harbormaster means the individual appointed by the town manager in accordance with the provisions of the town Charter to enforce the provisions of this article and any additional regulations subsequently required for the implementation of this article.

Lateral access means movement along the shore by individuals on foot.

Launching ramp means any natural or manmade facility used for the launching and hauling of boats.

Marina means any dock, pier, wharf, float, floating businesses, or combination of such facilities that service five or more recreational boats as a commercial enterprise or in association with a club (section 300.4 RI CRMP).

Mean high water (MHW) means the average height of the high tides over an 18.6-year period of time.

Mooring means a semipermanent anchorage installation that consists of a mushroom anchor, granite or cement block, a mooring buoy, and a pennant used for securing a recreational or commercial vessel. For the purposes of this article, a mooring is considered private or reserved.

(1) Private: Any mooring owned and used by a private individual in the littoral waters or mooring zones.

(2) Commercial: Any mooring which is rented by the mooring permit holder. Moorings are available on a limited basis upon approval of the harbor management commission. The same information as required of private mooring applicants must be completed by each mooring lessee.

Mooring-fairway means a path through or immediately adjacent to a mooring field, the purpose of which is to provide ingress and egress to and from moorings.

Mooring float means a structure similar to a dock float in construction and design, usually constructed with wood that is secured to mooring tackle.

Mooring post means an upright post of wood, stone, cast iron, or any other material fixed in the ground/bottom for securing vessels by line or chain.

Mooring space means that water space assigned to an applicant by the harbormaster.

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

Nonresident means any individual, business or corporation which does not meet the definition of the term "resident."

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

Recreational boating facility means marinas, launching ramps, residential boating facilities, recreational wharfs, piers and slips, floats or floating docks and recreational mooring areas, section 300.4 of the coastal resources management program, as amended.

Registered owner means that person owning the specified vessel at the time and date of signing the initial registration. The harbormaster is authorized to request a bill of sale testifying to ownership or vessel registration and documentation forms.

Registered vessel means that vessel registered initially by the registered owner.

Registration means that contract between the town and the boat owner granting the boat owner the privilege of using a mooring space within the town's waters for a specified season.

Resident means any person who has established legal residence in the town or any person owning property and paying local taxes of at least \$250.00 to the town.

Right-of-way means an unobstructed path or corridor from a public thoroughfare or facility leading to or along the waters of the town and shoreline areas below the mean high water mark.

Vessel means every description of watercraft including seaplanes used on the water, used or capable of being used as a means of transportation on water.

Water-dependent use means those waterfront activities solely dependent upon the water for their use (i.e.: commercial fishing, marinas, boats, yards, docks and boats).

Waters of the Town of Narragansett means the water area over which the town hereby assumes management authority for the purposes of this article, consistent with the powers, duties and authorities granted under G.L. 1956, § 46-4-6.8 (see section 82-103).

(1) Designated waters. Designated water are as follows:

a. Mooring zones: Those areas primarily designated for the placement of moorings.

b. Habitat conservation zones: Those areas exclusively designated for the protection of water quality, wildlife, and plant habitat values. Areas designated as habitat conservation shall not allow any use that may negatively impact the environment, including the building of docks, placement of moorings, dredging, and use of recreational vessels. Overnight transient anchorage and moorings are prohibited.

c. Exclusive zones: Zones defined as 500 feet seaward of the mean low water mark at designated beach areas. These zones do not allow any recreational vessels to operate between April 30 and October 30, except for reasons of ingress and egress.

(2) Riparian moorings. Residents in the immediate areas of public rights-of-way to water may be granted permission to place a private mooring on a space-available basis in an approved mooring area, upon an approved application from the harbormaster.

(Code 1986, § 4-131)

Cross references: Definitions generally, § 1-2.

Sec. 82-103. Jurisdiction.

(a) The coastal waters and harbor areas of the town included under the jurisdiction and authority of this article are those coastal waters and harbor areas within the jurisdiction of the corporate boundaries of the town as they pertain to the Narrow River, Point Judith Pond, East Pond, South Ferry, Bonnet Shores, Anawan Cliffs and all other coastal waters and harbors not otherwise named within this jurisdiction.

(b) The northern coastal boundary of the town begins at a line at the center point between the Town of North Kingstown and the Town of Narragansett and runs south between the two towns divided by the Narrow (Pettaquamscutt) River, as well as the Town of South Kingstown (see section 1, figure 1). The Narrow River, a tidal estuary is within the corporate boundaries of the Town of Narragansett, the Town of South Kingstown, and the Town of North Kingstown. The Narrow River is subject to the authority granted to the Town of Narragansett, consistent with the goals and objectives of the special area management plan and the authority vested in the state coastal resources management council. The town boundary extends northerly to a point in the Narragansett Bay 733 yards from shore, and extends southerly to and includes the Harbor of Refuge at Point Judith Pond. This area includes both shores of the breachway at the entrance of Point Judith Pond and then northerly along the eastern shore of Point Judith Pond to the head end of the Pond at Route 1, and also includes East Pond which is contiguous to Point Judith Pond on its easterly side. The boundary between the Town of Narragansett and the Town of South Kingstown is a line drawn through Point Judith Pond, with the small section of Jerusalem included within the town (See section 1, figure 2 of article 3, chapter 753). For the purposes of the plan, the inland boundary of the area under the jurisdiction and authority of this article extends to Route 1, in the Fence Cove which is the approximate northern landward limit of Point Judith Pond.

(c) This jurisdiction includes all littoral waters, and all waters bordering the Town of Narragansett from the mean high water (MHW) line to a distance of three miles on the Atlantic Ocean. Those waters not directly on the ocean are under jurisdiction equal to a distance not exceeding the corporate boundary lines of the Town of Narragansett.

(Code 1986, § 4-132)

Editor's note: Figures 1 and 2, attached to ordinance number chapter 753, have not been set out at length in this section but are available in the offices of the town.

Sec. 82-104. Liability.

Persons using the tidal waters of the town shall assume all risk of personal injury and damage or loss to their property. The town assumes no risks on account of accident, fire, theft, vandalism or acts of God.

(Code 1986, § 4-135)

Secs. 82-105--82-120. Reserved.

DIVISION 2. HARBOR MANAGEMENT COMMISSION*

*Cross references: Boards, commissions and committees, § 2-71 et seq.

State law references: Authority to create a harbor management committee, G.L. 1956, § 46-4-6.8.

Sec. 82-121. Powers and duties generally.

The harbor management commission shall be authorized to prepare a harbor management plan for the tidal waters of the town, to provide for annual review of the harbor management plan, and recommend any additions or modifications of the plan as may be deemed necessary; to assist in the evaluation of the town's harbor management operation; to hear appeals to actions of the town in execution of the plan, and to initiate studies and other actions as may be necessary for proper management of the tidal waters of the town in accordance with the town Charter and state enabling legislation. The commission will be responsible for the development and

recommendation of additional policies, rules and regulations for the harbor management plan and subsequent ordinances, subject to approval of the town council and, where applicable, the coastal resources management council.

(Code 1986, § 4-133)

Sec. 82-122. Composition.

The harbor management commission shall consist of seven members and two alternate members who must be residents of the town. Such commission shall to the extent practical include a member of the conservation commission, and the general public.

(Code 1986, § 4-133(1))

Sec. 82-123. Ex-officio members.

Each ex-officio member shall be a nonvoting member of the harbor management commission. The harbormaster, the chief of police, the town manager, the director of community development, the director of parks and recreation, a representative of the North Kingstown harbor commission, and a representative of the South Kingstown harbor commission shall serve as ex-officio members of the commission.

(Code 1986, § 4-133(2))

Sec. 82-124. Appointments.

Members shall be appointed by the town council for terms consisting of three years, except that the initial term shall be staggered so that the terms of not more than three members shall terminate in any single year. The alternate members shall be appointed annually. The commission may also form subcommittees to address specific duties of the commission.

(Code 1986, § 4-133(3))

Sec. 82-125. Vacancies.

Vacancies shall be filled as necessary. The person appointed shall serve for the remainder of the unexpired term.

(Code 1986, § 4-133(4))

Sec. 82-126. Officers.

A chairperson, vice-chairperson and secretary shall be elected by the members of the commission. Meetings shall be called by the chairperson or at the request of at least four members of the commission. The secretary shall keep minutes of all meetings and file such minutes with the town clerk. The commission shall meet monthly and shall conform to open meeting laws.

(Code 1986, § 4-133(5))

Sec. 82-127. Compensation.

No member of the harbor management commission shall receive compensation for service. Harbor commission members may be compensated for any normal expenses incurred in the performance of their duties, when approved by the town manager.

(Code 1986, § 4-133(6))

Sec. 82-128. Additional powers and duties.

The harbor management commission shall be the municipal advisory and appeal body authorized to prepare and to amend, subject to town council approval, a harbor management plan to oversee the enforcement of such plan, and subsequent implementing ordinances, regulations, and programs. The harbor management commission shall adopt rules of procedure and operation for its meetings and is authorized to:

- (1) Recommend to the town council the adoption of rules, regulations and other amendments to the harbor management plan and its subsequent ordinances which may be necessary to fulfill the goals and objectives of the harbor management plan and meet the requirements of this article.
- (2) Recommend as necessary additional authorities and duties for the harbormaster.
- (3) Assist in the preparation of an annual budget for harbor management in accordance with the provisions of the town Charter.
- (4) Recommend the expenditure of budgeted funds to acquire services or materials necessary for the implementation of the harbor management plan, subject to approval of the town manager per the provisions of the town Charter.
- (5) Recommend fees and fines, subject to town council approval for the implementation of the harbor management plan, including support of the harbormaster's payroll, improvement to moorings, anchorages, accessways, marine sanitation, surveys, studies, and other activities deemed necessary for carrying out the goals, policies, and implementation of the harbor management plan.
- (6) Review and revise as necessary the harbor management plan and subsequent ordinances for the town council and coastal resources management council approval. The harbor management plan and its ordinances shall be reviewed and revised at least once every five years. Public participation and input shall be encouraged during each five year review. Significant public notice, which shall include notice in the newspaper and on cable TV, shall be given by the commission for all meetings at which the review and revision of the harbor management plan will be discussed.
- (7) To assist in the coordination of all public and private agencies, commissions and other organizations which have interest or jurisdiction with regard to the tidal waters of the town.
- (8) To review for consistency with the harbor management plan any public notice of an application for a local, state or federal permit for any water based activity taking place within the jurisdiction of this article, and to respond in a timely fashion with recommendations to the regulating agencies.
- (9) To review and make recommendations on proposed water use activities contiguous to the waterfront, and in the waters within the jurisdiction of the town that are received for review by other municipal agencies.
- (10) Advise the town manager on the performance and/or the qualifications of the harbormaster.
- (11) Coordinate and/or conduct a minimum of one U.S. Coast Guard approved boating safety class per year.
- (12) With the harbormaster conduct one or more public hearings per year. The dates and times are to be determined by the harbormaster and the harbor management commission and are designed to solicit public comments regarding all elements of the harbor management plan. Public participation and input shall be encouraged during each five year review. Significant public notice, which shall include notice in the newspaper and on cable TV, shall be given by the commission for all meetings at which the review and revision of the harbor management plan will be discussed.
- (13) Members of the public may suggest revisions to the harbor management plan at any meeting of the commission. Each suggested revision shall be noted in the minutes of the commission's meetings. The minutes shall also reflect the actions taken by the commission on the request. The commission shall also, on a semiannual basis, provide to the town council a

written list of all suggested revisions made by the public and a written statement as to how the commission acted upon the suggested revision.

(Code 1986, § 4-133(7))

Secs. 82-129--82-140. Reserved.

DIVISION 3. HARBORMASTER*

*Charter references: Harbormaster, § 2-1-7f.

Cross references: Officers and employees, § 2-201 et seq.

State law references: Jurisdiction over harbors, G.L. 1956, § 46-4-6.8.

Sec. 82-141. Duties.

There shall be a harbormaster for the town who shall be an employee, serving at the pleasure of the town manager. The harbor management commission, through the chairman, may offer recommendations to the town manager in the event of the hiring or appointment of a new harbormaster. The harbormaster shall function in the capacity of a peace officer, and have the authority to investigate and enforce provisions of federal and state laws and regulations. The harbormaster shall cooperate in connection with enforcement with such federal, state and local agencies as may, from time to time, be charged with similar or related responsibilities. The harbormaster shall be responsible to the town manager in his capacity as the director of public safety and shall have the following duties:

(1) Be responsible for the administration and enforcement of the provisions of the harbor management plan and its ordinances; and any ordinances regulating the use of town wharves, docks, piers, marinas, moorings and vessels; and all ordinances regulating the speed, management and control of vessels; and the size, type, location and use of all anchorages and moorings within the public waters within the confines of the town.

(2) Process applications for the issuance of mooring permits and assign proper placements of moorings in accordance with this article. The harbormaster or his assistants shall transfer any and all monies and accounting to the finance department as required.

(3) Keep proper records of all mooring application information including the location of moorings, mooring owners and vessel usage of mooring, type (name, motor or sail) and size of vessel using the mooring, type of marine sanitation device (if applicable) on board, copy of current boat registration, and amount of payment for mooring permit application. These records shall be available for public review at the town clerk's office.

(4) Prepare, keep current, and make available on request a waiting list for mooring permits in accordance with the provisions of this article if the demand for available mooring permits is greater than the number of available mooring locations in any given year. The waiting list shall be available for public review at the town clerk's office.

(5) On a monthly basis, the harbormaster shall submit a report at the monthly harbor management commission meeting indicating all activities that have gone on during the past month including, but not limited to, movement of all moorings, removal of all moorings and additions and deletions to waiting lists. Annually, the harbormaster with the harbor management commission shall submit a report to the town manager, who in turn will submit a report to the coastal resources management council with the following information:

a. Total number of mooring permits granted.

b. A summary of the total vessel characteristics (length, motor or sail, MSD) from permit applications.

c. Such summary will also list the water type classifications and therefore the total number of permits in each water type classification will be reported as total number and vessel characteristics.

(6) Ensure the inspection of mooring tackle in accordance with the provisions of this article.

(7) Assist in grant applications as it pertains to waterways and harbors within the town.

(8) With the harbor management commission, recommend rules and regulations for approval by the town council.

(9) Coordinate the maintenance and repair of patrol boats and other departmental equipment.

(10) Prepare and implement department operational budget.

(11) Act as a liaison with other harbor masters in an effort to modify and improve the existing harbor management plan. The harbor master shall be responsible for duties as further described in this article.

(12) Carry out all other powers and duties authorized to the harbor master under various state and federal marine laws including, but not limited to, Marine Sanitation Devices (MSD) inspection and discharge responsibility afforded through the U.S. Coast Guard, Marpol Annex V, section 312 (33 USC 1251 et seq.) of the Clean Water Act, G.L. 1956, § 46-22-1 et seq., and future laws yet to be enacted.

(Code 1986, § 4-134(a))

Sec. 82-142. Assistant harbor masters.

Assistant harbor masters for the town may be appointed by the town manager and shall serve at the pleasure of the town manager. Assistant harbor masters shall report directly to the harbor master and are authorized with the same duties as the harbor master, under the direction of the harbor master.

(Code 1986, § 4-134(b))

Cross references: Officers and employees, § 2-201 et seq.

Sec. 82-143. Compensation and budget.

The harbor master and assistant harbor masters shall receive compensation as set by the town council. The harbor master is responsible for the day-to-day administration of a harbor management budget. One or more assistant harbor masters will work full-time or part-time, as needed by the harbor master, and will be paid at a rate to be determined within the annual budget.

(Code 1986, § 4-134(c))

Secs. 82-144--82-160. Reserved.

DIVISION 4. BOAT REGULATIONS*

*State law references: Waters and navigation, G.L. 1956, title 46; regulation of boats, G.L. 1956, § 46-22-1 et seq.; local regulation of boats, G.L. 1956, § 46-22-14, superseded by special regulatory powers for the Town of Narragansett, G.L. 1956, § 46-4-6.8.

Sec. 82-161. Vessel speed.

(a) The operation of any vessel within the tidal waters of the town shall proceed in a manner which protects all persons and property from damage caused by waves, wakes, and operation. Operators of vessels within the coastal waters and harbor waters of the town shall comply with federal, state and local regulations on vessel speed and wake.

(b) No vessel shall operate in a reckless or careless manner, which shall include, but not be limited to, wave and wake jumping, or operating at high speeds within close proximity to docks or other vessels, or that causes wake or wash potentially dangerous to persons or damaging property.

(1) Federal navigation channels: Vessels speed shall not exceed five miles per hour in any federal navigation channel located within the town land points, and for any federal navigation channel located within the waters within Point Judith Pond in the town.

(2) Navigation fairways: Vessels speed shall not exceed five miles per hour nor create more than minimal wake in any navigation fairway as established and described in this section.

(3) Mooring-navigation fairways: Vessels speed shall not exceed steerageway in any mooring fairway, as determined by the harbormaster.

(4) Mooring fields: Vessel speed shall not exceed steerageway, nor create wake in any designated mooring area or anchorage as established and described in this section.

(5) No vessel shall be operated in excess of steerageway in Point Judith Pond north of Pine Tree Point.

(6) No vessel shall operate at a speed in excess of five miles per hour or create a wake in the entrance to or within the harbor at Point Judith between a line running east to west drawn across the breachway from the end of the east wall in a westerly direction to the end of Jerusalem and a line drawn across Point Judith Harbor running east to west from the most western end of Little Comfort Island to the west end of Jerusalem shore.

(7) No vessel shall operate at a speed (as posted) greater than five miles per hour or create a wake in the following areas of the Narrow River:

a. At Middle Bridge and from Beach Avenue to the lake;

b. From the Dunes Club Tennis Court to where the Narrow River turns east;

c. From the State Boat Ramp in South Kingstown north to the end of Conanicus Road.

d. From Sprague Bridge northwesterly for a distance of thirteen hundred (1,300) feet.

(Code 1986, § 4-151; Ch. 795, § 1, 8-7-2000; Ch. 797, § 4, 8-21-2001)

State law references: Reckless operation of boats, G.L. 1956, § 46-22-9.

Sec. 82-162. Vessel operations.

Vessels used alone or engaged in activities including, but not limited to, water skiing, jetskiing, paragliding, sailboarding, surfboarding and other similar uses that involve the use of a vessel moving in excess of ten miles per hour shall not be allowed within 200 feet of any swimming area, mooring area, anchorage area, shoreside facility, right-of-way ingress and egress points, launching ramp, federal navigation channels, navigation fairways, small unpowered vessels vulnerable to swamping or tipping due to wakes (i.e. canoes, kayaks, etc). Vessels used in these manners are allowed within 200 feet of shoreside facilities when the sole purpose is to begin or end such activity.

(1) No vessel operating upon the tidal waters of this town shall pass closer than 200 feet of an outer marker of a public bathing area on the shores of this town. Public safety vessels, emergency vessels are exempt from this subsection.

(2) No person shall operate any vessel in a reckless or negligent manner so as to endanger the life, safety or property of oneself or another. No vessel shall operate within 50 feet of any fixed object in the water unless the vessel is utilizing the fixed object for a permitted use.

(3) The Inland Navigation Rules and Regulations shall apply in all of the tidal waters of the town. Any violation of the Inland Rules and Regulations shall be considered as negligent operation of a vessel.

(4) Water skiing is prohibited in all swimming, mooring, and anchorage areas, and for an area 200 feet from the perimeter of these activities.

(5) No person shall operate a personal watercraft between the hours of one-half hour after sunset and one-half hour before sunrise.

(6) All vessels must meet the existing standards for muffling devices as stated in G.L. 1956, § 46-22-8.

(7) Boating activities should be limited in shallow-water habitat to decrease turbidity and physical destruction of such habitat.

(Code 1986, § 4-152; Ch. 797, § 5, 8-21-2000)

Sec. 82-163. Navigation fairways.

The following fairways are hereby designated within the following parameters, to be forwarded to the CRMC for U.S. Coast Guard establishment.

(1) Can #25 at head end of Point Judith Pond up to the shoreline at Route #1.

(2) Ramp approach at South Ferry.

(3) Ramp approach at Bonnet Shores.

(4) Ramp approach at Mettatuxet Yacht Club.

(5) Ramp at Long Cove.

(6) Dock at Harbor Island.

(7) Dock at Briggs Farm Estate.

(8) Ramps at Great Island.

(9) Ramps at Galilee.

(10) Ramp at Breakwater Village.

(Code 1986, § 4-153)

Sec. 82-164. Obstruction of channels, fairways and berthing space.

No vessel, fixed, or floating structure shall be moored or anchored so as to interfere with the free and unobstructed use of channels, fairways or berthing spaces within the areas under the jurisdiction of the town, as detailed in section 82-103.

(Code 1986, § 4-154)

Sec. 82-165. Swimming.

Swimming is prohibited in all navigation channels, mooring areas and fairways. Swimming and/or diving off of all bridges is prohibited.

(Code 1986, § 4-155)

Sec. 82-166. Fishing.

Fishing and shellfishing is prohibited in all navigation channels and navigation fairways. The placement of lobster and eel pots, pot floats and fish nets is also prohibited in all federal navigation channels, navigation fairways and mooring fields.

(Code 1986, § 4-156)

Sec. 82-167. Use of vessels as abodes.

In accordance with the Rhode Island Coastal Resources Management Program, section 300.5, houseboats or floating businesses are prohibited from mooring or anchoring, unless within the boundaries of a marina.

(Code 1986, § 4-157)

Sec. 82-168. Marine toilets and sewage discharge.

No person shall operate a marine toilet at any time so as to cause or permit to pass or to be discharged into harbor waters any untreated sewage or other waste matter or contaminant of any kind.

(Code 1986, § 4-158)

Sec. 82-169. Marine debris.

The discharge of any waste, garbage, refuse, petroleum product or byproduct, paint, varnish, dead animals, fish, or any other debris into the waters is prohibited under this article.

(Code 1986, § 4-159)

Sec. 82-170. Towing and moving of vessels.

If any vessel berthed, moored or anchored in the tidal waters of the town is found to be in direct violation of any provision of this article, the harbormaster is authorized to move, relocate or tow such vessel. In addition to any fine for such violation, a fee of \$100.00 shall be collected from the vessel owner for such harbormaster action.

(Code 1986, § 4-160)

Sec. 82-171. Rafting.

Vessels may raft on a single mooring during daylight hours when such activity does not interfere with the proper functioning of adjacent moorings or vessel anchorages. Vessels at raft shall be manned at all times, and be prepared to get underway if conditions so require. It shall be the responsibility of the owner of the mooring permit to determine that the load on the mooring tackle does not constitute a potential hazard.

(Code 1986, § 4-161)

Sec. 82-172. Abandoned vessels and structures.

(a) Upon determination by the harbormaster, the harbormaster may take custody and control of abandoned vessels and structures located in the tidal waters of the town and remove, store or otherwise dispose of such vessel or structure at the expense and sole risk of the owner of the abandoned vessel or structure. Reasonable notice of 30 days shall be given by certified letter to the address on record of the owner, of such removal, storage or disposal, and shall also be publicly advertised. If any abandoned vessel or structure presents a hazard to navigation, the harbormaster may have it removed before it is publicly advertised or reasonable notice is given. The owner is responsible for all expenses incurred in either case.

(b) The harbormaster shall assume all of the duties and powers of the commissioner of wrecks and shipwrecked goods, as detailed in the G.L. 1956, §§ 46-10-1--46-10-13.

(Code 1986, § 4-162)

Sec. 82-173. Boat standards.

Every vessel entering the tidal waters of the town shall be equipped as required by G.L. 1956, § 46-22-1 et seq., and all similar federal laws, rules and regulations. Consistent with G.L. 1956, § 46-22-1 et seq., the harbormaster as the agent for the town, shall have the authority to enforce all provisions of G.L. 1956, § 46-22-1 et seq.

(Code 1986, § 4-163)

Sec. 82-174. Derelict vessels.

No derelict vessel, shall be allowed in or upon the waters or shores of the town. A vessel of any kind whatsoever, in a badly deteriorated condition or which is likely to damage private or public property or which might become a hazard to navigation, shall not be permitted to moor, anchor or dock in the waters under the jurisdiction of the town. Any vessel which is or might become a hazard to navigation may be ordered moved by the harbormaster.

(Code 1986, § 4-164)

Sec. 82-175. Special events.

The harbormaster, with approval from the town manager, may authorize in accordance with all appropriate state and federal guidelines, certain special events, such as swimming races, regattas,

marine parades, or other marine and maritime activities that may from time to time be held on or in the coastal waters and harbor areas under the jurisdiction of the town.

(Code 1986, § 4-165)

Sec. 82-176. Powerboat and sailboat competition.

(a) No competitive races or similar events shall be held upon the coastal waters of the town without the submission of a written proposal to the harbormaster, which will be submitted for final approval from the town manager.

(b) Race courses set for both practice and competition shall be laid out so as to avoid the crossing of a channel, fairway or launching ramp access.

(Code 1986, § 4-166)

Sec. 82-177. Rights-of-way to the water.

(a) No person shall block barricade or in any way 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 except by written permission of the harbormaster when regulated and allowed by law.

(Code 1986, § 4-167)

Sec. 82-178. Transient anchoring and anchorages.

(a) A vessel may anchor on its own anchor in the tidal waters of the town except in federal navigation channels, navigation fairways, mooring fields, swimming areas, rights-of-way ingress and egress areas, and launching ramp areas. A vessel may not anchor for a period greater than 72 hours. Anchored vessels may be left unattended: the crew may go ashore, but shall not leave the general area. They shall be available to tend to the vessel in the event of heavy weather. It shall be the vessel owner's and/or operator's responsibility to remain clear of all moored vessels, and other structures.

(b) Transient anchorage areas are to be located within designated transient anchorage areas. These areas have been determined on the enclosed GIS maps.

(Code 1986, § 4-168)

Sec. 82-179. Failure to stop.

It shall be a violation of this article for any person to refuse to move or stop on oral command or order of the harbormaster or assistant harbormasters operating in his official capacity, and exercising the duties lawfully assigned to him.

(Code 1986, § 4-169)

Secs. 82-180--82-195. Reserved.

DIVISION 5. MOORING REGULATIONS

Subdivision I. In General

Sec. 82-196. Limits to the location of moorings.

No mooring shall be placed in waters within the town's jurisdiction without prior, written approval of the harbormaster. A mooring shall be removed only by the harbormaster, his authorized agent or with the specific and expressed permission. The harbormaster shall reserve the right to have moorings removed, replaced or relocated at his discretion. The town, through its harbormaster, shall have the authority to remove unauthorized moorings at the expense and risk of the owner. The town shall hold such mooring for a period of 21 days, within which the registered owner shall have the right to reclaim the mooring by paying the town all required fees,

penalties and expenses. If the owner does not claim the mooring within the 21-day period, the town shall have the right to dispose of such moorings as it deems fit.

(Code 1986, § 4-181)

Sec. 82-197. Mooring records.

The harbormaster shall keep a detailed record of all moorings, both private and town rentals, their location, along with the owner's name, home (and business if applicable) address, telephone numbers, last mooring inspection date, mooring permit number, and vessel data as detailed in section 82-222(1).

(Code 1986, § 4-185)

Sec. 82-198. Moorings associated with riparian/waterfront properties.

Current residential waterfront property owners shall be allowed to place one mooring in those waters immediately adjacent to the residence of the waterfront property. If land is to be subdivided to produce a greater number of waterfront properties, the applicant may be required by the harbormaster to submit plans for common mooring areas and provide for common access to the shoreline. If shoreline or other considerations preclude the placement of a resident waterfront mooring immediately adjacent to the property, the mooring shall be placed in the nearest mooring field with priority consideration being given to the proximity of the waterfront owner. The mooring owner must comply with all mooring permit application requirements, and receive a mooring permit from the town as described in this division. If there is a need for an additional mooring, the regular mooring application process is to be followed. In any case no more than two moorings per applicant will be allowed. The mooring must meet all mooring tackle standards and inspections as described in this division, before such placement will be permitted.

(Code 1986, § 4-186)

Sec. 82-199. Transfer of moorings.

Notwithstanding the above provision, a private mooring may transfer to an immediate family member (brother, sister, mother, father, spouse, children or grandchildren) upon written notice to the harbormaster which shall include the name and address change. Such transfers shall be strictly limited to a one time basis to those individuals holding a valid permit on the date that the CRMC approves the HMP and Harbor Ordinances. No immediate family member to whom a private mooring is transferred shall then be allowed to transfer that private mooring under any circumstance. Thereafter, all private moorings that are forfeited by or not renewed by a holder of a valid mooring permit shall be made available to individuals on the waiting list.

(Code 1986, § 4-187)

Sec. 82-200. Mooring areas.

(a) No mooring shall be located or placed within the coastal waters of the town without a valid mooring permit issued by the harbormaster and without having the mooring inspected as detailed in this division and approved by the harbormaster. The harbormaster must direct the placement of the mooring.

(b) No vessel so moored or anchored shall extend beyond the designated mooring area boundaries, as detailed in this division, with the exception of residential waterfront moorings which may be located in a waterfront property owner's riparian area.

(c) All designated mooring fields sited within the tidal waters of the town shall not be established, nor any vessel moored or anchored, so as to interfere with the free and unobstructed use of channels, fairways, ore shore side facilities within the harbor. Public mooring areas shall

provide, where possible, a 50 foot setback from all residential docks, piers, floats, public launching ramps, federal navigation channels, fairways, anchorages, and/or turning basins. Setback limits from riparian moorings and shoreline public rights-of-way shall be sufficient to allow for ingress and egress and to prevent interference with the exercise of private or public rights in these areas. Mooring areas shall be setback least three times the U.S. Army Corps of Engineer' authorized project depth from federal navigation projects (e.g., navigation channels and anchorage areas)

(d) Mooring area designations. Certain waters of the town shall be designated as mooring areas. Those waters designated in this section are authorized for placements of permitted moorings as detailed within this division. They are located in accordance with all policies of the town's harbor management plan, the policies and requirements of the coastal resources management council's Guidelines for the Development of Municipal Harbor Management Plans, specifically the regulations set forth in sections d through l on page 30, and the CRMC's Management Procedures for Siting Mooring Fields. Any revisions to the size and/or location of these mooring field designations shall require town council approval. Once town council approval is obtained, approval for the revisions from the coastal resources management council and the department of the environment must be obtained. Once approval has been obtained from both state agencies, the revisions may take place.

(e) The following mooring area designations and anchorage area designations are described on Maps 3 and 4 in Appendix 1 of the Harbor Management Plan.

Editor's note: Maps 3 and 4 are not printed in this section but are on file in the town clerk's office.

(f) The following designated mooring areas are described as mooring areas A, B, and C.

Editor's note: The description of the areas is not printed in this subsection (f), but is on file in the town clerk's office.

(g) The following designated anchorage areas are described as designated anchorage areas AA--DD.

Editor's note: The description of the areas is not printed in this subsection (g) but is on file in the town clerk's office. (Code 1986, § 4-188; Ch. 807, § 1, 6-11-2001)

Sec. 82-201. Mooring tackle specifications.

(a) Mooring tackle shall meet the following minimum standards: (mushroom anchor and nonmushroom sites). The provisions of this section shall be effective upon the passage of this division for new permits and March 31, 2000, for existing permits. The minimum rate for any vessel permitted for a mooring shall be 15 feet.

Where:

TABLE INSET:

L = The length of the vessel

B = The beam of the vessel

E1 = A low exposure factor = 1

E2 = A medium exposure factor = 1.25

E3 = A high exposure factor = 1.5

The formula for determining the weight of a mushroom anchor (X) is stated as follows:

$L \times B \times (E1, E2 \text{ or } E3) = X$

For nonmushroom applications the dead weight shall be ten times the mushroom weight and the material shall be an acceptable grade of granite and/or concrete.

An exposure rating shall be established for each mooring field based on its wind and surf exposure.

Example: A 35-foot vessel with a 13-foot beam at various locations would require the following:

$$35 \text{ feet} \times 13 \text{ feet} \times 1 = 455$$

$$35 \text{ feet} \times 13 \text{ feet} \times 1.25 = 568.75$$

$$35 \text{ feet} \times 13 \text{ feet} \times 1.5 = 682.5$$

(b) Boats greater than 50 feet in length shall comply with the harbor management commission's directions.

Size of Permanent Mooring Rode Components

TABLE INSET:

Mushroom Anchor

Weight (pounds)	Riding Chain		
Size (inches)	Ground Chain		
Size (inches)	Pennant Size		
Rope(diameter)			
200	1/2	1/2	5/8
300	1/2	5/8	3/4
400	1/2	3/4	7/8
600	1/2	7/8	1 1/16
800	1/2	1	1 1/4
1000	5/8	1 1/4	1 5/8

(Source: American Boat and Yacht Council, Inc. P.O. Box 806, Amityville, NY 11701)

(c) Anchorage areas are located in the tidal waters of the town according to Map 3 in Appendix 1 of the Harbor Management Plan and are defined as follows: AA; BB; CC; DD

Editor's note: Map 3 is not printed in this section but is on file in the town clerk's office.

(1) Only mushroom anchors, granite blocks and/or concrete will be acceptable for moorings. The specific mooring site will determine whether a mushroom anchor, granite block and/or concrete is permitted. Deadweight anchor sites shall require granite and/or concrete blocks. The granite and/or concrete block shall be ten times the weight of a comparable sized mushroom. All hardware that is an integral part of the granite and/or concrete block assembly shall be sized to at least match the associated rode specifications.

(2) The length of the pennant shall be three times the distance from the bow chock to the water (measured vertically), plus the distance from the bow chock to the mooring cleat or post.

(3) All pennant lines running through a chock or any other object where chafing may occur should have adequate chafe guards.

(4) The total scope of the chain shall be three times the depth of the water at high tide. The bottom chain shall constitute at least 50 percent of the scope.

(5) All shackles, swivels and other hardware used in the mooring hookup shall be proportional in size to the chain used (relative to strength).

(6) All shackles shall be properly seized with stainless steel wire.

(7) The pennant shall be spliced or shackled into the bitter end of the top chain below the buoy so that the strain is not carried by the buoy.

- (8) The winter stake shall be constructed of nonleaching rigid material.
- (9) Moorings, stakes, pipes, pilings or any other object shall not be driven into the submerged lands within the jurisdiction of the town, nor shall any object of any description be located in the tidal waters of the town in order to moor a vessel from the shore without permitted approval effective with the 1998 boating season.
- (10) Mooring floats may be allowed in the tidal waters of the town by a special exception, as determined by the harbor management commission. Mooring floats shall be charged a mooring fee based on the sum of its length, and width. The sum of the length and width shall also be utilized in determining the appropriate mushroom anchor size. The float shall also be required to show a permanent reflector material at least two inches in width along the full perimeter of the uppermost outside edge of the float. Vessels shall not in any manner be attached to the mooring or the float between sunset and sunrise nor shall a vessel of any size be placed upon a float, nor shall a float be utilized to launch a personal watercraft or any vessel above the water's surface. Floats permitted for the 1997 boating season in the town shall be allowed if, in the opinion of the harbor master they are sound and pose no danger to the property, health and safety of others. Effective with the 1998 boating season floats will be required to meet specific design and construction standards.
- (11) Mooring buoys shall be rigid, spherical, a minimum of 18 inches in diameter and painted white with a two-inch wide blue horizontal stripe at the mid-section of the buoy.
- (12) The minimum distance between any two moored vessels shall be 1.25 times the total mooring scope, plus the length of the larger vessel.
- (d) The harbor master through the HMC appeals process may approve mooring tackle specifications other than those standards described in this section if such specifications are appropriate for the area in which the mooring will be located.
- (e) Mooring outhauls (stringers) shall be regulated by the harbor master. Outhauls will not be permitted on beach areas that are commonly used for bathing purposes, ROW's, or any other area that might restrict the general public's access to the water. The harbor master shall have the final determination as to whether an existing or future outhaul conforms to the requirements. All non-conforming outhauls shall be brought to standards or removed from Town waters.
- (1) Posts will be two inch (2") galvanized pipe or wood equivalent. The minimum height shall be two (2) feet above the high water mark at seaward end. Pulley, eye hooks, rope, pole depth and location, and other materials shall be approved by the harbor master.
 - (2) Galvanized posts will have an assigned permit decal/number displayed at seaward and landward ends. Ropes shall be a minimum of 3/8 inches and shall be positioned above the high water line. Seaward posts must be visible so as not to obstruct nor be a hazard.
 - (3) No boat over fifteen (15) feet shall be placed on an outhaul mooring.
 - (4) Existing mooring outhauls shall be registered with the Harbor Master Division, following the application procedure for moorings. All outhauls shall be inspected annually by the harbor master in order to determine winter damage before season permits are issued.

- (5) The annual fee for a mooring outhaul permit shall be the current fees with a 15' minimum.

(Code 1986, § 4-189)

Sec. 82-202. Inspections.

(a) All new moorings in the tidal waters of the town must have the chain, tackle and anchor inspected by an approved contractor with the Town prior to setting the mooring. All existing permitted moorings shall meet the mooring specifications set forth in this division by April 1, 1997, and all new moorings will meet the specifications effective April 1, 1998.

(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-fourth 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 division.

(c) Moorings shall be inspected for each registered owner every third year. The inspection shall be done at the direction of the harbormaster. All costs of a mooring inspection required under the provisions of this division shall be the responsibility of the mooring owner. The owner may raise the mooring for inspection or use his designated agent. If a designated agent is used the agent performing the inspection shall be registered with the town, and shall be bonded and insured in the amount of \$1,000,000.00 to protect the town's and all other parties' interests. The designated agent shall certify to the town that the inspection has taken place and that the mooring meets all town requirements.

(d) The harbormaster will keep a written record on every mooring that has been inspected within the preceding three years. Noncompliance with the mooring standards shall mean the wear of any swivel, shackle or chainlink by as much as one-quarter its original dimension, or apparent fraying or other weakness in the rope pennant. In a case of noncompliance, the registered owner shall ensure that such repairs be executed within 14 days. Upon completion of the repairs, the mooring owner will then be responsible for notifying the harbormaster that the mooring is ready for reinspection. Any mooring washed or dragged ashore during a storm shall be inspected by the harbormaster, at the expense of the owner before it is reset. Failure to meet these requirements may cause the harbormaster to order removal of the mooring, at the owner's expense, from the mooring space.

(Code 1986, § 4-190; Ch. 821, § 1, 7-1-2002)

Sec. 82-203. Mooring season.

The mooring season shall begin on March 15 of the year and continue until December 1 of the same calendar year. No watercraft or any other object except for a winter stake shall be attached to a permitted mooring during the nonmooring season. Special permission may be granted by the harbormaster upon receiving written request for an extension of the mooring season for exceptions to the requirement of removal of all watercraft. A winter stake shall be attached to the mooring tackle. The winter stake must be removed no later than June 1.

(Code 1986, § 4-191)

Sec. 82-204. Compliance.

Every owner, master, agent or person in charge of any vessel, who shall neglect or refuse to obey the directions of the harbormaster or other enforcement agent of the town in matters within the harbormaster's authority to direct, and every person who shall resist or oppose the harbormaster in the execution of his duties or shall violate any provision of this division or regulation pursuant

thereto shall, upon conviction, be fined not exceeding \$100.00 for each offense. Each day that such neglect or refusal to obey shall continue, after notice thereto given by the harbormaster or other authority to any owner, agent or other person in charge of a vessel, shall constitute a separate offense.

(Code 1986, § 4-202)

Sec. 82-205. Penalties for violation of division.

(a) Any violation of this division or a violation of the town harbor management plan shall be punishable by a fine not to exceed \$100.00 and each day the violation exists shall be deemed a new violation.

(b) It shall be a misdemeanor punishable by a fine of not more than \$100.00 for any person to refuse to move or stop on oral command or order of the harbormaster or his designee exercising the duties lawfully assigned to him.

(Code 1986, § 4-203)

Secs. 82-206--82-220. Reserved.

Subdivision II. Mooring Permit

Sec. 82-221. Required.

A mooring permit is required and may be granted by the harbormaster on an annual basis to place a mooring in the waters of the town. This permit may be revoked at any time for failure to comply with the provisions of this article.

(Code 1986, § 4-131)

Sec. 82-222. Application requirements.

The following requirements are set for applications for mooring permit:

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

a. Name, address and telephone (home and office) of owner;

b. Vessel name, registration number, length (feet), width (feet), draft (feet), displacement, type and color;

c. Number of sleeping berths, if any, and type of marine sanitation device (MSD), if any;

d. A photocopy of a valid/current state boat registration certificate; or a photocopy of a valid/current federal documentation certificate and a photocopy of a valid/current state documented boat registration certificate;

e. Mooring classification (type), actual mooring weight;

f. Appropriate registration fee;

g. Areas where the applicant would like to locate the mooring prioritized;

h. Applicant must certify in writing that the proposed mooring tackle meets the inspection criteria;

i. Compliance with section 300.4.1(a) and (b) of the state coastal resources management program (RI CRMP) as they relate to the provisions of sanitary facilities and parking requirements.

(2) Commercial moorings. An individual registration form, requesting the same information as required of private mooring applicants, must be completed by each mooring lessee. No commercial entity shall control a mooring which is located within a federal anchorage. Mooring located within any federal project shall be controlled directly by the town.

(3) Town rental moorings. The harbormaster, in addition to making available private moorings contracted for, shall offer rental moorings in designated mooring areas in order to meet a reasonable demand for transient moorings. The town rental fees are set 40 under section 82-

223. The town rental moorings shall not exceed 15 percent of the moorings in any single mooring field. This percentage will not apply for the harbor of refuge, where the moorings shall be primarily of a transient nature, or other mooring areas designated as a transient mooring area.

(Code 1986, § 4-183)

Sec. 82-223. Fees.

(a) There shall be a fee schedule adopted by resolution. All applications for mooring permits shall be accompanied by the appropriate fee. The minimum rate of any vessel permitted for a mooring shall be 15 feet. Fees include:

Mooring application fee . . . \$5.00

Waiting list fee (valid for three years) . . . 5.00

Resident, per foot . . . 4.00

Nonresident, per foot . . . 7.00

Town rental (transient), per night . . . 10.00

Re-siting mooring, per hour . . . 50.00

(b) All moorings placed in town tidal waters shall be done in the presence of the harbormaster, and the harbormaster shall be alerted to any periodic inspections. A mooring moved/removed, except at the direction of the harbormaster, shall be assessed a re-siting charge, and shall then be processed as a new mooring application.

(Code 1986, § 4-201)

Sec. 82-224. Numbering.

(a) Once application has been approved, and paid in full, each permitted mooring located in the coastal waters of the town shall be assigned a number by the harbormaster. The mooring decal provided by the town shall be affixed to the mooring. The assigned number will be displayed in contrasting colors in two places on each mooring ball in block letters at least three inches in height. No numbers or letter other than those called for by this section are to appear on a mooring.

(b) Any mooring not displaying a mooring registration number shall be considered an unauthorized mooring. Unauthorized moorings will be removed in accordance with the provisions of this division.

(c) The harbormaster is authorized to charge a fee of \$25 for the replacement of the mooring decal required pursuant to subsection (a) hereof.

(Code 1986, § 4-184)

Sec. 82-225. Mooring without permit; revocation; period of validity.

No mooring shall be located in the tidal waters of the town until a permit has been issued for the use of such mooring by the harbormaster. No mooring shall be located nor shall be maintained unless the mooring owner has received a valid mooring permit issued by the harbormaster for the mooring and that the mooring conforms to the specifications and standards set forth in this division and permit. This permit may be revoked at any time for failure to comply with the provisions of this division. Mooring permits are valid for a one-year period, at which time they may be renewed.

(Code 1986, § 4-182(a))

Sec. 82-226. Request for a new permit.

(a) To be eligible for a new mooring permit, an applicant must own a boat for which a mooring permit is being sought. All requests for new mooring permits shall be submitted to the harbormaster at the town hall, on the application forms provided by the harbormaster by March 1 of each year. Mooring permit applications are also available at the town clerk's office. An

application shall be accompanied by the appropriate application fee, and shall be forwarded to the office of the director of finance by the harbormaster. A complete and accurate mooring permit application must be provided before the harbormaster can act to approve or deny such application. The harbormaster shall determine if a new mooring permit can be issued only after all provisions of the harbor management plan and this division are met.

(b) If the harbormaster issues a mooring permit, the mooring owner for whom such permit has been issued must locate the mooring at the direction of the harbormaster or assistant harbormasters in accordance with the harbor management plan and this division.

(Code 1986, § 4-182(b))

Sec. 82-227. Renewals.

(a) Applications for renewal of a valid mooring permit shall be submitted to the harbormaster on application forms provided by the harbormaster not later than April 1 of each year. For unusual circumstances there shall be a grace period, which shall be extended to May 15 of each year. Any person seeking to submit the renewal during the grace period must pay a late fee of \$25. All applications shall be accompanied by the annual fee, as noted on the registration form, and shall be mailed on or before April 1 of that year by U.S. mail addressed to the Harbormaster, Town Hall, 25 Fifth Avenue, Narragansett, RI 02882. Failure to submit a complete and accurate application within the time period set forth herein may result in the loss of the mooring space.

(b) The harbormaster shall mail the application forms by February 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 harbormaster of any change in address.

(c) The harbormaster shall approve or reject mooring permit applications by April 15 for those that are submitted on or before April 1 and by June 1 for those that are submitted within the grace period.

(Code 1986, § 4-182(c))

Sec. 82-228. Relocation of existing permitted mooring.

All requests for relocation of existing permitted moorings must be submitted to the harbormaster. Information for such a request must meet the requirements listed for a mooring permit application, as well as show proof of a valid mooring permit issued for the previous year. The reason for a mooring relocation must also accompany the request. Based upon availability of space, the requirements of the ordinance, and the type and size characteristics of vessel, action will be taken on the request by the harbormaster. Any request received by the harbormaster that is not complete shall be returned to the applicant, and no action will be taken on the request.

(Code 1986, § 4-182(d))

Sec. 82-229. Failure to renew.

Failure to renew an existing valid mooring permit in accordance with the provisions of this division by April 1 of any given year shall result in the permitted owner's abandonment of all of his privileges and interests in the previously permitted mooring space. The harbormaster shall remove any abandoned mooring at the permitted owner's expense. Such expense may in turn be recovered by the town.

(Code 1986, § 4-182(e))

Secs. 82-230--82-245. Reserved.

Subdivision III. Mooring Spaces

Sec. 82-246. Forfeiture.

Any owner of a mooring located in the tidal waters of the town shall be deemed to have forfeited his mooring permit by reason of the following:

- (1) Removal of mooring and mooring tackle by mooring owner and notification to the harbormaster that the mooring has been permanently removed.
- (2) Failure to respond to the harbormaster's notice that the mooring does not comply with the mooring tackle standards set forth in this division, or that the mooring has been displaced or moved from its permitted location.
- (3) Failure to resurface or replace the mooring within 30 days after being advised by the harbormaster that the mooring is down or does not comply with the mooring tackle standards.
- (4) Continued failure to meet the requirements of the provisions of this division may result in forfeiture of mooring privileges, the standard appeal process shall apply.
- (5) Knowingly providing false information to the harbormaster in the mooring permit application process.
- (6) Nonuse of a permitted mooring for a period of 12 months.

(Code 1986, § 4-182(f))

Sec. 82-247. Available spaces.

As of April 30 of each year, the harbormaster shall determine the number of extra mooring spaces available after taking into account all approved permitted mooring spaces. These available mooring spaces shall, if appropriate, be made available to those persons whose names appear on the waiting list.

(Code 1986, § 4-182(g))

Sec. 82-248. Waiting list.

The harbormaster shall maintain a waiting list of all applicants for mooring permit requests. Placement of applications on such a waiting list will be recorded from complete mooring permit applications as they are received by the harbormaster. The harbormaster shall update the waiting list as appropriate and make the waiting list available for public review at all times at the finance office. An individual who refuses an available and appropriate mooring space will go to the bottom of the waiting list. The waiting list will include those individuals not yet registered (potential permitted) and registered owners wishing relocation. Each waiting list will be valid for the period of three years.

(Code 1986, § 4-182(h))

Sec. 82-249. Assignment; preference to town residents.

All assignments of mooring space shall be made by the harbormaster. When a mooring space becomes available, the harbormaster shall offer such space to the applicant with the earliest date on the waiting list, with a vessel of the appropriate dimensions and type of hull for that water space available. Mooring preference shall be decided as per the coastal resources management council's determination of an assignment of resident to nonresident ratio of no greater than three to one. All grants for space shall be recorded by the harbormaster at the town hall upon receipt of a completed registration form and appropriate fee.

(Code 1986, § 4-182(i), (j))

Sec. 82-250. Anchorages.

(a) Federal anchorages. Moorings which are located in a federal anchorage shall be assigned on a first-come, first-served basis in accordance with the Army Corps of Engineers' definition of the term "open to all on equal terms."

(b) Occupancy of mooring.

(1) No vessel shall occupy a mooring smaller than the one for which it has been permitted. The permitted mooring owner shall be allowed to place other vessels belonging to them on their mooring as long as the vessel does not exceed the permitted size. A guest vessel may use the mooring for up to ten consecutive days. No vessel shall enjoy guest privileges for more than 15 days in any single mooring season. A mooring permittee exercising his guest privileges shall advise the harbormaster of the specifics within 24 hours of the guest vessel being placed on the mooring.

(2) The harbormaster shall have the authority to move any vessel violating the provisions of this section, with such movement at the expense and risk of the vessel owner.

(3) A permitted mooring owner may allow the use of his mooring by the harbormaster as a rental mooring for the town, provided that a signed contractual agreement (available through the clerk's office and harbormaster at the town hall) has been entered into between the mooring owner and the harbormaster. The signed contract will have the same information recorded as in the mooring permit application; however, the rental contract fee shall be covered under section 82-223. The rental agreement shall be made between the mooring owner and the town, and the rental fee shall be paid to the town.

(4) Any mooring which is not occupied for one season by the permitted vessel shall be considered abandoned and must be removed by its owner from the mooring field. An extension may be granted by the harbor management commission if it can be demonstrated that extenuating circumstances exist.

(Code 1986, § 4-182(k))

APPENDIX 1 – MAPS

APPENDIX 2 – PUBLIC ACCESS INVENTORY

Coastal Public Access Inventory

*denotes CRMC designated ROW

1	Narragansett Rd, Plat NB	Unaccepted Town Road Legal status undetermined	40 ft wide ROW, small path leading to steep drop and rocky shore
2	Indian Trail, Plat NK, Lot 4	PRIVATE, Homeowners Association	For use by plat residents and guests only.
3	Intersection Woodsia and Winterberry, Plat NF, Lots 6,7	PRIVATE, Pettaquamscutt Shores Homeowners Association	For use by plat residents and guests only.
4	Woodsia and Pettaquamscutt Lake Rd, Plat NF, Lot 326	PRIVATE, Pettaquamscutt Lake Shores Homeowners Association	For use by plat residents and guests only.
5	Lakeside Dr and Edgewater, Plat NF, Lot 608	PRIVATE, Edgewater Homeowner's Association	For use by plat residents and guests only.
6	Lacey Bridge	State of Rhode Island	Fishing potential, restricted parking, dangerous curve.
7*	Pettaquamscutt Ave	Town Accepted Road	Boat ramp and roadside parking, 60 ft wide ROW
8	Beach Ave, Plat NA, Lot 30-1 Landrie Memorial Beach	PRIVATE, Pettaquamscutt Terrace Homeowners Association	For use by plat residents and guests only.
9*	Conanicus Rd, Plat NE	Town Accepted Road	Scenic, viewpoint, undeveloped, but potential for small boat ramp.
10	Searidge Dr, near Horizon, between Plat NB, Lots 48-26 and 48-27	PRIVATE	For use by plat residents and guests only.
11*	South Ferry Rd, Plat NC	Town Accepted Road and adjacent state owned lot	Pebble beach, small parking area, fishing from Pier when research vessel not at dock.
12	Col. John Gardiner Rd between Anchorage and Bonnet Shores Rd	PRIVATE, Bonnet Shores Fire District	For use by plat residents and guests only.
13	Bonnet Battery on Col. John Gardiner, Plat NS, Lot 451	PRIVATE, Bonnet Shores Fire District	Historic significance, For use by plat residents and guests only.
14	Bonnet Point Rd Accessway, Plat NS between lots 609 and 610. Located between Dunes Road and Col John Gardiner Rd	Unaccepted Town Road Legal status undetermined	Narrowing road leads to seawall and rocky shore. Platted as 30 ft accessway, upper portion used as driveway by adjacent homes.
15	Dunes Rd, Plat NS, Lots 621 and 622	PRIVATE, Bonnet Shores Fire District	For use by plat residents and guests only.
16	Camden Rd, Plat NS, Lot 635	PRIVATE, Bonnet Shores Fire District	
17	Harwich Rd.	Unaccepted Town Road Legal status undetermined	Limited potential as assessway in current condition.
18	Burbank Ave.	Unaccepted Town Road Legal status undetermined	Limited potential as assessway in current condition.
19	Lake Rd./Pwky Dr.	Unaccepted Town Road Legal status undetermined	Grassed lot adjacent to residence
20	Bonnet Pt. Rd./Causeway	Unaccepted Town Road Legal status undetermined	Potential for fishing, no parking.
21	Mettatuxet Road at South River Drive, Plat NG, Lot 237	PRIVATE, Mettatuxet Homeowner's Association	For use by plat residents and guests only.

22	South River Dr, Plat NG, Lots 236 and 238	PRIVATE, Mettatuxet Homeowner's Association	For use by plat residents and guests only.
23	Conanicut Ave at Arnold Road	PRIVATE	
24	Boston Neck Rd, Plat NI, Lot 9	State of Rhode Island	Overlook with view of Bay, currently no parking or shore access
25	North Cliff Drive	PRIVATE	Insufficient evidence presented at CRMC hearing to declare public. For use by plat residents and their guests only
26	Anawan Drive	PRIVATE	Insufficient evidence presented at CRMC hearing to declare public. For use by plat residents and their guests only
27	Middle Bridge	Towns of Narragansett and South Kingstown	Abutting land privately owned, fishing from bridge, private parking for nominal fee, bait shop, boat rental
28	Bridgepoint Commons	Town of Narragansett and USFWS	Access via Bridgepoint Drive, parking, scenic view, habitat protection area, no water access.
29	Sprague Bridge	RIDOT	Parking, fishing, scenic overlook, historic bridge, litter problem, boat ramp southwest side of bridge access from Starr Drive
30	Starr Dr. West	Unaccepted Town Road Legal status undetermined	Overgrown at this time
31	Row 200 feet to the north of Wood Dr.	PRIVATE	For use by residents of Wood, South, and Dale Road plat and their guests.
32	Canonchet Farm	Town	Trails through woods to Pettaquamscutt Cove, parking, picnicking, museum.
33	Narragansett Town Beach	Town	Swimming, concessions, parking, changing facilities etc.
34	Riverside ROW (north) 40 foot ROW, located between lots 95 and 99 on Plat B-2	Town ROW	ROW leads to Town-owned lot 99B. Currently difficult to access; drainage easement on lot.
35	Riverside Drive (south) 20 foot ROW, located between lots 88 and 89	Platted Unaccepted ROW Legal Status Undetermined	Currently inaccessible. Road is not in ROW location.
36	Narragansett Sea Wall	RIDOT	Extends from S. Pier Rd to Narragansett Beach. Walking, views, fishing, roadside parking.
37	Westmoreland St	Unaccepted Town Road Legal status undetermined	Good potential if developed
38*	Wandsworth St	Accepted Town Road	Good access with parking, small boat ramp
39	"Tucker's Dock"	RIDOT	Small craft ramp, fishing, surfing site, parking lot
40	Wood Hill Rd	Unaccepted Town Road Legal status undetermined	Sandy beach, remnants of boat ramp

41	Wheatfield Cove Rd	Unaccepted Town Road	small sandy beach, currently no parking, small boat launch
42*	Foddering Farm Rd	Accepted Town Road	small boat launch, currently no parking
43	Flintstone Rd (west end)	Unaccepted Town Road Legal status undetermined	currently used a driveway to a private home
44	Flintstone Rd (between Lots 45, 46)	Unaccepted Town Road Legal status undetermined	Grass strip 8 ft wide to Pt. Judith Road.
45	Flintstone Rd (east end)	Unaccepted Town Road Legal status undetermined	Possible to launch a small boat.
46	Sunset Farm	Town Property extends to Pt. Judith Pond	Trails need to be developed to facilitate access to water.
47*	Hazard Ave	Unaccepted Town Road	Historical/scenic area, fishing, no swimming, dangerous rocks.
48*	Newton Ave	Unaccepted Town Road	Historical/scenic area, fishing, no swimming, dangerous rocks.
49*	Bass Rock Rd	Accepted Town Road	Historical/scenic area, fishing, no swimming, dangerous rocks.
50*	Black Point	RIDEM	Fishing/hiking, scenic views, cliffs and bluffs. Park in state lot for Scarborough.
51	Scarborough State Beach	RIDEM	Swimming, concessions, parking, picnicking etc.
52	North Fort Rd	Public Easement along shore	Coastal walkway. Enter North Fort Rd and head north along shore or walk south from Scarborough. No access through subdivision.
53	Pocono Rd. Plat L between Lots 241 and 243	PRIVATE	For use by plat residents and guests only.
54	Glenwood Ave at High, Plat L. Lot 235	PRIVATE	Narragansett Pier Sportsfishing Association access
55	Glenwood Ave Plat L, Lot 234	Town-owned lot	Steep drop to water.
56	Third Street at Ocean Spray Ave	Unaccepted Town Road Legal status undetermined	Rip Rap shoreline, small sandy beach, outfall structure for street drain.
57	Nichol Ave	Unaccepted Town Road Legal status undetermined	Small pathway mowed at end of asphalt to an abrupt 6 ft scarp to cobble sandy beach; severe erosion, no easy access to the beach.
58*	Conant Ave	Accepted Town Road	Rocky beach with drop-off to water. 8 ft concrete retaining wall and drainage structure. No easy access to the beach.
59*	Calef/Louise Ave	Accepted Town Road	Paper street located north of Pt Judith Rd at Pole 8. Grass strip 50 ft wide by 140 ft long, extends east from X of Louise and Calef to a cobble beach.
60	Clinton Ave	Unaccepted Town Road Legal status undetermined	Narrow pathway, most of ROW covered in herbaceous, wetland plants.

61*	Pilgrim Ave	Accepted Town Road	Rocky beach with drop-off to water.
62	Rose Nulman Park Plat M, Lot 162	Privately owned, but public access encouraged	5.5 acre parcel overlooking the ocean. Ample parking, benches, site of proposed park.
63	Light House	US Coast Guard	View, historic
64	Pt Judith State Park, Plat M, Lot 165, 172	RIDEM	Sand beach, parking, hiking, fishing, good potential for a boat launch/marina.
65	Breakwall Access, Plat M, Lot 166	Army Corps of Engineers	Breakwall, sand beach, fishing, good potential for a boat launch/marina.
66	Pt. Judith Wildlife Refuge	RIDEM	Protected wildlife refuge
67	Roger Wheeler State Beach	RIDEM	Sandy beach, shallow drop-off, large parking lot, concessions, etc.
68	Salty Brine State Beach Breachway	RIDEM	Sandy beach, restaurants, parking, seawall, fishing, scenic views.
69	Ocean Ave, Jerusalem	Town Accepted Road	Wide pathway to sandy beach.
69A	West Wall	US Corps of Engineers	Breachway at Jerusalem and Galilee
70	East Matunuck State Beach (Narragansett/South Kingstown)	RIDEM	Parking, concessions, rest rooms and beach.
71	Succotash Saltmarsh (Narragansett/South Kingstown)	RIDEM	Canoeing, occasional nature tours, bird watching, park at state beach.
71A	Succotash Marsh, Succotash Road Entrance, Plat I	Town dead ends in state land	Access to Succotash salt marsh and beach on Pt Judith Pond.
72	State Pier 4	RIDEM	Fin fishing, swimming, parking, small beach.
73	State Pier 3, Galilee	RIDEM	Just north of the Block Island Boat, commercial fishing fleet, sight seeing tours.
74	Great Island Bridge Boat Ramp	RIDEM	Ample parking, small dock, well maintained boat ramp. No swimming,
75	Galilee Salt Marsh (Bluff Hill Cove Access)	RIDEM	Recreational shellfish area, bird watching, parking along Escape Road.
76	Fisherman's Memorial Park and Salty Acres	RIDEM	Camping, shellfishing, nature programs, views.
77	Sunset Shore Drive at Green Acres Drive	Unaccepted Town Road Legal status undetermined	Grass lawn to pond.
78*	Knowlesway Extension	Accepted Town Road	Potential for picnics, fishing, scenic viewing. Adjacent Town and State lots to the north have potential for future enhancement.
79	Pondview Rd	Private ROW	Access limited to plat residents and their guests only.

80	Meadow Rd	Private ROW	Access limited to plat residents and their guests only.
81	Durkin Drive	Unaccepted Town Road Legal status undetermined	Overgrown footpath.
82	Robertson Road	Unaccepted Town Road Legal status undetermined	Overgrown road end.
83	Marine Drive, Plat R-3, Lot 82	PRIVATE, owned by Great Island Improvement Association	For use by plat residents and guests only.
84	Penguin Drive, Plat R-3, between lots 14 and 15	12 ft extension off Town Accepted Road. Legal status undetermined	Difficult to access.
85	Seacrest Drive, Plat R-3	Town Accepted Road	Walking access to Pt. Judith Pond. Access chained.
86	Seacrest Drive, Plat R-4		Possible to hand launch a small boat. Access chained.
87	Starfish Drive, Plat R-2 at 304	Town Accepted Road	For use by plat residents and guests only.
88	Starfish Drive, Plat R-2 between Lots 316 and 317, 318	PRIVATE, owned by Great Island Improvement Association	Walking access to Pt. Judith Pond.
89	Island Road	Town Accepted Road	Sand and Pebble Beach
90	Mollusk Road, Plat R-2	Town Accepted Road	Sensitive environmental area. No development plans at present.
91	Little Comfort Access, Plat R-2, Lots 376 thru 392, 407	RIDEM	Scenic view of Galilee. Sandy beach.
92	East Shore Rd, Plat R-2, between lots 13 and 14	40 ft wide extension off Town Accepted Road. Legal status undetermined.	Access to Pt Judith Pond, possible to hand launch a small boat.
93	East Shore Rd, Plat R-2, between lots 19 and 22	50 ft wide extension off Town Accepted Road. Legal status undetermined.	Access to Pt Judith Pond, possible to hand launch a small boat.
94	East Shore Rd, Plat R-2	40 ft wide extension off Town Accepted Road. Legal status undetermined.	Walking access to Pt Judith Pond.

APPENDIX 3 – BONNET SHORES ELEMENT

BONNET SHORES

Introduction

The State of Rhode Island approved enabling legislation for the Bonnet Shores Fire District, independent from the Town, in 1974, and a subsequent implementing ordinance in 1976 for the management of vessels and moorings in the waters immediately adjacent to the Fire District. The Fire District council is further authorized to appoint its own harbormaster to enforce any harbor regulations for the District, and who may also be granted additional powers and jurisdiction from the Town.

The Fire District's Harbor Management Program shall remain separate from the Town of Narragansett administratively; however, it is contained as an element of the Town's overall Harbor Management Plan. The Bonnet Shores Fire District was incorporated by the R. I. General Assembly in 1932, and the District has a degree of autonomy from the Town. The ordinances and bylaws relating to harbor management and the appointment of a harbormaster are included at the end of this chapter. Although operating under a separate harbor management ordinance and bylaw, a cooperative relationship exists between the Bonnet Shores Fire District and the Town of Narragansett in relation to harbor management measures.

Many of the general recommendations in the Harbor Management Plan may also apply to the Fire District, with the exception of any specific issues and areas as noted. The issues, goals, and recommendations which are addressed in this chapter concern only those water-related matters which are unique to the Bonnet Shores area and the adjacent coastal waters within its jurisdictional limits.

Multi-Use Inventory

The main harbor area can be described as a cove which is located shoreward of a line drawn from the east end of Onondeg Road and extending in a southeast direction to the northeastern most point of 'The Bonnet'. A stone jetty extends seaward from the east end of King Philip Road and divides the area into two sections, north and south of this feature. Moreover, a sandbar {approximately 1.5' deep} extending from the east end of Anchorage Road is often exposed during low tides. This sandbar extends from the east end of Anchorage road to the east end of the jetty and terminates at Onondeg Road. This sandbar further divides the cove into an inner and outer harbor, although during high tides it will be approximately 6' below the surface of the water.

A small beach area providing seasonal lifeguards is located to the north of the jetty. Immediately to the south of the jetty is a launching ramp, and lying adjacent to the south of this, a fixed pier with a floating dock. The dock extends approximately 25 feet seaward from the mean high tide line. Mooring areas include the areas south of the jetty to Bonnet Point, and the mooring area near the dock. No swimming is permitted in mooring areas.

Approximately 30 moorings for small boats have been positioned to the south side of the jetty and shoreward of the sandbar. Approximately 35 larger vessels are moored outside of the sandbar. A fairway extends seaward from the launching ramp and dock.

Recreational clamming takes place on a limited basis in the shallow mooring areas.

The shoreline south of the cove along The Bonnet is rocky and is occupied mainly by recreational fishermen and sightseers. Some lobster traps and occasional divers and surfers can be found in the near-shore area.

To the west of Bonnet Point is a narrow inlet connecting Wesquage Pond to the open waters of Narragansett Bay. West of the inlet is a sandy beach utilized by the Bonnet Shores Beach Club. This area is used for recreational swimming, and is marked with buoys which are placed to prohibit boat traffic and to demarcate the area for swimmers. The rocky shoreline resumes and continues south from the beach area.

Natural Resources

In the main harbor area, eelgrass beds can be found along the length of the jetty to the north, with scattered shellfish to the south, however, the latter is rather scarce. Flounder and fluke reside in the outer harbor to the east of the sandbar. Various finfish such as striped bass and blackfish are species which congregate in the area near the north end of The Bonnet, as well as to the south at Bonnet Point. Lobsters and crabs can also be found along The Bonnet between these two points.

The Bonnet Shores Beach is a moderately developed barrier beach. The cove directly to the south is generally a sandy area, and, when the weather is harsh, particularly from a southerly direction, striped bass can be found working the surf. Blue fish come directly into the cove area as well. Sea clams also accumulate in the cove.

Wesquage Pond

Wesquage Pond is a barrier pond located in Bonnet Shores to the north of the Bonnet Shores Beach. It is divided by a causeway into a 58-acre east basin and a 13-acre west basin, and is fed mainly by surface runoff from the surrounding area. Freshwater inputs also come from a stream that contributes to the 400+ acre watershed on the north side of the pond. Overall, the pond contains generally brackish water, though the west basin is less saline than the east.

An inlet to the pond is located on the south side of the east basin on Bonnet Shores Beach. The Fire District has a permit on file with the State (CRMC) for seasonal dredging of this inlet. In addition, flushing action over the barrier beach occurs from Narragansett Bay during times of high tides and storm events.

A wide band surrounding the entire pond is located within the 100- year flood zone. The flood zone is particularly pronounced on the southern and northeastern sides of the pond. Generally speaking, the

soils immediately surrounding the pond are characterized by high water tables. The north and northeast shores of the pond are sewered.

The pond average 4-5 feet in depth and has a soft mud bottom. Fish species such as pike, freshwater bass, and perch can be found in the waters of the pond, and numerous species of waterfowl dominate the general area as well. The Narragansett Comprehensive Land Use Plan documented 32 docks on the pond.

Water Quality and Classifications

All of the coastal waters surrounding Bonnet Shores and including Wesquage Pond are classified as Type 1 (conservation areas) by the CRMC. The one exception is for those waters north of a line extending seaward from Bonnet Shores Road, which are classified as Type 2 (low-intensity use). In addition, southern Wesquage Pond, from the inlet south to the sea, including all land occupied by the Bonnet Shores Beach Club, is classified as a Moderately Developed Barrier Beach by the CRMC.

The entire east facing shoreline of Bonnet Shores is classified by FEMA as a velocity zone, as is northern Wesquage Pond and the Bonnet Shores Beach Area. Wesquage Pond and the adjacent southern shoreline are further classified by FEMA as an Undeveloped Coastal Barrier.

The Rhode Island DEM classifies the waters surrounding Bonnet Shores as class SA. Class SA is the highest salt water designation which waters in the state can receive. SA waters are suitable for bathing and contact recreation, shellfish harvesting for direct human consumption, and for fish and wildlife habitat.

Boating Safety

Issues: Several issues that appear to be problematic for the BSFD include the operation of vessels close to the beach, high speed of vessels in mooring areas, generally reckless operation, and a general lack of enforcement presence. The Harbormaster resources are currently limited with regard to enforcement and presence. Reckless operation of vessels occurs in both mooring areas and in swimming areas, and has been attributed to individuals not familiar with the regulations.

Recommendation 1: In an effort to increase enforcement response time and/or timeliness for emergency situations, a direct line of communication with the Narragansett Harbormaster and/or the Narragansett Police Department is necessary. A police band two-way radio would provide a relatively inexpensive and reliable means of communication which would allow for more appropriate enforcement and/or assistance in an otherwise unenforceable area. Lifeguards may also be provided with radios, as they are present in swimming areas for extended periods, whereas the harbormaster is currently a part-time position. The BSFD could pay for 1/2 of the two-way radio and allow several individuals to operate them.

Recommendation 2: In an effort to increase boating safety education for Bonnet Shores residents and visitors, workshops on the BSFD rules and regulations, and R.I. boating regulations should be instituted at least once during the boating season. This may be accomplished with the help of groups such as the R.I. Harbormasters Association, and can be held in the Bonnet Shores Community Center. Additionally, posting the rules and regulations at the dock is recommended. Yearly Courtesy Marine Examinations conducted by the Coast Guard Auxiliary are also recommended. This complimentary service provides a comprehensive evaluation of all federal and state safety equipment required for recreational vessels, as well as additional standards recommended by the Auxiliary. This would provide an added level of safety and education for all boaters in the Bonnet Shores Fire District.

Recommendation 3: Another recommendation to increase safety in and near the mooring areas is to institute a no wake zone in the area surrounding the mooring areas. This suggestion is offered to protect all persons and property from damages caused by wake or irresponsible vessel operation. Lifeguards and/or the harbormaster should document areas that are susceptible to unsafe boating practices. Posting safe speed limits and/or no wake zone signs in areas that are prone to reckless vessel use is another method that should be examined.

Storm Management

Due to the limited number of boating access points in Bonnet Shores, a well thought-out strategy for storm preparedness is necessary. For example, during Hurricane Bob in 1991, the removal of vessels from the mooring areas was chaotic. In particular the task of organizing and contacting individuals with moorings is in need of improvement. As it has been shown by the damage incurred by the number of storms and hurricanes that have hit the Rhode Island coastline, it is imperative that preparation for hazard mitigation occur long before an emergency occurs. Although the land and water under the BSFD's jurisdiction is a relatively limited area, the issues of storm preparedness are the same. As CRMC has recommended, a comprehensive storm preparedness plan must be developed and implemented.

Recommendation 1: Work with the Town of Narragansett, the R.I. Emergency Management Agency, and Coastal Resources Center on the development of a Hazard Mitigation Strategy that includes the Bonnet Shores area. Furthermore the development of a written contingency plan that addresses the notification requirements of all mooring owners in the event of a severe coastal storm event is imperative. Establish strategies for the response efforts and for a safe, timely, and effective means of evacuating the harbor and making necessary land and water based provisions before the arrival of the storm. A mitigation element and response to other natural disasters should be included in this evaluation.

Recommendation 2: Research the possibility of raising and extending the existing jetty in an effort to provide an additional level of protection for mooring areas and the adjacent shorelines.

Moorings

The Bonnet Shores harbormaster is responsible for the proper administration of the designated mooring area. Anyone can apply for a mooring permit, however, there is very limited parking available. The BSFD collects mooring fees for the moorings in the cove adjacent to Bonnet Shores at a cost of \$4.00/foot, with a minimum charge of 15 feet, or \$60.00.

The harbor has the capacity to hold approximately 75 moorings due to the configuration and natural harbor areas. This is also a management consideration. A waiting list shall be developed when maximum occupancy has been met, as determined by the harbormaster.

Inspection of moorings is the responsibility of the individual mooring owners. A signed document verifying inspection is required to be kept on record with the harbormaster as a condition for placing a mooring in the cove. Minimum mooring specifications as defined in section 7 of the Bonnet Shores Fire District Harbormaster Ordinance are as follows:

Boat Size	Chain Size	Rope Size	Mushroom Weight
12' – 14'	5/16"	"	50 lbs
14' – 17'	5/16"	"	75 lbs
17' – 20'	3/8"	"	100 lbs
20 – 23'	3/8"	5/8"	150 lbs
23' - over	"	5/8"	200 lbs

The determination of where moorings shall be located is the responsibility of the harbormaster, who keeps on record a detailed map of the mooring area. Moorings are located to the south of the jetty, with small boats concentrated in the inner harbor shoreward of the sandbar, and larger vessels seaward of the sandbar, in the outer harbor. Actual placement of moorings is the responsibility of the individual mooring owners at the request of the Harbormaster.

Transient anchoring is permitted anywhere outside of the mooring fields, but is discouraged adjacent to the swimming areas north of the jetty. This has been the policy of the BSFD due to the potential for unmanned boats to break free and go into swimming areas or into other vessels. Transients may access the dock for 15 minutes for loading and unloading of persons and gear.

Recommendation 1: Establish an administrative system to allow for mooring inspections to be contracted out and performed by a competent professional. This will ensure the safe and proper

inspection of all moorings, and will set uniform minimum standards which all mooring owners will have to meet as a requirement for obtaining a mooring permit.

Recommendation 2: Placement of buoys to delineate the boundaries of the mooring areas pursuant with State of Rhode Island guidelines - This will serve to lessen user conflicts in the vicinity of the mooring fields by clearly designating an exclusion zone for vessel activities which involve the vessel operating at speeds in excess of ten (10) miles per hour.

Launch Ramp

Residents of the Fire District wishing to utilize the ramp to launch boats only pay a \$30.00 annual fee. This ramp was built using private funds on property deeded to the Fire District. Use of the ramp is controlled via a locked gate, with the harbormaster controlling access.

Conclusion

The objective of the Bonnet Shores Fire District is to provide for an efficient and equitable system of harbor management for all persons, waters, and shorelines within its jurisdiction. Preservation of the environment, promotion of personal and boating safety, mooring management, and enforcement of the Harbormaster Ordinance is essential in order for this objective to be met. Coordination, cooperation, and consistency with all harbor management and enforcement officials on the local, state, and federal levels shall occur, and will follow the proper hierarchy within the present system.

APPENDIX 4 – STORM PREPARDNESS PLAN

100. Authority:

The primary authority for carrying out the responsibilities detailed in this plan is vested with the Harbormaster, who will work in cooperation with the harbor commission. 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 emergency management officer. The Harbormaster shall be a member of the Emergency Management Committee.

200. Goals of the Harbor Hazard Mitigation Plan

To prevent the loss of life and property by:

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

300. Risk Assessment

310. General Harbor Characteristics:

The bottom consistency of Point Judith Pond is mainly mud. The average depth in the Pond is approximately 4 feet. The Narrow River has mainly a sand and gravel bottom. The average depth in the Narrow River is approximately 4 feet.

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

1. Open space – approximately 20% of Narragansett’s waterfront is open space.
2. Residential - this use totals approximately 80% of the land use. Generally, the single family dwellings are built upon lots that range from 10,000 square feet to 1 acre.
3. Commercial - commercial waterfront uses such as marinas, vessel repair businesses and restaurants are located along the waterfront.

320. High Hazard Areas:

Historically, flooding has always been significant during storm events for Narragansett.

330. Risk Assessment Table

Threat	Marine interest	Effect	Result -1	Result -2
Flood/surge	Boaters on moorings and docks	Decreased scope	Dragging	Threaten shoreline homes and businesses
	Marina facility	Flooded facility Docks topping piles	Floating debris Spills of hazardous material Freed docks and boats	Threaten surrounding
	Private residences	Flooded property Docks topping piles	Freed docks and boats	
Wind	Boaters on moorings	Windage	Dragging or pennant structural damage	

400. Strategies for Preparedness, Response and Recovery

410. Town of Narragansett - The Harbormaster Division, in conjunction with the United States Coast Guard, will coordinate all harbor activities related to preparation, response and recovery. This will be done in coordination with the emergency management officer and other department heads.

410.1 Preparedness - The Town of Narragansett, through its Harbormaster Division, in conjunction with the United States Coast Guard, will activate the following preparedness, response and recovery plan 72 hours prior to a severe storm event or as necessary for unpredictable events.

LEVEL 3 - 72 HOURS

1. If hurricane, 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 fuel tanks are full and reserve batteries are charged
5. Inventory and update first aid equipment and other onboard emergency tools
6. Contact local marinas and boat moving companies for statuses to relay to mariners.
7. Maintain radio watch
8. Alert local port community, encouraging boat owners to seek safe refuge, remove boats from water, or take action to minimize damaging effects
9. Alert local marinas, marine interests, holders of mooring permits, and occupants of special anchorage areas to impending emergency.
10. Keep Marine Safety Office (MSO) Providence apprised of hazardous conditions in harbor
11. Document waterfront using photographs or video
12. Start tracking time and resource allocations for possible state and federal reimbursement.
13. Post notice to have all vessels removed from Town docks.

LEVEL 2 - 48 HOURS

1. Continue to perform activities in level 3
2. Contact mooring permit holders who are not complying with preparedness plan.
3. Assist marinas/waterfront business with special requests
4. Continue to manage harbor traffic as it increases
5. Finalize emergency work schedule with assistant Harbormasters
6. Confirm arrangements to have Harbormaster vessel hauled and stored
7. Preparation of town properties with department of public works, that includes:
 - removing all town equipment from flood plain
 - securing all items such as trash bins, benches, etc.
 - complete necessary precautions for Harbormaster office
8. Establish liaison with police, fire and public works departments
9. Alert maritime community to unsafe conditions in the harbor as needed
10. Curtail regular business activities
11. Begin regular patrols of the harbor to ensure necessary individual precautions are begin taken
12. Advise MSO Providence as to the status of emergency preparedness in progress
13. Alert local harbor community to any impending closure of anchorages or waterways.
14. Encourage local marinas to suspend fueling operations and to secure fueling piers sufficiently to minimize pollution threat.
15. Inventory of individuals who plan on staying on their moored vessels during the storm event.

LEVEL 1 - 24 HOURS

1. Final patrol of the harbor
 - inventory number of vessels and precautions taken by harbor and shoreline users
 - clear public pier of vessels and equipment
2. Log information on transient boats (see section 82-178)
3. Fuel Harbormaster vessel
4. Haul and store Harbor Patrol vessel with assistance of the Department of Public Works
5. Complete shoreline survey and final harbor check from shore
6. Alert harbor community and MSO to any unsafe conditions in harbor
7. Continue to perform pertinent level 2 activities.
7. All vessels must be removed from town docks at this time. Transient moorings **will not** be allowed to be used during any storm event.
8. Raise hurricane signal twelve hours prior to storm's arrival

410.2 Response - The Town of Narragansett's policy is that no emergency watercraft will be dispatched for emergency response during a storm event. All requests for assistance will be forwarded to the nearest Coast Guard Station. This policy will remain in effect unless revoked by the Fire Chief or Town Administrator. The Harbormaster will remain on-call to address any harbor related issues. This will also allow the Harbormaster vessel to begin operation immediately at the conclusion of storm. The Harbormaster shall monitor police, fire and marine frequencies throughout the event.

410.3 Recovery - Immediately after the event has terminated, the town has three recovery priorities.

Priority 1:

Reestablish the Harbormaster's Office as an operational unit in order to facilitate the second and third priority

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 following sequential actions will be taken:

IMMEDIATE 24 HOURS

1. Assess readiness of the Harbormaster's Office, correct deficiencies
 - reestablish radio communications.
2. Complete rapid appraisal of damage
3. Provide damage assessment information to town officials and to MSO Providence.
4. Initiate pre-established contracts services companies (towing, salvage) if required
5. Institute security watches as necessary
6. Alert maritime community to unsafe conditions in the harbor
7. Provide damage assessment information to town officials and to MSO Providence
8. Track time and resource allocation of Harbormaster's Office 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 unidentified boats to MSO Providence and DEM Enforcement
4. Contact local harbor and shoreline users to assess their situation
5. Provide MSO Providence with a daily harbor status.
6. Begin to remove large pieces of floating debris from the harbor
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 within 30 days of storm event for Town Council and Town Administrator.
2. Review mitigation list and selection 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
7. Assist emergency situations as appropriate
8. Track time and resource allocations for possible state and federal reimbursement.

420. Harbor and Shoreline Users

421. Marina facilities - As part of the Town of Narragansett's harbor hazard mitigation plan, all marina facilities as defined by CRMC, will submit a hazard mitigation plan to the Harbormaster within 90 days of this document being approved. The facility's plan will be updated annually and any changes will be reported to the Harbormaster by January 1 of each year.

Facility plans will include:

- Primary contact person primary and secondary phone numbers.
- VHF channel that is monitored
- List of facility staff that is expected to assist in preparation, response and recovery phases.
- List of hazardous material stored on site (i.e. waste oil, fuel tanks, solvents). This information can be extracted from the facilities Environmental Operations and Maintenance Plan.
- Inventory of potential recovery equipment (heavy equipment, generators), including outside contracts for special equipment for recovery phases
- Debris disposal plan
- Special assistance requested from town
- List of preparation, response and recovery activities and timing

422. Boaters - Boats moored on possible town managed moorings will be required to submit a preparedness plan. This will be accomplished by adding a preparedness plan questionnaire as part of the annual mooring renewal forms. For a mooring permit to be approved, the questionnaire must be completed and returned with 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. 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. 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, increase scope.

Boaters should also consider:

- Bypassing the mooring swivel and attach the chain directly to the pennant.
- Hauling their boat and storing it upland
- Leave anchor lights and auto bilge pumps on.
- Ensure that self-bailing cockpit drains are clear of debris
- Add an emergency catenary 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 business are expected to take the necessary precautions to protect their property.

424. Shorefront home owners- All shorefront homeowners are expected to take the necessary precautions to protect their property.

425. Special Hazards

1. Transients- vessels not usually moored in the harbor, but seeking safe refuge will be allowed to moor in the specified anchorage areas. Transit yachts will not be allowed to tie to a mooring if not 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 were owner can be contacted

2. Passenger vessels and ferries- As deemed necessary by the Harbormaster, local passenger vessels and ferries will submit individual plans to the Harbormasters. These plans will include information about planned preparedness, response and recovery actions.

500. Inventory of longer term mitigation projects

1. Maintaining the existing seawalls. Although it does not provide complete protection, there is a measure of safety gained by having the seawall properly maintained.

2. Methods to increase scope within the harbor without losing surface area maximization should be explored. 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 for gridding the mooring field that will allow space maximization and increased scope.

3. Implement an annual education and training program conducted by the Harbormaster for the public. This 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 business.

4. The Harbormaster should compile a list educational material that can be shared with harbor and shorefront users.

5. Maintain an accurate lists of principle marine interests including marinas, waterfront business, neighboring Harbormasters, Coast Guard, Towing and Salvage Companies, Environmental Response teams, Key vessel operators (charter boats and ferries) fishing cooperatives, etc.

6. Starting at the beginning of each hurricane season (June 1) the Harbormaster shall:

- review local harbor hazard mitigation plan and update as necessary

- distribute and post revised plan
 - inspect all storage sheds, outbuildings, and portable office trailers for proper tie-down.
 - inspect all emergency power sources and lighting systems to ensure they are operational
 - prepare and distribute a storm checklist to boaters
7. Conduct a Disaster Mitigation workshop for Business and Industry in cooperation with RI Emergency Management Agency. Propose activities that can be implemented to mitigate damage. Suggested actions for local coastal business may include:
1. Place more essential equipment and functions on higher levels of the structure, above the anticipated flood level;
 2. Construct berms around the facility;
 3. Install or have dewatering pumps;
 4. Provide emergency generators and potable water storage;
 5. Install blowout plugs in floor slabs whose elevation is below anticipated flood elevation.
 6. Install master shutoff valve controls for sewer, gas, and water above anticipated flood elevation;
 7. Reinforce walls to carry hydrostatic and hydrodynamic loads;
 8. Install flood proof electrical systems and utility cores in areas subject to flooding; and
 9. Install safety glass in windows.
8. Assess the feasibility of developing a volunteer corp. that can assist the Harbormaster secure vessels during the phase or maintain security patrols after an event.

600. Coordination

Memorandum of Agreement shall be entered into with the Department of Public Works to establish the working relationship between it and the Harbormaster for completing the following activities: preparing public waterfront property and hauling and storing the Harbormaster vessel. The harbor commission 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. Encourage and participate in the maintenance, restoration and enhancement of beaches and dunes.
2. 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.
3. Attempt to minimize public expenditures and reduce risk to public infrastructure and facilities through redevelopment
4. 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
5. Require shorefront areas replacement of non-conforming uses and eliminate unsafe conditions and inappropriate uses as opportunities arise
6. Identify shorefront areas that shall 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, coastal management, the town should consider the following policies.

1. The town should 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. Post-storm redevelopment options should consider impacts to evacuation routes, as determined by emergency management officials.
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 replatting to accommodate post-storm relocation of structures landward.

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