

Updated 1/13/10 hk  
Version 4.4

# City of Newport Comprehensive Harbor Management Plan

## The Newport Waterfront Commission

Prepared by the Harbor Management Plan Committee  
(A subcommittee of the Newport Waterfront Commission)

Version 1	“November 2001”	-Is the original HMP as presented by the HMP Committee
Version 2	“January 2003”	-Is the original HMP after review by the Newport Waterfront Commission with the inclusion of their Appendix K - Additions/Subtractions/Corrections and first CRMC Recommended Additions/Subtractions/Corrections (inclusion of App. K not 100% complete) -This copy adopted by the Newport City Council -This copy received first “Consistency” review by CRMC
Version 3.0	“April 2005”	-This copy is being reworked for clerical errors, discrepancies, and responses to CRMC’s review
3.1		-Proofreading – done through page 100 (NG) Inclusion of NWC Appendix K – completely done (NG) -Inclusion of CRMC comments at Appendix K- only “Boardwalks” not done (NG)
3.2		-Work in progress per CRMC’s “Consistency Determination Checklist” : From 10/03/05 meeting with K. Cute : From 12/13/05 meeting with K. Cute
3.3		-Updated Approx. J. – Hurricane Preparedness as recommend by K. Cute (HK Feb 06) 1/27/07
3.4		- Made changes from 3.3 : -Comments and suggestions from Kevin Cute -Corrects a few format errors -This version is eliminates correction notations -1 Dec 07 Hank Kniskern
3.5		-2 March 08 revisions made by Hank Kniskern and suggested Kevin Cute of CRMC. Full concurrence. -Only appendix charts and DEM water quality need update. Added Natural Resources Areas Appendix K (JO) <u>State Plane Coordinates</u> and GPS for mooring areas, Update Change Appendix (Aug 18, 2008 - HK)
4.3		Update Change Appendix (Aug 18, 2008 - HK)
4.4		Final version incorporating City Council changes 1/26/10

Table of Contents

INTRODUCTION.....1  
    Definition and purpose.....1  
    Methodology.....2  
    Vision Statement.....3  
    Foreword.....4  
    History.....5  
    Plan Element GOALs.....6  
    Summary of Significant Recommendations.....8

SUMMARY OF GOALS, POLICIES AND RECOMMENDED ACTIONS, by PLAN  
ELEMENT.....9  
    A. MARITIME MANAGEMENT.....9  
    B. PUBLIC ACCESS.....11  
    C. CRMC WATER TYPE / DEM WATER QUALITY.....18  
    D. MOORING AND ANCHORAGE MANAGEMENT.....25  
    E. HAZARD MITIGATION AND SAFETY.....34  
    F. FACILITIES.....37

HARBOR MANAGEMENT ELEMENTS.....40  
    A. MARITIME MANAGEMENT Element.....40  
    1. INTRODUCTION.....40  
    2. BACKGROUND.....40  
        2a. Inventory.....40  
        2b. Statutory Authority.....40  
    3. ISSUES AND NEEDS ANALYSIS.....41  
    4. GOALS, POLICIES AND RECOMMENDED ACTIONS.....41  
    B. PUBLIC ACCESS ELEMENTS.....51  
    1. INTRODUCTION.....51  
    2. BACKGROUND.....51  
        2A. Inventory.....52  
        2B. Statutory Authority.....64  
    3. ISSUES AND NEEDS ANALYSIS.....55  
    4: GOALS, POLICIES AND RECOMMENDATIONS.....57  
    C. CRMC WATER TYPE / DEM WATER QUALITY Element.....68  
    1. INTRODUCTION:.....68  
    2. BACKGROUND:.....68  
        2A. Inventory.....69  
        2B. Statutory Authority.....83  
    3. ISSUES AND NEEDS ANALYSIS:.....83  
    4. GOALS, POLICIES AND RECOMMENDED ACTIONS:.....84

D. MOORING AND ANCHORAGE MANAGEMENT ELEMENT.....	91
1. INTRODUCTION.....	91
2. BACKGROUND.....	91
2A. Inventory.....	91
2B. Statutory Authority.....	93
3. ISSUES AND NEEDS ANALYSIS.....	94
4. GOALS, POLICIES AND RECOMMENDATIONS.....	97
E. HAZARD MITIGATION AND SAFETY ELEMENT.....	122
1. INTRODUCTION:.....	122
2. BACKGROUND:.....	122
2A. Inventory.....	131
2B. Statutory Authority.....	134
3. ISSUES AND NEEDS ANALYSIS:.....	125
4. GOALS, POLICIES AND RECOMMENDED ACTIONS:.....	126
F. FACILITIES ELEMENT.....	131
1. INTRODUCTION.....	131
2. BACKGROUND.....	131
2A. Inventory.....	137
2B. Statutory Authority.....	140
3. ISSUES AND NEEDS ANALYSIS.....	134
4. GOALS, POLICIES AND RECOMMENDATIONS.....	135
APPENDIX A – Charts and Maps.....	142
APPENDIX B – Issues raised at initial public meeting.....	143
APPENDIX C –Visitors to Newport Harbor Survey Summary.....	145
APPENDIX D –Mooring Lessee Surveys Summaries.....	151
1. Private Mooring Holder Survey Summary.....	151
2. Commercial Mooring Holder Survey Summary.....	160
APPENDIX E – Reserved for Future Use.....	169
APPENDIX F – Inventory of Public Access to the Water.....	174
APPENDIX G – Proposed Ordinance for Coastal Waters and Harbor Areas.....	202
APPENDIX H – Acronyms and Glossary of Terms.....	219
APPENDIX I – Sources Consulted.....	224
APPENDIX J - Hurricane Preparedness Plan.....	233
APPENDIX K – Natural Resources Areas.....	240
APPENDIX L- Waterfront Commission Edits.....	244

## **INTRODUCTION**

### **DEFINITION AND PURPOSE**

A comprehensive harbor management plan is a method to establish a community's goals, objectives and policies for the public and private uses of its tidal waters.

The Rhode Island Coastal Resources Management Council (CRMC) mandates all Rhode Island coastal communities to develop and submit formal Harbor Management Plans to address all waterfronts and shore-side permitted uses, water quality, safety issues and rules for their management.

CRMC requires that specific elements be studied and rules and recommendations developed for the plan so conflicting and overlapping use issues can be resolved equitably. An inventory of harbor resources and facilities is also to be included to aid in future planning and conflict resolution. Implementation programs, outlining strategies for achieving and enforcing goals and policies in the plan are required.

The required plan elements are:

- Public Access
- Water Quality
- Mooring Management
- Storm Preparedness

Communities may also include other elements of concern in their plan.

Title 46, Section 4 of the General Laws of Rhode Island grants municipalities the authority to establish Harbormaster ordinances and rules and regulations pertaining to the administration of their harbors. The Harbor Management Plan must be consistent with rules of the applicable agencies of the State of Rhode Island and the Federal Government. When this plan is officially adopted by the City of Newport it must then be approved by the Rhode Island Coastal Resources Management Council, The Rhode Island Department of Environmental Management and US Army Corps of Engineers to become official.

By developing and adopting a Harbor Management Plan, Newport will create an official vision for its harbor areas and establish methods for achieving that vision. The plan will provide guidance to the City government, Boards, and Commissions during decision-making regarding appropriate harbor development and maritime activities and provide guidelines for evaluating proposed projects in and abutting the tidal waters of Newport. The Plan will also function as a reference for state and federal agencies, reflecting the intentions and desires of the City for projects using or affecting its waters.

We recognize that implementation of some of the recommended components of this plan may require seeking actions by state or federal government or revision of the City charter, but believe that the effort is warranted for the long term good of the community.

**METHODOLOGY**

With the approval of the City Council, The Newport Waterfront Commission appointed a subcommittee of sixteen citizens who volunteered to serve as members of a Harbor Management Plan Committee in November 1996. Collectively, committee members represent personal involvement and knowledge in a broad range of Newport’s water related interests and institutions, such as the following:

- |                                |                              |
|--------------------------------|------------------------------|
| Friends of the Waterfront      | Sport Fishing                |
| Foundation for Newport         | Yacht Clubs                  |
| Maritime Preservation Alliance | Seamen’s Church Institute    |
| Water-dependent Business       | Tourist/Hospitality Industry |
| Newport Resident               | Newport Business             |
| Conservation                   | Sail Newport                 |
| Marina Operation               | Commercial Fishing           |
| Recreational Water Use         | Comprehensive Land Use Plan  |

**Harbor Management Plan Committee Members  
August 2001**

- |                       |                        |
|-----------------------|------------------------|
| Geoffrey Clifford     |                        |
| Douglas Cohen         |                        |
| Joseph Davis, Jr.     |                        |
| Martin Douglas        |                        |
| Vic Farmer            |                        |
| Townsend Goddard      |                        |
| L. Neill Gray         |                        |
| John E. Hall          | Chairman               |
| Charlotte Johnson     |                        |
| Peter McCrea          |                        |
| Michael Muessel       |                        |
| James Osborn          |                        |
| Paul Preston          |                        |
| Jennifer Stewart      |                        |
| <i>Consultant</i>     | Frank J. McNeilly      |
| <i>City Planner</i>   | Andrew Deionno         |
| <i>Former Members</i> |                        |
| Shawn Brown           | <i>inactive 4-'99</i>  |
| Mark Chramiec         | <i>resigned 6-'99</i>  |
| John Curran           | <i>resigned 10-'98</i> |
| Bart Dunbar           | <i>resigned 10-'99</i> |
| Mark Fallon           | <i>resigned 9-'98</i>  |
| Michael Fitch         | <i>resigned 12-'97</i> |
| Jeffrey Sammis        | <i>moved 11-'01</i>    |

2008 – Final Versions Participants: Hank Kniskern, John O’Brien, Neill Gray

The Harbor Management Plan Committee organized itself into subcommittees to study and develop details for specific the plan elements. Subcommittee final recommendations were subject to approval by the full committee. Members served on sub-committees according to their interest, knowledge and background, and all committee members served on more than one subcommittee. Ultimately, six subcommittees were needed to complete the plan. The full committee held 54 meetings, in addition to the many subcommittee meetings in developing the final plan draft which was adopted and sent to the Waterfront Commission in September 2001.

At the beginning of the planning process, a public workshop was held on the evening of February 5<sup>th</sup>, 1997 to receive public input and discuss citizen concerns and issues pertaining to the harbor and coastal waters. More than 100 Newporters attended and participated in these discussions. The 65 specific issues raised at this workshop were carefully recorded and subsequently assigned to various subcommittees for consideration in their deliberations on plan elements. Several more issues were added to the list by committee members following the public workshop to bring the total to 71.

Three separate in-depth surveys were conducted among Transient Maritime Visitors, Private Mooring Lessees, and Commercial Mooring Renters, to gather information on user perceptions of harbor services and needs. The response was good to all three surveys, with Private Mooring Lessee response nearly 50%. The data collected from these surveys gave the committee members excellent factual and user opinion information about current likes, dislikes and desires of boaters.

The Committee invited several experts to attend meetings to provide information on issues of interest to members.

This Harbor Management Plan was written to comply and agree with the City of Newport Comprehensive Land Use Plan, so that it can eventually be integrated into that plan.

The Harbor Management Plan Committee wishes to recognize the very generous support of the Prince Foundation for its grant of \$4,500 to offset much of the cost of printing, copying, mailings for the committee process and the fee for our expert consultant, Frank J. McNeilly.

## **VISION STATEMENT**

*The purposes of this plan are to provide goals, policies and implementation recommendations for the preservation, future protection, and management of Newport's Harbor and Oceanfront. It is a guide to the wise and sustained use of these national and historic treasures in anticipation of the changing uses that citizens will wish to make of this priceless and finite resource, while complying with state and federal regulations.*

## **FOREWORD**

The Newport citizens serving on the Harbor Management Plan Committee were fortunate that the City already had a working Harbor Ordinance that addressed many of the operational and policy items required by the Rhode Island Coastal Resources Management Commission's guidelines for Harbor Management Plans.

Much of our work has involved reviewing and recommending modifications to the City's existing ordinances and operational practices, rather than starting from scratch and drafting entirely new rules and recommendations.

We have also considered the changes in the ways that people will want to use the waters of Newport and the safeguards that these changes will require, while preserving the all-important historic uses and character of our harbor and oceanfront.

Our studies and surveys have found that:

- The operations of the Harbor Authority are well understood by boaters.
- Harbor mooring rules have evolved in response to changing needs.
- The infrastructure of the harbor has been seriously neglected over the years, particularly with respect to capital maintenance and improvements.
- The traditional attitude has been that the harbor should be supported just by the revenue from presumed-to-be-rich boat owners who moor or anchor their vessels here.
- The flow of revenues from harbor activities, such as mooring fees, has been merged into the general fund of the City so it has been difficult to establish the actual cash revenue to the City from harbor maritime activities and to relate it to the City's investment in maintaining and improving the harbor.
- In recent years competition from other destination ports has increased and the quality of the facilities, services and harbor friendliness they offer has improved greatly. We need to insure that our harbor measures up to the competition.
- There is no infrastructure to monitor, preserve, protect and improve land-based coastal and waterfront recreational activities such as Cliff Walk, Harbor Walk, Ocean Drive and other activities with great visual appeal for the land-based resident and visitor.

It appears that the City has taken its priceless harbor and ocean-front assets for granted and perhaps lost sight of the basic fact that Newport's harbor and shoreline is the fundamental economic engine that drives our local economy.

The City should evaluate the need for capital investment in maintaining, enhancing and managing these assets in relation to their importance to the entire economy of Newport, not just in relation to direct revenues such as harbor mooring license fees.

If it were not for the beautiful harbor and ocean front there would be few if any fine restaurants, no Navy establishment, no Navy-linked defense contractor industry, no fishing industry, no major yachting events drawing world-wide attention, no Bed and Breakfast inns, no luxury hotels, and probably no tourists. Hospitality professionals rate the view of the harbor and its fleet of beautiful vessels moored as a major draw for their establishments.

Assets of this critical importance deserve to be well-funded, well-maintained, protected and enhanced.

Specific recommendations in this plan document focus on these issues and steps that should be taken to strengthen harbor and oceanfront administration in order to preserve and enhance their function as the City's most important assets.

We urge their careful consideration and adoption by the City's leaders.

## **HISTORY**

Newport developed around the water and shipping needs of colonial America due to her naturally well-protected harbor. Historical research has shown quite clearly that the Newport waterfront has always had economic diversity while maintaining a strong maritime connection. Development occurred around the waterfront, both commercial and residential, side by side, similar in scale and using common building materials. Newporters lived and worked on the waterfront. The main roads and government buildings were built to have direct access to the waterfront.

As the colonial population grew, along with development of the trade routes, the waterfront became a major force in commerce, equal to Boston and New York. Newport was a center of raw materials processing (molasses to rum, candles, furniture) and support services developed for these industries. After the Revolutionary War, exports dropped off and the military presence became stronger with the construction of Fort Adams followed by military production facilities such as the Torpedo Station founded in 1868. The Fall River Line began ferry services and rail services into Newport, and as early as 1840, Newport started to market itself as a tourist destination. The waterfront was used to attract tourists, and from the mid 1800's, souvenir shops can be found. In 1880, recreational sailing began with The New York Yacht Club's Station 6, ultimately bringing the America's Cup Races and a new era of elegance to Newport. The many sailing events then and now have managed to maintain a steady influx of sailing enthusiasts who contribute heavily to the local economy and Newport's image as a world yachting center.

There was a major naval ship fleet presence in Newport from the Second World War until a major withdrawal of ships in the early 1970's, leaving the Naval Training Center, War College and Naval Undersea Warfare Center. In the 1970's, with the rise in recreational sailing and tourism, redevelopment began to change the face of the waterfront, and access for maritime business became more and more limited as other property uses developed. The city underwent

an extraordinary growth period attempting to meet the demands of the tourist industry, replacing waterfront shipyards and wharves with non-water-dependant time-shares, condominiums, hotels and motels. The “working waterfront” is now significantly reduced and the historical mix of the water-dependant usages of commercial fishing, shipyard vessel construction and maintenance and marinas with shops and hotels and condominiums should be stabilized to avoid further loss of the character of the harbor as a working seaport.

## **PLAN ELEMENT GOALS**

### **Maritime Management**

1. Create a Maritime Department (replacing the Harbormaster Department)
2. Create a Maritime Commission (replacing the Waterfront Commission)
3. Formulate the Desired Development Direction for Newport’s Waterfront and Shoreline
4. Develop the economic potential of Newport’s waterfront and shoreline
5. Develop a public relations program specifically pertaining to Maritime Resources

### **Public Access**

1. Provide public access to tidal waters of the City of Newport.
2. Document existing public access to Newport tidal waters
3. Expand and improve access to Newport tidal waters
4. Guarantee and protect future public access to Newport tidal waters

### **Water Quality**

1. Develop programs that will minimize the introduction of pollutants into tidal waters of the municipality from recreational boats and shore-side activities.
2. Ensure there are sufficient facilities for the safe and sanitary disposal of organic vessel-generated waste through a comprehensive marina pump-out installation and maintenance plan, for vessels at dock and vessels at mooring.
3. Develop programs for municipal facilities to provide for disposal of common trash and hazardous materials such as waste oil, plastics, varnish, batteries and other inorganic materials at locations convenient to recreational boaters.
4. Encourage Best Management Practices (BMPs) for marinas to reduce non-point sources of pollution caused by marina operations.
5. Where significant shallow-water habitat is identified, restrict boating activities as necessary to decrease turbidity and physical destruction of such habitat.

### **Mooring and Anchorage Management**

1. Promote maximum sustainable usage of moorings and anchorages through precise definition of mooring areas, anchorage areas and navigation channels.
2. Make more efficient use of Newport waters by evaluating and recommending changes in channel, mooring and anchorage areas.
3. Define the proper function of various categories of moorings to achieve maximum sustainable benefits of moorings in Newport Harbor.
4. Improve mooring facility management practices.
5. Develop a welcoming atmosphere for transient maritime visitors.

### **Hazard Mitigation and Safety**

1. The Maritime Department to develop an **oil spill plan**.
2. Require marina operators to develop an **oil spill plan**.
3. Educate boaters and marina operators in techniques to prevent oil spills.
4. Educate boaters and marina operators to respond properly when discovering an oil spill.
5. Develop a long-term **hurricane preparedness plan** before a storm is imminent; the plan may include removing boats from docks or lowering harbor density.
6. Develop a hurricane response plan that includes immediate emergency action and utilizes all resources including staff, volunteers and equipment.
7. Enforce existing regulations and inspection procedures for mooring systems, dock construction and maintenance.
8. Educate boaters, marine facility operators and the Maritime Department to prepare and respond to storms and hurricanes.
9. Implement flood hazard mitigation techniques through comprehensive planning.
10. Prepare a **fire hazard plan** for fires aboard boats in Newport waters.

### **Facilities**

1. Ensure sufficient service facilities exist in and around the harbor to support commercial and recreational activities.
2. Ensure structural facilities in and around the harbor are safe, functional and well maintained.
3. Ensure that facilities enabling public access to through the harbor are adequate
4. Ensure fishing facilities are preserved along the waterfront and shoreline.

### **Compatibility with Newport Comprehensive Land Use Plan**

References to compatibility with specific comprehensive land use plan goals, policies and recommendations are included in the introductory section of each harbor plan element.

### Summary of Significant Recommendations

- Restructure Harbormaster Department and Waterfront Commission as Maritime Department and Maritime Commission, respectively, to respond to changing needs and opportunities in managing and maintaining all of Newport's harbor and oceanfront water resources.
- The Maritime Department would include a new Harbor Director position, which would among other things, manage the administrative requirements of the waterfront, as well as promote its uses, research grants and interface with local, state and federal organizations
- Maritime Commission's authority expanded to require review and advice to the City Council on all marine related issues affecting the City of Newport
- Create a detailed computerized database of public right-of-ways, which should include information such as easements, developer agreements, deeds, dedications, maps, etc.
- Create, and keep current, a graphic computer data base recording all Shoreline features, Mooring and Anchorage fields, Channels and specific location of every Mooring and Aid to Navigation in Newport harbor and shoreline waters, based on GPS measurement and current Government data. (The basic data base charting all Newport Waters has been created and delivered to the city)
- Pursue the development of the Harbor Walk Project
- Distribute Hurricane Preparedness plan to all mooring lessees and renters
- Create a central welcome center for visiting yachts
- The Armory be retained by the City and part of it be used as facilities for visiting harbor users
- Increase number of public dinghy docks
- Distribute information of harbor facilities for public and visiting yachters

Note: The proposed new names for the Harbormaster Department and the Waterfront Commission, *Maritime Department* and *Maritime Commission*, are used throughout the body of this plan document.

**SUMMARY OF GOALS, POLICIES AND RECOMMENDED ACTIONS by PLAN ELEMENT**

**A. MARITIME MANAGEMENT ELEMENT**

Note: The proposed new names for the Harbormaster Department and the Waterfront Commission, *Maritime Department* and *Maritime Commission* are used in the body of this plan.

**GOAL 1: Create the Maritime Department**

<b>Goal 1</b>	<b>Policy</b>	<b>Recommended Action</b>
<b>1a.</b> Create the Maritime Department		Create a separate Maritime Department distinct from any other city department reporting to the City Manager, with its own budget
<b>1b.</b> Develop the management organization of the Maritime Department		City to hire or reposition current personnel to develop a Maritime Department
<b>1c.</b> Create a position of Maritime Director		City to create the position of Maritime Director
<b>1d.</b> Re-define position of Harbormaster		City shall re-define the position of Harbormaster

**GOAL 2: Create the Maritime Commission**

<b>Goal 2</b>	<b>Policy</b>	<b>Recommended Action</b>
<b>2A.</b> Waterfront Commission to be re-named the Newport Maritime Commission	Maritime Commission members shall be required to possess substantial maritime knowledge in order to make informed decisions	Re-name the Waterfront Commission the Newport Maritime Commission
<b>2B.</b> City create a process to ensure the Newport Maritime Commission is consulted on all marine related issues	Newport Maritime Commission and Maritime Department to work together to set policy to improve communications, resources and policy.	Harbormaster and/or Maritime Director to attend monthly Maritime Commission meetings
<b>2C.</b> Re-write current city ordinance with regard to the new Maritime Commission		See proposed ordinance in Harbor Management Section

**GOAL 3: Formulate the Desired Development Direction for Newport’s Waterfront and Shoreline**

Goal 3	Policy	Recommended Action
Formulate the Desired Development Direction for Newport’s Waterfront and Shoreline	<p>All development and re-development issues along Newport’s coastline and waterfront shall be considered with regard to:</p> <ul style="list-style-type: none"> <li>• RI CRMC requirements</li> <li>• Impact on traditional maritime activities and industries</li> <li>• Weighing water-dependent uses versus water-enhanced uses</li> <li>• Requirements for physical and visual public shoreline access</li> <li>• Preservation of traditional seaside character of the City</li> <li>• Retaining valuable city owned waterfront property, such as the Ann St. Armory, as City property in perpetuity as public property, and not sold to a private entity.</li> </ul>	<p>Review/research other successful waterfront developments nationally and internationally in order to:</p> <ul style="list-style-type: none"> <li>• Develop successful programs that could apply to Newport</li> <li>• Develop an action plan that could involve consultants from other successful harbor communities</li> <li>• Ann St. Armory be retained by the City as public property in perpetuity, never to be sold to a private entity</li> </ul>

**GOAL 4: Develop the economic potential of Newport’s Waterfront and Shoreline**

Goal 4	Policy	Recommended Action
4A. Determine economic potential of Harbor under new structure		Retain the URI Economics Department to develop a full economic impact study of Newport Harbor and Waterfront
4B. Development of an adequate budget to meet the needs of the Harbor		The Harbor Director will establish a separate accounting of funds generated from and spent on the Harbor, to be officially prepared and made available on a yearly basis.
4C. Capital improvements		<ul style="list-style-type: none"> <li>• Include harbor capital needs in City’s five year capital improvement plan that is updated annually.</li> <li>• Work with State to identify dredge spoil disposal areas so that regularly planned private and public dredging maintenance can be done.</li> <li>• Formulate a responsible capital improvement plan</li> <li>• Seek alternative sources of funding including bonds, grants, private foundations or individuals</li> <li>• Involve the community in development/repairs/financing of planned capital improvements (such as</li> </ul>

Goal 4	Policy	Recommended Action
		time/labor/materials) <ul style="list-style-type: none"> <li>• Be responsible for time line for completion of agreed upon projects</li> </ul>

**GOAL 5: Develop a public relations program specifically pertaining to Maritime Resources**

Goal 5	Policy	Recommended Action
Develop a public relations program specifically pertaining to Newport Maritime Resources	Any promotion of Newport’s waterfront must also consider the impact upon the local citizens.	<ul style="list-style-type: none"> <li>• Contacting other promotional groups for ideas and suggestions</li> <li>• Develop marine sister-city program with a city that has similar maritime tourist based industry. Possibilities are: Annapolis, MD, Charlestown, SC and Savannah, GA.</li> <li>• Exploring other possible activities for future funding such as a sister-city program or museum</li> <li>• Develop printed materials/handouts/web page</li> </ul>

**B. PUBLIC ACCESS ELEMENT**

Note: The proposed new names for the Harbormaster Department and the Waterfront Commission, *Maritime Department* and *Maritime Commission* are used in the body of this plan.

**Goal 1: To provide public access to tidal waters of the City of Newport.**

Goal 1	Policy	Recommended Action
<b>IA.</b> To establish communication between interested parties	The City of Newport shall strive to provide adequate public access to its tidal waters.	Assign at least one city employee for liaison with pertinent state, federal and civic groups.
<b>IB.</b> Ensure safety at all public access areas		<ul style="list-style-type: none"> <li>• Assign a city department to establish minimum and standardized safety standards for all public waterfront facilities, and develop a management system responsible for ensuring the standards are met.</li> <li>• Require city engineering department to inspect city piers and other city structures on a regular schedule, report on physical conditions and make</li> </ul>

Goal 1	Policy	Recommended Action
		<p>recommendations on maintenance and other safety related programs.</p> <ul style="list-style-type: none"> <li>• Assign an employee to research regulations and make recommendations regarding safety to the department responsible for safety and bring the City's facilities into compliance.</li> </ul>
<p><b>IC.</b> Public Awareness: Interpretive access, awareness promotion and civic action</p>		<p>Assign a city department to develop:</p> <ul style="list-style-type: none"> <li>• A civic group awareness program</li> <li>• A volunteer recognition program</li> <li>• An organization recognition program</li> <li>• A public education program (including signs, printed information, coordination with the NCCVB and website information)</li> <li>• A program to increase citizen and business responsibility at rights of way</li> </ul>
<p><b>ID.</b> Ensure physical access is preserved</p>		<ul style="list-style-type: none"> <li>• Assign a department to research city ordinances, state law and CRMC or city assents for public access</li> <li>• Pass an ordinance to coordinate existing laws on physical access</li> <li>• Pass an ordinance specifying fines or other penalties for encroachment of rights of way that impede physical access to the water</li> <li>• Pass an ordinance specifying fines for littering, fouling, or other misuse of public rights of way</li> <li>• Establish additional launching ramps where possible</li> <li>• Establish and identify dinghy docks for boaters on moorings or at anchor to come and go unimpeded</li> <li>• Establish a city dock</li> <li>• Provide appropriate access to the water for all recreational uses, such as scuba diving, snorkeling, windsurfing, etc.</li> </ul>
<p><b>IE.</b> Ensure visual access is preserved</p>	<p>The City must maintain the view of downtown Newport from the water and promote views of the water from land in the harbor, Cliff Walk and Ocean Drive.</p>	<ul style="list-style-type: none"> <li>• Provide viewing areas on public property wherever possible.</li> <li>• Identify and maintain scenic vistas which provide important visual access to the waterfront and coastal features</li> <li>• Ensure scenic vistas are listed on city website,</li> </ul>

Goal 1	Policy	Recommended Action
		brochures and maps <ul style="list-style-type: none"> <li>• Outline and publicize the process to establish mini-parks or improve existing areas that enhance public enjoyment of scenic vistas.</li> <li>• Protect visual access with appropriate zoning regulations, such as height restrictions</li> <li>• Encourage development that includes openings between structures and visual "portals" to the water</li> <li>• Keep city waterfront property clear of wild growth that obstructs visual access.</li> <li>• Pass ordinances protecting visual access when application is made for re-development or new construction.</li> </ul>

**Goal 2: To document existing public access to Newport tidal waters.**

Goal 2	Policy	Recommended Action
2A. Identify and research	The City of Newport shall maintain current and detailed documentation regarding existing public access sites to Newport tidal waters.	<ul style="list-style-type: none"> <li>• The City should pass an ordinance that declares that all public roads which are accepted or maintained as city roads, that physically extend to or pass over the mean high water mark and those which are platted, be declared city ROW's.</li> <li>• The City should seek to discover and designate traditional and existing ROWs to the shore in all parts of the City.</li> <li>• An inventory of all traditional and existing ROWs should be printed and updated on a regular basis by the City.</li> <li>• After the legal status of any site on the inventory is clarified the ROWs should be designated and marked, barriers to access removed, and the ROWs open to the public</li> <li>• Land donations &amp; conservation easements should be sought where feasible.</li> <li>• Each ROW should be posted with a sign detailing the activities allowed at that site.</li> </ul>

Goal 2	Policy	Recommended Action
		<ul style="list-style-type: none"> <li>The City will document related support facilities for visiting boaters, such as all dinghy/landing areas, public launching ramps and driftways, as well as available water taxi terminal points.</li> </ul>
2B. Library database		<ul style="list-style-type: none"> <li>The City will establish a public database on each public access/ROW, to be kept on file at City Hall, the City website and the Newport Public Library. This database should contain all pertinent information relating to ROWs.</li> </ul>

**GOAL 3: To expand and improve public access to Newport tidal waters.**

Goal 3	Policy	Recommended Action
<p><b>3A.</b> Establish a uniform and coordinated public access parking policy</p>	<ul style="list-style-type: none"> <li>• The City of Newport shall continually expand and improve public access to its tidal waters.</li> <li>• The City shall work with RI CRMC to develop public access to Newport waters.</li> </ul>	<ul style="list-style-type: none"> <li>• Identify possible areas for increased parking facilities</li> <li>• Develop reasonable, uniform and standardized parking regulations</li> <li>• Suggest alternative methods of transportation such as RIPTA buses or local shuttle</li> </ul>
<p><b>3B.</b> All agreements with developers and private landowners must be written and filed with the City’s registrar of deeds.</p>		<p>Maritime Commission shall review and approve all waterfront developments and/or redevelopment projects for possible impacts on existing public access points and for consistency with the goals and policies of the harbor management plan regarding public access. Agreements will be filed with the Registrar of Deeds and made part of the public database.</p>
<p><b>3C.</b> Protecting the public interest</p>		<ul style="list-style-type: none"> <li>• Whenever possible, the City should seek opportunities for increasing shore access.</li> <li>• The City must mandate the integration of public access into any proposed waterfront development projects in all zoning categories.</li> <li>• No development should impair or eliminate an existing ROW.</li> <li>• If necessary, zoning regulations should be modified/created as required to protect existing ROWs from interference, impairment, or elimination during development and/or redevelopment projects.</li> <li>• Access to the shore shall be required when water dependent and marine industrial uses of a site are replaced in whole or in part by commercial or residential uses.</li> <li>• Requirements of developers pertaining to public access should be recorded in the land evidence records to facilitate research and enforcement of public access agreements.</li> <li>• Within the ROW database, a schedule should be</li> </ul>

Goal 3	Policy	Recommended Action
		<p>established to review each agreement and inspect the ROW to ensure the developer's agreements have been enforced.</p>
<p><b>3D.</b> Acquire sites providing new public access to the shore</p>		<p>City to seek to acquire sites having the highest potential for providing new public access to the shore through the acquisitions of federally surplus-ed land, direct purchase of land by City or land trusts, or by the purchase of development rights and/or easements for public access and conservation.</p>
<p><b>3E.</b> City to evaluate, improve and maintain public launching areas</p>		<ul style="list-style-type: none"> <li>• City to establish those areas which allow launching and retrieving of small vessels</li> <li>• City to implement system of signage to identify vessel launching and retrieval areas</li> <li>• City to establish regulations regarding applicable uses of launching areas</li> <li>• City to establish uniform safety and maintenance standards for all vessel launching areas</li> </ul>
<p><b>3F.</b> City to expand water taxi terminal/harbor observation areas</p>		<ul style="list-style-type: none"> <li>• City to identify possible water taxi terminals</li> <li>• City to publicize location and routes of water taxi services</li> <li>• City to encourage visitors and boaters to use the water taxi as alternative transportation</li> </ul>
<p><b>3G.</b> City to develop a harbor walk</p>		<p>Lateral and perpendicular access can be established throughout the harbor if:</p> <ul style="list-style-type: none"> <li>• New projects are required to include it in their site design</li> <li>• Existing shore uses modify their sites to facilitate the linkage of adjacent shore access segments</li> <li>• Unauthorized barriers are removed, specifically those blocking access areas which have previously been granted CRMC assents</li> </ul>

**GOAL 4: To Guarantee and protect public access to Newport tidal waters.**

Goal 4	Policy	Recommended Action
4A. Enforcement	It shall be the policy of the City of Newport to guarantee and protect public access to its tidal waters.	<ul style="list-style-type: none"> <li>• The existence of the computerized list should be publicized and made as easily accessible as possible</li> <li>• A summary of federal, state, and city laws concerning rights of way should be compiled and published</li> </ul>
4B. Maintenance		<ul style="list-style-type: none"> <li>• The public works department (or another appropriately designated department) will inspect all public sites at least once a year, for environmental impact, aesthetics, and any other maintenance needs. This could be linked to safety inspections (see goal 1.b).</li> <li>• Legislation should be enacted making encroachment by abutting property owners, damage, blocking or obstructing rights of way, damaging or removing signs, punishable offenses</li> <li>• A regular maintenance program to repair, replace and maintain ROWs as required should be established.</li> <li>• Write and enact ordinances to provide penalties (fines are recommended) for removal or damage of any right of way marker, blocking, encroaching on or obstructing, damaging, or detracting from any right of way to the waterfront.</li> <li>• Develop a list of minimum safety requirements for each ROW (see Goal 1.B.)</li> </ul>
4C. Funding		<ul style="list-style-type: none"> <li>• Establish a separate source of funding for harbor related projects</li> <li>• Dedicated funding should be set aside to designate new rights of way</li> <li>• An adequate maintenance budget should be established for existing rights of way.</li> <li>• Sufficient funding should be available for aggressive legal action to protect and defend rights of ways against developers, encroachment by abutting property owners, other interests and attempts to privatize public property.</li> </ul>

**C. CRMC WATER TYPE / DEM WATER QUALITY ELEMENT**

Note: The proposed new names for the Harbormaster Department and the Waterfront Commission, *Maritime Department* and *Maritime Commission* are used in the body of this plan.

**GOAL 1: Develop programs that would minimize the introduction of pollutants into tidal waters of the municipality from recreational boats and shore side activities.**

GOAL 1	Policy	Recommended Action
<p><b>1a.</b> Develop programs to minimize the introduction of pollutants into tidal waters from boats and shore side activities. Preserve and restore Wetlands to control non-point pollution sources</p>	<p>The City shall support efforts to reduce non-point sources of pollution affecting the tidal waters of Newport.</p>	<ul style="list-style-type: none"> <li>• Identify existing wetlands and discourage development in these areas</li> <li>• Expand inventory of open space properties</li> <li>• Coordinate with agencies such the EPA, USDA, NOAA, U.S. Army Corps of Engineers, in order to form strategic alliances for the purpose of land preservation</li> <li>• Encourage organizations such as the Nature Conservatory, the Trust for Public Land, and local land trusts such as the Aquidneck Island Land Trust to purchase wetlands for conservation purposes.</li> <li>• Coordinate with state and federal agencies to restore degraded wetlands and riparian zones with pollution control potential</li> <li>• Consider use of engineered vegetated treatment systems to capture runoff before it reaches natural wetlands</li> <li>• Review cluster zoning laws to remove wetlands and other un-buildable land from density calculations and ensure that at a minimum, required buffer zones are maintained to protect pond and marsh perimeters</li> <li>• Ensure that wetland setbacks are protected and kept in a natural state</li> </ul>
<p><b>1b.</b> Reduce amount of contamination resulting from inappropriate Water Type</p>		<ul style="list-style-type: none"> <li>• Review Zoning Ordinance in relation to CRMC Water Type Designations to ensure that designations balance use and space utilization against preservation of water quality and natural habitats, and historical and scenic value.</li> <li>• Apply for a higher quality water type designation for Rose Island and west side of Goat Island.</li> </ul>

GOAL 1	Policy	Recommended Action
<p><b>Ic.</b> Reduce amount of contamination resulting from urban run-off</p>		<ul style="list-style-type: none"> <li>• Require new developments to maintain volume of run-off at pre-development levels by using structural controls, pollution prevention strategies, and best management practices</li> <li>• Perform a comprehensive evaluation of waterfront storm drains and develop run-off management plans for existing areas</li> <li>• Identify priority pollutant reduction opportunities</li> <li>• Protect natural areas that control run-off</li> <li>• Restore ecologies and retrofit existing construction</li> <li>• Ensure adequate natural barriers exist to protect reservoirs and watercourses from road spume</li> <li>• Review catch basin clean out and oil/water separator maintenance programs</li> <li>• Review street and sidewalk cleaning programs for areas abutting the main harbor</li> <li>• Decrease volume of traffic</li> <li>• Stencil storm drains with 'No Dumping' warnings</li> <li>• Develop water conservation programs</li> <li>• Retrofit bathrooms with water saving devices</li> <li>• Disconnect gutters and downspouts from sewer lines</li> <li>• Disconnect basement sump pumps from sewer lines where appropriate</li> </ul>
<p><b>Id.</b> Reduce amount of contamination resulting from poor household management</p>		<ul style="list-style-type: none"> <li>• Ensure households are managing septic systems through inspection, scheduled pump-outs, and timely repair</li> <li>• Encourage homeowners to limit continuous impervious surface areas</li> <li>• Encourage homeowners to employ "xeriscape"(water conservation) gardening techniques</li> <li>• Ensure existence of adequate programs to provide safe and convenient disposal sites for hazardous substances used in the home which are chemical and petroleum base products such as household cleaner, grease, oil, plastics, and some paper products</li> </ul>

GOAL 1	Policy	Recommended Action
<p><b>1e.</b> Reduce amount of contamination resulting from agriculture</p>		<ul style="list-style-type: none"> <li>• Identify areas where erosion of soil is problematic and encourage property owners to employ best management practices to control the volume and flow rate of runoff water, keep soil in place, and reduce soil transport</li> <li>• Identify areas where fertilizers are employed and encourage users to implement nutrient management plans</li> <li>• Identify confined animal facilities and ensure they operate with an appropriate waste management system</li> <li>• Identify areas where pesticides are used and encourage users to apply Integrated Pest Management techniques</li> </ul>
<p><b>1f.</b> Reduce amount of contamination resulting from the discharge of harmful materials into the sewer system</p>		<ul style="list-style-type: none"> <li>• Monitor businesses that are likely to discharge oil, grease, and other chemicals into the sewer system</li> <li>• Review current permitting process and its fee structure to encourage businesses to eliminate harmful discharges</li> <li>• Require businesses to maintain effective pretreatment systems</li> <li>• Structure the permit process so that the largest benefits are realized by those businesses that convert to new, environmentally sound technologies</li> </ul>
<p><b>1g.</b> Eliminate discharges into coastal waters</p>	<p>The City shall follow RIDEM policy in working to eliminate CSOs into Narragansett bay.</p>	<ul style="list-style-type: none"> <li>• Conduct a shoreline survey to identify any non-permitted discharges into coastal waters</li> <li>• Work with State and Federal Government to upgrade existing City and State point discharge areas.</li> <li>• Consult with DEM as necessary to discuss chlorine contamination limits for Newport Harbor and Narragansett Bay from the CSO and sewage outflows</li> <li>• Regularly monitor CSO outflows</li> <li>• Encourage community participation in monitoring CSO outflows</li> <li>• Require retrofitting of all City road projects with best management practices when construction and renovation projects are undertaken</li> <li>• Retrofit storm drains with detention basins to catch sediments</li> <li>• Review parking areas and paving materials used in</li> </ul>

GOAL 1	Policy	Recommended Action
		coastal developments to limit point and non-point pollution
<b>Ih.</b> Increase general public awareness of how to minimize pollution within the environment	The City will develop educational programs to increase public awareness regarding non-point pollution sources.	<ul style="list-style-type: none"> <li>• Develop programs to educate the public about proper handling and disposal of toxins to eliminate their being poured down the drain</li> <li>• Encourage schools to conduct educational programs focusing on preservation of the environment</li> <li>• Develop hand-outs for Maritime Department distribution and enclose environmental information with mooring fee notices</li> <li>• Develop programs to educate the public to discourage continued use of materials that are difficult to treat and/or dispose</li> </ul>
<b>Ii.</b> Identify potential hazards and minimize resulting damages		The Hazard Mitigation and Safety section of this plan has called for the identification of potential environmental hazards and outlined requirements for maintaining an inventory of emergency management resources in the harbor in the event of an oil spill or similar emergency.
<b>Ij.</b> Minimize impact of aqua cultural activities to Newport tidal waters	The City shall require low-impact fishing and aquaculture practices so as not to further degrade water quality.	The City of Newport shall conduct pre-development water quality and habitat assessments to determine pollution levels. Post-development the City shall ensure pollution levels do not exceed that of pre-development.
<b>Ik.</b> Minimize the impact of commercial fishing activities.		The City of Newport shall work with state and federal agencies to ensure shore-side commercial fishing activities are in compliance with existing regulations.

**GOAL 2: Ensure there are sufficient facilities for the safe and sanitary disposal of organic vessel-generated waste through a comprehensive marina pump-out installation and maintenance plan, for vessels at dock, and vessels at mooring.**

Goal 2	Policy	Recommended Action
<b>2a.</b> Reduce amount of contamination generated from boat septic discharge	<p>The City shall strive to ensure adequate facilities exist in the main harbor area for the safe and sanitary disposal of vessel generated septic waste.</p> <p>The City shall request from the RIDEM a modification of the water quality designations for Newport waters that are</p>	<ul style="list-style-type: none"> <li>• Support State of Rhode Island's designation of Narragansett Bay as a no-discharge zone</li> <li>• Ensure there is an inventory of land-based pump-out facilities in the main harbor to sufficiently serve the population of boaters in Newport Harbor and review inventory periodically</li> </ul>

Goal 2	Policy	Recommended Action
	believed to qualify for a higher quality standard.	<ul style="list-style-type: none"> <li>• Ensure compliance with the Clean Water Act</li> <li>• Implement a system that allows the Maritime Department to monitor whether ‘Y-valves’ on holding tanks are sealed</li> <li>• Impose fines against violators through Harbor Rules and Regulations</li> <li>• Update Harbor Rules and Regulations to reflect Newport’s ‘No Discharge’ policy</li> <li>• Review Zoning Ordinance to require a provision for proper sanitation facilities at new or improved recreational boating facilities, marinas, and other waterfront developments as appropriate.</li> <li>• Ensure sufficient supply of toilet facilities in the main harbor to serve the population of boaters in Newport Harbor</li> </ul>
2b. Increase public awareness of benefits of pump-out facilities		Work with marina operators to develop and implement a public education program to inform users about pump-outs and how they improve water quality and environment.

**GOAL 3: Develop programs for municipal facilities to provide for disposal of common trash and hazardous materials such as waste oil, plastics, varnish, batteries and other inorganic materials at locations convenient to recreational boaters.**

Goal 3	Policy	Recommended Action
3a. Reduce amount of contamination generated from substances associated with boat operation and repair	The City shall endeavor to provide facilities for the safe disposal of hazardous waste such as motor oil, cleaning products etc. at convenient locations for recreational boaters	<ul style="list-style-type: none"> <li>• Ensure adequate number of oil and worn motor part collection facilities in the main harbor to sufficiently serve the population of boaters in Newport Harbor</li> <li>• The Maritime Department will encourage marina and commercial mooring operators to identify oil and worn motor part collection facilities to boaters</li> </ul>
3b. Reduce amount of contamination generated from substances associated with discarded boat refuse	The City shall endeavor to provide facilities for the safe disposal of common boat refuse at convenient locations for recreational boaters	<ul style="list-style-type: none"> <li>• Ensure adequate number of refuse collection facilities in the main harbor to sufficiently serve the population of boaters in Newport Harbor</li> <li>• Require marina and commercial mooring operators to provide refuse collection receptacle</li> </ul>

Goal 3	Policy	Recommended Action
		<ul style="list-style-type: none"> <li>Review the benefits of purchasing and operating a 'skimmer' to reduce debris in the inner harbor</li> </ul>

**GOAL 4: Encourage Best Management Practices (BMPs) for marinas to reduce non-point sources of pollution caused by marina and/or boat maintenance operations and encourage marinas to participate in the CRMC Clean Marina Program.**

Goal 4	Policy	Recommended Action
<p><b>4a.</b> Minimize the negative impact of marina or boat maintenance facilities on water quality.</p>	<ul style="list-style-type: none"> <li>Encourage implementation of effective runoff control strategies that include the use of pollution prevention activities and the proper design of hull maintenance areas.</li> <li>Endeavor to reduce the average annual loading of total suspended solids in runoff from hull maintenance areas.</li> <li>Promote proper disposal of solid wastes produced by the operation, cleaning, maintenance, and repair of boats to limit the entry of solid waste into surface waters.</li> <li>Promote sound fish-waste management practices.</li> </ul>	<p><b>Solid Waste and Storm Water Runoff</b></p> <ul style="list-style-type: none"> <li>Implement effective runoff control strategies that include the use of pollution prevention activities and the proper design of hull maintenance areas.</li> <li>Reduce the average annual loading of total suspended solids in runoff from hull maintenance areas.</li> <li>Properly dispose of solid wastes produced by the operation, cleaning, maintenance, and repair of boats to limit the entry of solid waste into surface waters.</li> <li>Promote sound fish-waste management practices.</li> <li>For boats that are in the water, perform cleaning operations to minimize, to the extent practicable, the release to surface waters paint from in-water hull cleaning.</li> </ul> <p><b>Fuel, Oil and Other Petroleum Hydrocarbons</b></p> <ul style="list-style-type: none"> <li>Allow for ease in cleanup of spills.</li> <li>Provide and maintain appropriate storage, transfer, containment, and disposal facilities for fuel, oil, and other petroleum hydrocarbons</li> <li>Reduce the amount of fuel and oil from boat bilges and fuel tank air vents entering marina and surface waters.</li> </ul> <p><b>Hazardous Material and Liquid Waste</b></p> <ul style="list-style-type: none"> <li>Provide and maintain appropriate storage, transfer, containment, and disposal facilities for liquid material, such as harmful solvents, antifreeze, and paints.</li> <li>Encourage recycling of hazardous material, such as harmful solvents, antifreeze, and paints.</li> <li>For boats that are in the water, perform cleaning operations to minimize, to the extent practicable, the</li> </ul>

Goal 4	Policy	Recommended Action
		<p>release to surface waters of harmful cleaners and solvents.</p> <p style="text-align: center;"><b>Vessel Discharge of Sewerage</b></p> <ul style="list-style-type: none"> <li>• Install pump-out, dump station, and rest room facilities where necessary to reduce the release of sewage to surface waters.</li> <li>• Design pump-out facility to allow ease of access and post signage to promote use by boating public.</li> <li>• Ensure that sewage pump-out facilities are maintained in operational condition and are used.</li> </ul>
<p><b>4b.</b> Increase public awareness of how to maintain a boat while minimizing impact on the environment.</p>	<p>The City shall strive to increase public awareness of low impact boat maintenance and boating activity.</p>	<p>The Maritime Department will work with marina operators to develop and implement a public education program to inform users about advances in less toxic anti-fouling paints and boat supplies, non-toxic cleaning products, proper boat painting practices, and toxic material disposal.</p>

**GOAL 5:           Where significant shallow-water habitat is identified, restrict boating activities as necessary to decrease turbidity and physical destruction of such habitat.**

Goal 5	Policy	Recommended Action
<p>Where significant shallow-water habitat is identified, restrict boating activities as necessary to decrease turbidity and physical destruction of such habitat</p>	<p>The City will restrict boating activity in shallow areas that can cause damage or have an adverse effect on the local habitat.</p>	<ul style="list-style-type: none"> <li>• Identify shallow water areas with sensitive habitats such as eelgrass beds</li> <li>• Restrict boating activities that could cause damage in the identified areas</li> </ul>

**D. MOORING AND ANCHORAGE MANAGEMENT ELEMENT**

Note: The proposed new names for the Harbormaster Department and the Waterfront Commission, *Maritime Department* and *Maritime Commission* are used in the body of this plan.

**GOAL 1: Promote maximum sustainable usage of moorings and anchorages through precise definition of mooring areas, anchorage areas and navigation channels.**

Goal 1	Policy	Recommended Action
<p><b>1a.</b> Define Newport Harbor and coastal shorelines</p>	<p>The City shall maintain a highly detailed GIS based database of Newport harbor channels, mooring and anchorage fields, and individual mooring locations, to promote maximum sustainable usage and vessel safety for mooring, anchorage and channel use.</p>	<ul style="list-style-type: none"> <li>• Maritime Department examine and clearly define boundaries for:               <ul style="list-style-type: none"> <li>▪ Inner Harbor</li> <li>▪ Outer Harbor</li> <li>▪ South Shore</li> <li>▪ North Shore</li> </ul> </li> <li>• The City should develop, maintain and make readily available to the public an official and up to date database of written descriptions of boundaries and corresponding GIS based charting of Newport’s water areas and details of harbor mooring fields, anchorages, channels and individual mooring locations and ocean shorelines</li> <li>• The City should formalize these definitions by incorporating them in the necessary city, state and federal statutes.</li> </ul>
<p><b>1b.</b> Moorings outside of Newport Harbor</p>		<ul style="list-style-type: none"> <li>• All moorings in both coastal water areas outside Newport Harbor should be registered with the City along with their latitude and longitude, meet the City’s established minimum anchor and tackle requirements, and undergo the required periodic inspections.</li> <li>• Require a yearly mooring license issued by the Maritime Department. For safety and environmental management purposes, all moorings in Newport waters must be registered</li> <li>• Moorings in the coastal waters outside of the Harbor mooring areas defined in this plan should be limited to riparian property owners.</li> <li>• When managing placement of moorings in these coastal areas, the Maritime Department will comply with City</li> </ul>

Goal 1	Policy	Recommended Action
		<p>ordinances, local, state, and federal regulations</p> <ul style="list-style-type: none"> <li>• In the Green Bridge Cove, the Maritime Department should regulate mooring placement and use in the cove. The cove should be designated for the exclusive, traditional use, by a limited number of small, active commercial, fishing vessels.</li> <li>• The Maritime Department in conjunction with the City of Newport should contact the appropriate Navy officials and discuss how the Navy presently uses the City's North Shore waters.</li> <li>• The Maritime Department should investigate if the City has the right to designate its waters in Coddington Cove as a temporary hurricane anchorage.</li> <li>• The City of Newport should draft a utilization plan for the Newport North Shore coastal waters in preparation for their possible reuse if the Navy relinquishes them.</li> </ul>

**GOAL 2: Make more efficient use of Newport waters by evaluating and recommending changes in channel, mooring and anchorage areas.**

Goal 2	Policy	Recommended Action
<p><b>2a.</b> Newport Harbor Federal Project Area</p>	<p>The Maritime Department shall periodically assess current uses of harbor channels, mooring and anchorage areas to ensure they are being put to the most efficient use.</p>	<ul style="list-style-type: none"> <li>• The Maritime Department should use the high definition GIS database to compare the redefined Newport Harbor use areas (map 3) against the existing Federal Project Area designations.</li> <li>• The Maritime Department, in coordination with the U.S.A.C.O.E., should identify and then coordinate designation changes within the existing project area to reflect the Harbor's current uses.</li> <li>• The City should petition federal legislators to have the above changes to the federal project area enacted into law.</li> </ul>
<p><b>2b.</b> Navigation Channels within Newport Harbor</p>		<ul style="list-style-type: none"> <li>• Attention must be given to physical layout problems that exist with the current operational channel locations</li> </ul>

Goal 2	Policy	Recommended Action
		<ul style="list-style-type: none"> <li>• The Harbor channel system should be thoroughly reviewed and revised for safety and efficiency and then officially designated as channels.</li> <li>• The Maritime Department should give establishment of proper channels priority over existing moorings where practical.</li> <li>• The Maritime Department must enact regulations to ensure proper mooring placements so that vessel swing circles do not compromise the channels.</li> <li>• Maritime Department should establish official access channels between public shoreline facilities and the open waters of the Harbor.</li> <li>• The Maritime Department should widen the west channel of the Central mooring area at its narrowest point at can # 7.</li> <li>• The Maritime Department should investigate various methods to establish fore-aft vessel mooring on the “tall ship” moorings to maintain a clear west channel.</li> <li>• Consideration should also be given to concrete floats secured between the “tall ship” moorings to accommodate vessels tied along both sides.</li> </ul>
2c. Mooring Areas in Newport Harbor		<ul style="list-style-type: none"> <li>• The Maritime Department should reposition moorings in the Spindle mooring area according to vessel drafts to better utilize the shallower water depths.</li> <li>• The City should petition the federal government to re-designate Federal Anchorage E as a mooring area.</li> <li>• Designate part of Anchorage E as an expansion of the Point mooring area.</li> <li>• The Maritime Department should formalize the City Mooring Area by establishing a “mooring area perimeter” for the present unofficial City field to limit the extent of building docks out from the island.</li> </ul>

Goal 2	Policy	Recommended Action
		<ul style="list-style-type: none"> <li>• In the Brenton Cove mooring area, small special use mooring areas along the Fort Adams shore should be established with specific use definitions, such as “Quarantine Mooring Area”, “Museum of Yachting Mooring Area”, and “Sail Newport Mooring Area.” The Maritime Department would monitor and regulate these areas.</li> <li>• The Maritime Department should review and modify mooring field boundary lines so that proper channels are maintained and that vessels on moorings within those areas do not swing outside the mooring areas into channels.</li> <li>• The Maritime Department should annually examine each mooring area’s density (ratio of registered vessel size to licensed mooring size and related swing radius) and if there is a significant amount of unused space that could be made available by re-locating moorings and resizing authorized vessel size, an action plan developed to use the available space for additional moorings.</li> </ul>
2d. Anchorage Areas		<ul style="list-style-type: none"> <li>• The Maritime Department should take the steps to officially designate the two unofficial anchorage areas so that they are bound by legal statutes and enforceable.</li> <li>• In the INNER HARBOR ANCHORAGE, the Maritime Department should enforce the boundary between the mooring and anchorage areas. See Appendix A map #3.</li> <li>• FEDERAL ANCHORAGE D west of Goat Island should be continued in its current use for vessels over 250 feet. The surrounding open waters are heavily used for general boating and sail training and should <i>not</i> be infringed upon by anchored vessels.</li> <li>• Formally designate the SMALL STORM ANCHORAGE east of the north end of Goat Island, used only with Harbormaster approval for brief severe weather conditions.</li> <li>• Formally designate the OUTER HARBOR ANCHORAGE, north of Goat Island and West of Anchorage E and Point Mooring area, primarily for large vessel use due to exposure to strong southwesterly winds.</li> </ul>

**GOAL 3: Define the proper function of various categories of moorings to achieve maximum sustainable benefits of moorings in Newport Harbor.**

Goal 3	Policy	Recommended Action
<p><b>3a.</b> Revise the definition of “Private Mooring” to reflect current desired uses.</p>	<p>The primary management goals for private moorings should be to ensure:</p> <ul style="list-style-type: none"> <li>• They are utilized primarily for the licensee’s vessel.</li> <li>• They are actually used and not left empty</li> <li>• The system fosters turn-over to those on the waiting list</li> </ul> <p>See definition of “Private Mooring” in Definitions section.</p>	<ul style="list-style-type: none"> <li>• Eliminate the requirement that the permitted vessel is for <i>recreational</i> use only.</li> <li>• Add that the mooring lessee cannot derive any revenue in any form from the use of the licensed mooring.</li> <li>• The City should actively explore new mooring techniques that use water space more efficiently. Some examples are: Helical mooring anchors; moored star dock; fore and aft mooring, Med mooring; and double mooring docks, all of which require less water space per boat. Careful consideration should be given to whether or where they are suitable in Newport Harbor</li> </ul>
<p><b>3b.</b> Revise the definition of “Commercial Mooring” to reflect current desired uses.</p>	<p>“Commercial mooring is any mooring which is not a private mooring.” Ensure that rental moorings (formerly known as commercial moorings):</p> <ul style="list-style-type: none"> <li>• Provide the service intended, which is other than a private mooring</li> <li>• Are managed as efficiently as possible and are not allowed to lie unused or underused</li> </ul>	<ul style="list-style-type: none"> <li>• Change the term “Commercial Mooring” to “Rental Mooring.”</li> <li>• A “Use or Lose” policy shall apply to Rental (formerly commercial) moorings as well as Private moorings.</li> <li>• Maintain the existing limit that no Rental licensee can license, control, and/or manage, more than 50% of the total allowable Rental moorings. The intent is to prevent monopolization of commercial mooring resources.</li> <li>• If a Rental license holder desires to use a mooring solely for his personal vessel, he may be allowed to change the classification to a lower cost Private mooring without penalty, subject to the limits on the allowable percentage in the category.</li> </ul>
<p><b>3c.</b> Use of registering “decoy” vessels, such as dinghies, to keep Private Mooring lease without owning a primary vessel.</p>		<p>Permit holder should be informed that the swing room and depth of water previously allocated will be reduced to an amount suitable to the new vessel, and may be re-located to another location to make the best use of available space.</p>
<p><b>3d.</b> Minimal or non-use of Private Mooring</p>	<p>To more efficiently use the Harbor resource to the benefit of the marine community as a whole.</p>	<p>Maritime Department should develop a specific minimal amount of “actual use time” and include on mooring applications</p>
<p><b>3e.</b> Investigate short-term</p>		<ul style="list-style-type: none"> <li>• City should consider developing specific, strictly</li> </ul>

Goal 3	Policy	Recommended Action
<p>alternative uses for Private Moorings during periods when the permit holder is not personally utilizing the mooring</p>	<p>All such uses require that the Maritime Department be notified in writing in advance of the alternative use, including dates, name of the alternative user and his vessel's name and size.</p>	<p>controlled, short-term, sub-uses for Private moorings</p> <ul style="list-style-type: none"> <li>• Private permit holders should continue to be allowed to lend their moorings to a personal guest's transient vessel in accordance with city ordinances</li> <li>• Private permit holders who are members of a yacht club shall be allowed to make their mooring available to their Yacht Club for the sole purpose of the Club being able to offer "yacht club transient guest moorings" to other yacht clubs with which they have a "reciprocal privileges" agreement.</li> <li>• City to be able to utilize empty private moorings with the license holder's agreement.</li> </ul>
<p><b>3f.</b> Allocate number and location of City Moorings</p>	<p>All City Moorings shall comply with all mooring regulations and inspection report requirements.</p>	<ul style="list-style-type: none"> <li>• The Maritime Commission and Maritime Department should delineate an official "City Mooring Field" and establish it on the Newport City harbor chart. "City Mooring Field" to be located east of the southern end of Goat Island and west of the central harbor area's western channel</li> <li>• All City moorings located outside the City Mooring Field should be relocated to the City Mooring Field, except for "emergency, tall ship and quarantine" moorings.</li> <li>• Additional moorings may be set in the City field if needed.</li> <li>• Two or three city moorings should be left in each mooring field for emergencies</li> </ul>
<p><b>3g.</b> Tall Ship Moorings</p>	<p>Newport should continue to develop and maintain the capacity to provide adequate mooring facilities for large transient vessels within the Harbor. These moorings allow the City of Newport to attract and successfully host Tall Ship and related large vessel events. These events are important economic and cultural assets.</p>	<ul style="list-style-type: none"> <li>• Newport should continue to develop and maintain the capacity to provide large transient vessels with adequate mooring facilities within the Harbor.</li> <li>• Priority use of some of these moorings should go to large "sail training" vessels, at reduced rates, to support and promote these educational endeavors.</li> <li>• When not used for special events and sail training vessels, Tall Ship moorings should be available for lease to large yachts that visit Newport.</li> </ul>
<p><b>3h.</b> Emergency Moorings</p>	<p>Each mooring field should have two to three "city</p>	<ul style="list-style-type: none"> <li>• Emergency moorings should be of considerable weight to</li> </ul>

**Comment [k1]:** OK – deleted per Appendix K (cross reference: hit F5 key, enter page number 241)

Goal 3	Policy	Recommended Action
	<p>emergency moorings” to conveniently accept disabled or vessels towed by the Harbormaster</p>	<p>ensure safety to the vessels on these mooring under the harbormaster’s control.</p> <ul style="list-style-type: none"> <li>• Emergency moorings should be clearly marked to eliminate unauthorized use.</li> <li>• These moorings should not be used for transient rental moorings.</li> </ul>
<p><b>3i. Quarantine Moorings</b></p>	<p>The City should establish and maintain two courtesy moorings for the exclusive use of transient foreign-visitor yachtsmen arriving directly from a non-US port, thus facilitating their clearing-in process and providing their operators their first “welcome to Newport”</p> <p>Because these are courtesy moorings for clearing customs, the users should not be charged a fee.</p>	<ul style="list-style-type: none"> <li>• The U.S. Customs Department is to utilize these two moorings. The establishment, installation and annual maintenance should be a joint effort between the City and the Customs Department.</li> <li>• “Quarantine Moorings” should be located north of the Alofsin Piers and just east of the Fort Adams shore, an area near the new Customs office.</li> <li>• Due to the fact that these moorings are used by vessels of various sizes, they should have mushrooms of 1000 to 1500 pounds as a storm safety measure.</li> <li>• These moorings should be painted yellow, the international color of quarantine moorings and have all the established markings for quarantine moorings.</li> <li>• The use of these moorings is for the purpose of clearing customs only. Once cleared, the vessel should vacate the quarantine mooring. The maximum stay on these moorings for the purpose of clearing should be two days.</li> <li>• Properly publicize the existence, terms of use, and location of these moorings. (City website and other internet locations, USCG Castle Hill, Reeds, Bermuda Departures office in St George’s, BVI and Antigua locations, etc.)</li> <li>• The harbormaster in conjunction with the customs office should keep a log of the use of these moorings.</li> </ul>

**GOAL 4: Improve mooring facility management practices.**

Goal 4:	Policy	Recommended Action
<p><b>4a.</b> Eliminate encroachment into navigational channels by moored or anchored vessels.</p>	<p>Vessels mooring or anchoring in the harbor shall be within the city specified boundaries of their respective mooring or anchorage areas at all times.</p>	<ul style="list-style-type: none"> <li>• Set special area corner buoys to show boundaries of each mooring and anchorage area. Use permanent helix moorings with counterweighted anti-drift equipment to hold them.</li> <li>• A comprehensive review of the issue should be conducted to establish how many vessels are in violation and where</li> </ul>
<p><b>4b.</b> Mooring balls carry inspection and authorization stickers</p>	<p>Development of an “open for all to see” system will lead to more compliance with mooring regulations.</p>	<p>Maritime Department to implement a system of mooring labeling that will achieve the following identification requirements:</p> <ul style="list-style-type: none"> <li>• Mooring is occupied by an authorized vessel</li> <li>• Fees are current</li> <li>• Mooring is within the required inspection interval</li> <li>• Mooring’s maximum permitted vessel length.</li> </ul>
<p><b>4c.</b> Use of City Mooring field</p>	<p>The City will designate a city mooring field that, when feasible, will make moorings available to the public on a short-term rental basis.</p>	<p>The Maritime Department and Maritime Commission will set the rental rates for city moorings.</p>
<p><b>4d.</b> Retention of Federal Project status in Newport Harbor</p>	<p>The City shall bring the status of the Federal Project program in Newport Harbor into alignment with the current uses and future needs of the harbor</p>	<ul style="list-style-type: none"> <li>• The Maritime Department and Maritime Commission should review the question of whether to retain, request de-authorization or modification of the federal project area program in Newport Harbor and recommend action to the City Council.</li> <li>• Prepare a version of the GIS based harbor chart showing where conflicts exist.</li> </ul>

**GOAL 5 : Develop a welcoming atmosphere for transient maritime visitors.**

Goal 5	Policy	Recommended Action
<p><b>5a.</b> Improved information availability and content</p>	<p>The Maritime Department will annually update and publish two documents: a “Rules and Regulations” document focused on mooring lessees and a “Welcome” document geared to the needs and requirements of transient maritime visitors.</p>	<ul style="list-style-type: none"> <li>• Ensure development of these documents as soon as possible.</li> <li>• The Maritime Dept. shall create these documents directly or create a committee to accomplish this task.</li> <li>• Annually review and update the documents.</li> <li>• Establish a distribution system that provides the</li> </ul>

Goal 5	Policy	Recommended Action
<p><b>5b.</b> To promote an improved “Newport Harbor Welcome” for transient maritime visitors through improved service facilities</p>	<ul style="list-style-type: none"> <li>• The City shall improve and expand service facilities to encourage maritime visitors.</li> <li>• The City shall make it as easy as possible for maritime visitor to properly dispose of trash, recyclable material.</li> <li>• The City shall continue to expand public dinghy access.</li> </ul>	<p>appropriate document to as many harbor users as possible.</p> <ul style="list-style-type: none"> <li>• The finished drafts shall be presented to the Maritime Commission for comment and final approval.</li> <li>• Configure the shore-side basement of the Armory building as a Maritime Visitor Center, complete with showers, restrooms, laundry facilities, and short-term rental lockers. Utilize the adjoining Ann St Pier as a free dinghy landing/loading dock with provision for filling potable water jerry jugs at this supervised location.</li> <li>• Create a West Extension Street Landing.</li> <li>• Develop the Stone Pier Landing to include greeting signage and an information directory for maritime visitors.</li> <li>• Add a dinghy landing/loading facility in the Brenton Cove area.</li> <li>• Develop the Perrotti Park Ferry Landing to include a visitor dinghy landing/loading dock with provision for filling potable water jerry jugs at this supervised location.</li> <li>• Immediately create a public dinghy/loading dock facility at the Elm Street Pier to support adjacent mooring lessees and ramp users</li> <li>• Create a public dinghy landing/loading facility north of the Newport Bridge to allow maritime visitors to access the shopping area in the vicinity of the Connell Highway rotary (provisions, propane, marine equipment, sail maker, etc.)</li> <li>• A program of distinctive and unique waterside signage to identify the location of public and commercial dinghy landings to boats on the water is urgently needed.</li> <li>• Sites and procedures for waste oil and filter disposal should be made accessible to maritime visitors and be described in “ welcome “guides for transient visitors.</li> </ul>

**E. HAZARD MITIGATION AND SAFETY ELEMENT**

Note: The proposed new names for the Harbormaster Department and the Waterfront Commission, *Maritime Department* and *Maritime Commission* are used in the body of this plan.

Goals	Policy	Recommended Action
<p>1. The Maritime Department to develop an oil spill plan</p>	<ul style="list-style-type: none"> <li>▪ The City will require the Maritime Department to develop a municipal oil spill plan for Newport waters.</li> <li>▪ The Maritime Department Oil Spill Plan will conform to all oil spill protocols promulgated by the U.S. Coast Guard, EPA and Rhode Island State Agencies responsible for acting during an oil spill.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The City should obtain oil spill planning information from the U.S. Coast Guard, Rhode Island Emergency Management Agency, RIDEM, EPA and other coastal municipalities to develop an effective oil spill response plan.</li> <li>▪ The plan should contain a coordinated effort with the Jamestown Harbormaster so that the state oil skimmer boat can be deployed quickly during a spill in Newport waters.</li> </ul>
<p>2. Require marina operators to develop an oil spill plan</p>	<p>The City will require all marinas operating in Newport waters to develop a facility oil spill plan and supply a copy of the plan to the Maritime Department</p>	<ul style="list-style-type: none"> <li>• The City will notify each marina that they are required to develop an oil spill response plan.</li> <li>• Each marina should be required to have oil spill response equipment such as containment booms and absorbent pads easily accessible and clearly marked.</li> <li>• The Maritime Department and Fire Department should receive a copy of each marina's oil spill plan.</li> </ul>
<p>3. Educate boaters and marina operators in techniques to prevent oil spills</p>	<ul style="list-style-type: none"> <li>• The City shall encourage boaters and marina operators to use best management practices for storing and dispensing fuel and oil.</li> <li>• The City will provide information to marinas and local boaters regarding actions to be taken in response to an oil spill.</li> </ul>	<ul style="list-style-type: none"> <li>• Marinas should direct marina tenants to the proper disposal of all used hydrocarbon products through the use of signs, marina newsletters and other means.</li> <li>• Marinas should install automatic shut-off nozzles at the fuel dock and fuel/air separators on air vents or tank stems of inboard fuel tanks to prevent accidental overflow during fueling.</li> <li>• Recommend boaters use oil absorption materials in the bilge.</li> <li>• Place containment beams around fixed machinery that uses oil and gas.</li> </ul>

Goals	Policy	Recommended Action
4. Educate boaters and marina operators to respond properly when discovering an oil spill	<ul style="list-style-type: none"> <li>• The City will provide information to marinas and local boaters regarding actions to be taken in response to an oil spill.</li> </ul> <p>Any information distributed by the City regarding oil spill response measures shall be in exact accordance with state and federal agencies responsible for implementing oil spill response.</p>	<ul style="list-style-type: none"> <li>▪ The City shall distribute information to boaters and marinas informing them of what action should be taken when discovering and reporting an oil spill.</li> <li>▪ Marina operators and boaters should be given a copy of the "Hazardous Materials First Responders Checklist" which is produced by the U.S. Coast Guard.</li> </ul>
5. Develop a long-term hurricane preparedness plan before a storm is imminent; the plan may include removing boats from docks or lowering harbor density	<p>The City shall make provisions that:</p> <ul style="list-style-type: none"> <li>▪ Assess the type and degrees of risk that harbor and shoreline users face from natural hazards;</li> <li>▪ Develop strategies that prepare for, respond to, and recover from natural disasters;</li> <li>▪ Identify long-term mitigation projects that will reduce damage from natural disasters, and</li> <li>▪ Describe specific steps for coordinated implementation.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The City integrates hurricane preparedness into its harbor management practices by following the guidelines of <u>Hazard Mitigation for Rhode Island Recreational Harbor Communities</u>, prepared by the University of Rhode Island Coastal Resources Center for The CRMC.</li> </ul> <p>The City implements the Hurricane Preparedness Plan that has been developed for and is contained within this Harbor Management Plan.</p>
6. Develop a hurricane response plan that includes immediate emergency action and utilizes all resources including staff, volunteers and equipment	<p>The City will coordinate hurricane response plans consistently with state and federal emergency personnel. (See US Coast Guard Hurricane Preparedness Checklist in Appendix</p>	<ul style="list-style-type: none"> <li>▪ The City assesses the type and degree of risk that harbor and shoreline users face from natural hazards.</li> <li>▪ The City develops strategies that prepare for, respond to, and recover from natural disasters.</li> <li>▪ Identify long-term mitigation projects that will reduce damage from natural disasters.</li> <li>▪ Outline specific steps for coordinated implementation.</li> <li>▪ Update hurricane preparedness plans regularly. Study possible locations for boat storage during a hurricane evacuation</li> </ul>
7. Enforce existing regulations and inspection procedures for mooring systems, dock construction and maintenance	<p>The City shall commit resources necessary to ensure that proper maintenance and inspection safety procedures are followed.</p>	<p>The Maritime Department should integrate the Hurricane Preparedness Plan into its current safety and inspection procedures.</p>
8. Educate boaters, marine facility operators and harbormasters to prepare and respond to storms and hurricanes	<p>The City will promote the hurricane preparedness education of boaters and marina operators, and make available the Hurricane Preparedness Plan that is contained within this Harbor Management Plan</p>	<ul style="list-style-type: none"> <li>▪ Registered mooring holders should be supplied with a hurricane preparation checklist upon renewal of mooring registration.</li> <li>▪ Mooring holders should file a hurricane preparedness plan with the harbormaster, including plans for vessel preparation and alternate people to contact in case the owner or captain is unavailable.</li> </ul>

Goals	Policy	Recommended Action
		<p>The City will investigate pre-arranging contracts and agreements with service companies prior to hurricane emergencies so that immediate action can be taken prior to a storm.</p>
<p>9. Implement flood hazard mitigation techniques through comprehensive planning</p>	<ul style="list-style-type: none"> <li>▪ The City shall strive to minimize danger to people and property due to flood hazards by implementing flood hazard mitigation techniques.</li> <li>▪ The City shall utilize methods to reduce damage and costs incurred from repetitive flood damage through proper community planning.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Implement Acquisition/Relocation and Acquisition/Demolition projects for areas that experience severe, repetitive flooding.</li> <li>▪ Plan so that wastewater treatment plants and other potential environmental hazards are not developed in flood plain areas to limit dispersal of toxins during a flood event.</li> <li>▪ Utilize elevation and flood proofing methods for structures in areas prone to moderate, intermittent flooding.</li> <li>▪ Study possible storm drain improvements such as properly sized culverts, stream channels and keeping drains clear of debris.</li> </ul> <p>Explore options in which the City works with local conservancies to purchase flood-prone properties or conservation easements.</p>
<p>10. Prepare a fire hazard plan for fires aboard boats in Newport waters</p>	<ul style="list-style-type: none"> <li>• The City shall work with of the Maritime Department and the City Fire Department to determine their roles while fighting a fire on-board a vessel in Newport waters.</li> <li>• Newport Maritime Department and the Newport Fire Department will fully cooperate with the U.S. Coast Guard during a fire hazard aboard a vessel in Newport waters.</li> </ul>	<ul style="list-style-type: none"> <li>• Determine the role of the Maritime Department and the City Fire Department while fighting a fire on-board a vessel in Newport waters.</li> <li>• Develop a plan that outlines the jurisdiction, functions and responsibility of the Maritime Department and Fire Department in conjunction with the NETC Fire Department and the U.S. Coast Guard.</li> <li>• In the event that fire fighters or rescue workers need to be transported to the distressed vessel by the Maritime Department, pre-determined, easy access pick-up points along the waterfront can be established to eliminate confusion and expedite the rescue.</li> <li>• Determine in advance a chain of communication in the event that the Maritime Department must transport fire fighters or rescue workers to a vessel.</li> </ul>

## F. FACILITIES

Note: The proposed new names for the Harbormaster Department and the Waterfront Commission, *Maritime Department* and *Maritime Commission* are used in the body of this plan.

**Goal 1: Ensure that sufficient service facilities exist in and around the harbor to support commercial and recreational activities.**

Goal 1	Policy	Recommended Action
<b>1a.</b> Encourage Shipyards and marine services in the Harbor	The City of Newport shall support the existence of maritime service facilities in and around Newport Harbor in order to promote and sustain traditional commercial and recreational maritime activities.	Shipyards and boatyards are to be encouraged by favorable zoning. Environmentally friendly operations and methods of work should be considered, and possibly given tax incentives.
<b>1b.</b> Study use of Med-moorings		Study Med-moorings at Kings Park Pier, Storer Park, Elm St. and Northeast end of Goat I. Causeway
<b>1c.</b> Encourage water Taxis		A public water taxi service around the perimeter of the harbor is to be encouraged, to relieve congestion of road traffic and provide an attractive harbor tour.
<b>1d.</b> Development of plan for boat ramp at east end of Kings Park beach.		Study development of a plan for dedicated use of the ramp for non-trailer boats (car-top).
<b>1e.</b> Extend Kings Park Pier	Develop Kings Park pier to accommodate small and large boats while maintaining continuity with the quiet neighborhood surroundings.	<ul style="list-style-type: none"> <li>• Extend Kings Pier into deeper water to accommodate large vessels. A stone based structure would be beneficial because of the minimal maintenance required.</li> <li>• Investigate possible use of Med-Style moorings (bow anchored, stern to dock) in order to accommodate larger yachts on a short-term basis.</li> <li>• Study improvements to the stone pier structure</li> <li>• Improve lighting for evening strollers</li> <li>• Change car barrier to allow easier pedestrian access</li> <li>• Encourage facilities for small boats</li> </ul>

**Goal 2: Ensure structural facilities in and around the Harbor are safe, functional and well maintained.**

<b>Goal 2</b>	<b>Policy</b>	<b>Recommended Action</b>
<b>2a.</b> Investigate developing City building standards for docks, piers and waterfront structures	It is the policy of the City of Newport to ensure that public structural facilities within its jurisdiction are safe and well maintained.	Maritime Department should pursue the development of City building standards or codes for waterfront structures by investigating the existence of similar standards within other municipalities, state or federal regulations.
<b>2b.</b> Repair Van Zandt St. Pier, and maintenance of other piers and ramps in the City		The piers should be regularly maintained. See harbor management section.
<b>2c.</b> Repair Ann St. Pier to improve safety		The City should repair and improve the Ann St. Pier immediately.
<b>2d.</b> Identify waterfront facility for customs clearance activities		City should support establishment of seasonal customs office and moorings at Ft Adams.
<b>2e.</b> Proper Utilization of Long Wharf Bulkhead		<ul style="list-style-type: none"> <li>• Continue its use as a berth for working fishing vessels.</li> <li>• Study multi-use of Long Wharf during short-term maritime functions.</li> </ul>
<b>2f.</b> Keep navigational channels clear of structures interfering with navigation, anchoring and moorings		Study waterfront structures in the harbor that may interfere with normal navigation or impinge on the navigation channels and consider solutions.
<b>2g.</b> Policies concerning coastal structures outside of Harbor	Preserve existing natural resources of the south shoreline. Limit and discourage future coastal development in this area.	<ul style="list-style-type: none"> <li>• Development of coastal structures that could adversely impact the natural resources of the shoreline be strongly discouraged.</li> <li>• Designate the southern shoreline a conservation area.</li> </ul>
<b>2h.</b> Explore the possibility of installing a ladder at piers throughout the City		The Maritime Department to study the feasibility of installing a ladder at each public or private pier.

**Goal 3: Ensure that facilities enabling public access to and through the harbor are adequate.**

<b>Goal 3</b>	<b>Policy</b>	<b>Recommended Action</b>
<b>3a.</b> Increase public dinghy landing areas in the Harbor	The City of Newport shall ensure that facilities enabling public access to and through the Harbor are adequate in order to support maritime activities.	Maintain policy of increasing public dinghy access dock space at commercial and public sites.
<b>3b.</b> Use of Armory and Ann St. Pier as yachting center that will provide landing point and facilities to visiting yachters		The armory building and Ann St. Pier to be retained by the city and at least part of it used as facilities for visiting yachters, perhaps only the lower level (other parts might be available for hosting yachting events).
<b>3c.</b> Improve facilities for Cliff Walk		<ul style="list-style-type: none"> <li>• The Cliff Walk Commission to remain active.</li> <li>• Promote better and safer facilities.</li> <li>• Actively seek outside funding for improvements.</li> </ul>
<b>3d.</b> Support the dual use pier plan at American Shipyard	Support and encourage dual use properties and easements that enhance and increase public access to the water	<ul style="list-style-type: none"> <li>• Support the dual-use pier plan at American Shipyard.</li> <li>• Encourage partnerships with other waterfront business to increase public access.</li> </ul>
<b>3e.</b> Address the proper management of drift ways in the City		Study the user conflicts occurring at drift ways (dinghy storage, public access, parking). Consider a registration system for dinghy storage at drift ways.

**Goal 4: Ensure that fishing facilities are preserved along the waterfront and shoreline.**

<b>Goal 4</b>	<b>Policy</b>	<b>Recommended Action</b>
<b>4a.</b> Allow fishing at public Rights-of-Way to the water		Continue system of issuing permits for fishing on Cliff Walk.
<b>4b.</b> Support facilities for small scale fishers	The City shall encourage a working waterfront.	Recommend the State Pier steering committee consider providing facilities for small fishermen.
<b>4c.</b> Preserve facilities and berthing areas traditionally used for commercial fishing	Water dependent activities such as commercial fishing shall always be given consideration over water enhanced uses in decisions of waterfront projects and development	Preserve the working waterfront of Long Wharf and ensure that small-scale commercial fishers always have adequate facilities to conduct their business.

## **HARBOR MANAGEMENT PLAN ELEMENTS**

### **A. MARITIME MANAGEMENT ELEMENT**

#### **1. INTRODUCTION**

During our public forum there were a number of comments regarding the economic development of Newport's waters that needed to be addressed. It is also the feeling of this committee that a restructuring of the Harbor administration would be beneficial to Newport. Traditionally, the Harbor has been undervalued as an economic resource and has been neglected in terms of capital investments by previous administrations.

#### **2. BACKGROUND**

The earliest record of harbor management found by this committee dates back to 1853 when the position of Harbormaster appears on the City Records, held by an Anthony Stewart. This date coincides with the charter approved by the State of Rhode Island changing the government of Newport from a town to a City adopted on June 7, 1853. In fact, the Mayoral address in 1854 specifically addressed the development needs of the Harbor:

“Our harbor has been very much neglected and requires much to be done. I confidently hope, as our city increases in size and wealth that this important branch may be so extended, that our commodious harbor and bay may yet exhibit a business equal to its capacity.”

In 1882, Harbormaster Stephen A. Gardner also noted in his report: “Our harbor, one of the finest in the country, should receive more frequent care and attention from city authorities, “a larger share of the attention and expenditures for the general improvement of the city should be appropriated to this department on which the city is so largely dependent for its prosperity and well deserved reputation”.

The City of Newport has taken the first step toward management of the Harbor by creating the Waterfront Commission and the creation of a mooring policy. However, the Harbor is still undervalued as an economic resource and has been neglected in terms of capital investment by previous administrations.

#### **2a. Inventory**

- Current city ordinance
- Waterfront Commission
- Parks and Recreation (city administration)
  - Harbormaster's Office

#### **2b. Statutory Authority**

Title 46 Section 4 of the General Laws of Rhode Island grants municipalities the authority to establish Maritime Department ordinances, rules and regulations pertaining to the administration of their harbors.

### 3. ISSUES AND NEEDS ANALYSIS

#### **Harbor Economic Issues**

Newport's most valuable resources are its waters, shoreline and harbor. An intimate relationship with the water has played a fundamental role in the City's history and development of its character and charm. The Harbor is the economic engine that drives the City of Newport. The rest of our coastline, notably Ocean Drive and the beaches, public and privately owned, contribute to a lesser degree. The Harbor Management Plan is required to cover the City's entire coastline. This section primarily applies to Newport Harbor itself.

The Harbor directly provides employment and profit to marinas, boatyards, commercial fishing, yacht club employees, (the clubs themselves are mostly non-profit), launch services and marine services such as carpenters, sail makers, etc. Visiting boaters spend money in hotels, restaurants, retail stores and supermarkets. Indirectly, all businesses benefit from the attraction of the Harbor, particularly waterfront hotels and restaurants.

The majority of the City's income is derived from property taxes. From this viewpoint, it is understandable why development of lucrative properties along the waterfront would be advantageous. However, unrestricted waterfront development would dramatically change the character of this colonial city. This would be unacceptable to residents and perhaps even self-defeating. If Newport loses its famous colonial charm, people would be less attracted to the city. If that starts to happen, the tourist-based economy (and property taxes) could decline which could be a difficult situation to reverse.

The future of the Harbor, and even of Newport's prosperity, requires a careful balance to maintain viable, modern businesses and yet not gradually destroy Newport's unique colonial character. There are federal, state and other funds available for maritime projects, which a qualified official could capitalize on to bring in money for the Harbor without a heavy burden on property taxes. Interaction with these agencies would also be beneficial in promoting Newport's interests and obtaining early information on activities that might affect this city. The present Waterfront Commission and Harbormaster's office provide some of these requirements. This section describes changes intended to allow all the needs to be met.

The Goals and policies of this section are consistent with the Newport Comprehensive Land Use Plan (see Land Use Element - Policies A, B, N, O and P, Economic Development Element – Goals 1 and 2, Natural and Cultural Resources Element – Goals 1B, 1H, 2A, 2B, and 5B.)

### 4. GOALS, POLICIES AND RECOMMENDED ACTIONS

- GOAL # 1:** Create the Maritime Department
- GOAL # 2:** Create the Maritime Commission
- GOAL # 3:** Formulate the Desired Development Direction for Newport's Waterfront and Shoreline
- GOAL # 4:** Develop the economic potential of Newport's Waterfront and Shoreline
- GOAL # 5:** Develop a public relations program specifically pertaining to Maritime resources

## **GOAL # 1: Create the Maritime Department**

### *Ia. Create the Maritime Department*

It is recommended that a separate department be created to handle the facilities management and economic development of Newport Harbor and coastline. The Harbor has never been identified or valued appropriately in the mind of city officials as its own entity. It has been managed by the police department, lumped with other city departments and then merged with parks and recreation. The skills needed to run and understand the management of the Harbor is entirely different from land use management. As a consequence, it has lacked the degree of management it requires which has led to no capital expenditures.

#### Recommended Action:

Create a separate Maritime Department distinct from any other city department reporting to the City Manager, with its own budget.

### *Ib. Develop the management organization of the Maritime Department*

The current harbor position is over stretched and over worked. Newport needs to continue to develop/grow the economic potential of the Harbor. A team must be designed comprised of an expert in on-water management and enforcement, and an expert in the administrative aspects required to develop the economic potential of the Harbor.

#### Recommend Action

City to hire or reposition current personnel to develop a Maritime Department

### *Ic. Create a position of Maritime Director*

Administrative management is required in addition to the operational management of the Harbor. Personnel are needed who can develop a long-range plan, understand asset management, possess expertise in supporting the city in any litigation, write grants and source additional funding, and in general, market the Harbor.

#### Recommended Action

City create the position of Maritime Director

#### Suggested qualifications and responsibilities for Maritime Director's Position:

- Department head to have a Master's degree in marine related area or MBA with experience in marine economic development, salary based on experience
- To be a member of the Beach Commission to help the economic development and long term planning at King's Park and First Beach
- Development and long term planning of the Harbor as an economic resource

- Promotion of special events to sell Newport as an international venue, such as tall ships, regattas, boat shows, international yachting events, etc.
- Hiring and firing of harbor staff
- Liaison with city departments
- Liaison with the private sector
- Director to be a non-voting member of the Maritime (formerly Waterfront) Commission
- Ability to lobby for funding as well as seek alternative sources from the private sector in the form of grants
- Develop overall operating budget for harbor itemizing income and expenses in detail
- Develop a long range budget

*Id. Re-define position of Harbormaster*

Under general direction, to organize, supervise and participate in the enforcement of all ordinances, rules and regulations governing the conduct of all individuals and vessels on the public waters within the jurisdiction of the City; and to do related work as required.

Recommended Action

City shall re-define the position of Harbormaster

Harbormaster Job Description (daily operations manager):

*Examples of duties:*

Supervises the activities of harbor control personnel; assists in their hiring and training as necessary; maintains records of activities; patrols wharves and marinas to observe and be observed; keeps the Harbor free of floating debris; designates where permanent or temporary moorings or anchorages may be maintained; assigns moorings and enforces the mooring fee ordinance; removes unauthorized moorings; provides regulations for regattas, races and like activities; provides for removal of wrecks and abandoned boats or docks; imposes penalties for violation of pertinent ordinances; assists with public relations activities; sends correspondence; maintains mooring records; applies for grants; serves as staff person to the Maritime Commission.

*Employment Standards:*

Education and experience to be any combination equivalent to graduation from an accredited college and two years of responsible professional experience in some type of marine-related activity that would demonstrate a thorough understanding of boating and harbor operations

*Knowledge and abilities:*

Ability to prepare and manage a budget; knowledge of the rules and regulations governing waterway traffic and the use of terminal facilities; knowledge of preventative maintenance of navigational equipment and the ability to perform minor boat repairs; knowledge of community

organization and resources; ability to enforce restrictions with tact and diplomacy; ability to read and understand navigational charts of the harbor; ability to establish and maintain effective working relations with supervisors, other employees, and the general public; ability to organize and direct personnel.

*License and other requirements:*

All licenses necessary to perform Harbormaster duties.

**GOAL # 2: Create the Maritime Commission**

*2a. Waterfront Commission to be re-named the Maritime Commission*

Policy

As not all issues relating to Newport's waterfront occur in the Harbor, it would be useful for the name of the commission to reflect the purpose. Changing the name of the current Waterfront Commission to the Maritime Commission better identifies the mission and purpose of this commission.

Qualified members of the commission, along with the Maritime Department, will effectively be able to work together for the benefit of the City of Newport. Together, they can establish policy that will improve the communications and protect Newport's resources.

Recommend Action:

Re-name the Waterfront Commission the Maritime Commission

*2b. City create a process to ensure the Maritime Commission (formerly known as the Waterfront Commission) is consulted on any and all marine related issues*

Continued development along the waterfront has the potential for impacts that will require a negotiated development process, in order to preserve the historic character of the waterfront and scenic charm of the Harbor, while allowing for future development.

The Maritime Commission must be an integral part of any decision making process on marine related issues. The City must use its own experts and expertise in-house to resolve marine issues.

Recommended Action:

Require the Harbormaster and Maritime Director to attend monthly Maritime Commission meetings

*2c. Re-write current city ordinance with regard to the new Maritime Commission*

Recommended Action:

The following are highlights of recommended new material for the City Ordinance:

*Note: A rough draft of a proposed new ordinance, as required in the CRMC guidelines for this report, appears in Appendix G.*

**Ordinance 2.88.010**

- A. There is established a Maritime Commission to carry out the purposes of this chapter, in accordance with the requirements of the City Charter.
- B. The Commission shall consist of nine qualified members, residents of the city, to be appointed by the city council. Members shall be appointed for staggered three-year terms and shall be eligible for two consecutive appointments, unless the appointment is to fill the un-expired term of a previous appointee. Any appointment to an un-expired term of at least two years shall be considered a full term.
- C. Members of the Commission shall have a demonstrated interest in waterfront issues, be willing to invest time and effort outside of meeting requirements and must fit criteria of membership.

Appointment: The city council, when appointing members to the Maritime Commission, shall to the extent practicable, include:

- Marina operator
- Commercial fisherperson
- Recreational fisherperson
- Recreational boater or private mooring lessee
- Yacht club representative
- CRMC member
- Marine business person, land-based
- Marine business person, water-based
- Riparian owner
- Attorney
- Architect/planner

\*Note that any individual member may represent more than one type of maritime involvement. Harbormaster shall automatically serve as a consulting, non-voting member of the Maritime Commission but may not be a candidate for any chair position.

2.88.020 Meetings / Attendance:

- A. Meetings: The Maritime Commission shall meet monthly or more frequently when necessary (due to the increased activity/responses needed during certain times of the year). Election of officers will occur at the January meeting, or when necessary.
- B. If any member has more than three unexplained absences during any twelve-month period, the chairperson of the Commission may advise the council of such poor attendance so that the council may consider the removal of the member from the Commission. A new appointment may be made to fill the un-expired term of the individual being replaced.

2.88.030 Functions

A. Jurisdiction

(1) Physical jurisdiction: The Maritime Commission jurisdiction encompasses all harbor and coastal waters of the City of Newport.

(2) Development and oversight of Harbor Management Plan implementation.

B. Powers and duties

The Maritime Commission shall advise the city council in regard to the overall organization of the Harbor and related marine affairs. More specifically, the Commission shall:

1. Promote the implementation of the Harbor Management Plan
2. Make suggestions, recommendations, and proposals as to the utilization, diversification and safety of the Newport Harbor and Waterfront
3. Prepare specific proposals or suggestions on harbor and marine matters
4. Advise council on marine related issues that would impact Newport Harbor and waterfront
5. Designate areas for anchorages and moorings, and suggest rules and regulations governing placement and administration of mooring sites.
6. Review all applications and advise applicants prior to submission to the City Council, CRMC or Army Corp of Engineers for any permit to build or alter any waterfront property
7. Provide opinions and recommendations to the City Council
8. Encourage members of the general public to submit their concerns on any waterfront issues for discussion
9. Provide opinions and recommendations to the Planning Board and/or Zoning Board of Review on applications involving marine related issues within the waterfront business district and the traditional maritime zoning district for compliance with the Harbor Management Plan
10. Establish its own procedures and organization to most effectively accomplish its tasks, subject to the approval of the Council
11. Actively promote one of its members when and if appropriate to a CRMC position
12. Request assistance from any city department through the office of the City Manager for implementing its duties

Table 2: Provide the skills, knowledge and experience to assist and advise the local government with regard to:

- City owned waterfront property
- Marine related litigation
- Financial management of city owned marine related property

- Marine related capital improvement

Table 2: Submit an annual report as required by Chapter 2.56 Boards and Commissions generally detailing the activities of the Commission over the past year, as well as report on the operation and condition of the Harbor

2.88.040 Conduct of business

- The chairperson shall preside over all Commission meetings and shall have the right to vote
- The vice chairperson shall, in the case of absence or disability of the chairperson, perform the duties of the chairperson.
- The secretary shall keep a record of all resolutions, proceedings, findings of fact, decisions and actions and such record shall be kept in the department's files.
- All meetings of the Commission shall be open to the public.
- Any person or his duly constituted representative shall be entitled to request an opportunity to be heard on any matter before the Commission reaches its decision

**GOAL #3: Formulate the Desired Development Direction for Newport's Waterfront and Shoreline**

Policy

All development and re-development issues along Newport's coastline and waterfront shall be considered with regard to:

- RI CRMC requirements
- Impact on traditional maritime activities and industries
- Weighing water-dependent uses versus water-enhanced uses
- Requirements for physical and visual public water access
- Preservation of traditional maritime character of the City
- Retaining valuable city owned waterfront property, such as the Ann St. Armory, as City property in perpetuity as public property, and not sold to a private entity.

Other coastal cities are actively involved in waterfront revitalization, with the key to all being public access, charm, land activities and services. With proper planning, Newport can rival the bigger seaports on the East Coast.

It is important that Newport:

- Maintain and procure additional waterfront access points to the water from land
- Promote development of a commercial access launch ramps.
- Maintain the presence of a fishing fleet
- Promote shipyard/repair facilities
- Support the essence of the maritime zone for traditional maritime industries on the waterfront

- Require all developments to maintain the style of the colonial era so as not to lose the architectural charm of Newport
- Newport Historical Society to be used as a resource as to historical authenticity for future development, perhaps expanding the historical district requirements already in place
- Promote inter-modal transportation via harbor waterway
- Maintain the ability to host Tall Ships and other maritime events in the Harbor
- Encourage public involvement/interest groups on waterfront issues
- Create the harbor walk
- Prevent encroachment on dunes and other coastal natural resources

The Maritime Commission, the Maritime Department, elected officials, city administration and interested citizen groups should determine this vision jointly.

#### Recommended Action

Review/research other successful waterfront developments nationally and internationally in order to:

- Develop successful programs that could apply to Newport
- Develop an action plan that could involve consultants from other successful harbor communities such as Annapolis, MD, Charlestown, S.C. and Savannah, GA.
- Ann St. Armory be retained by the City as public property in perpetuity, never to be sold to a private entity

### **GOAL # 4: Develop the economic potential of Newport's Waterfront and Shoreline**

#### ***4a. Determine economic potential of harbor under proper administration***

There are various types of economic resources associated with the coastal waters of Newport. The majority supports the recreational boating industry through marinas, yacht clubs and multiple boating services. However, the recreational boating community shares the Harbor with commercial fishing interests, boatyard repair facilities and other water dependent uses and tourism. With such a variety of economic resources, writing a five-year plan for the marine industry would aid in structuring waterfront economic development.

#### Recommended Actions

With the resources available via the Economic Department at URI, it is recommended by this committee that the URI Economics Department be retained to develop a full economic impact study of Newport Harbor and Waterfront. A fresh approach will highlight the infrastructure needed to properly develop and protect the waterfront, and identify areas of potential revenue.

Current known sources of funding are:

1. Mooring fees
2. Cruise ship landing fees
3. Fines and penalties for infractions ticketed by the Maritime Department

4. Leases of waterfront properties such as Ann St. Pier, Amory, and the Newport Yacht Club
5. Transient income from City moorings
6. Contractual fees paid to the City for utilities management (for example, the electric company pays the City to buoy their underwater lines)
7. Fees or in-kind services generated from winter storage of private docks/floats (for example, the docks owned by Ida Lewis Yacht Club but stored at Kings Park during the winter)
8. Property taxes on dock spaces (to be retained in harbor budget per CRMC guidelines)

Activity in the harbor is growing, with said activities having an enormous impact on the economic infrastructure. Much attention is devoted by the City on the maintenance of the land infrastructure support system, but little has been spent on the infrastructure of the Harbor. Suggestions for additional funding sources are:

1. Develop permit system for all Harbor events (for example, the City charges residents a \$10 permit fee for a yard sale, and nothing to hold a regatta, an event which uses City resources)
2. City dock with metered water available
3. Develop Kings Park Stone Pier (was a marina in the past)
4. Develop a “rate book” for daily services provided by Maritime Department personnel and facilities (i.e., one person/one launch/one day = \$x) with discretion allowed for non profit events. This should also be an inter-departmental budget process. Require event promoters to reimburse the city for the cost of services required during events
5. Seasonal boat trailer parking fee monitored by the Maritime Department
6. Dinghy storage permits
7. Use tax on dockage charges (same as a hotel room tax)
8. Develop Ann St. Pier to include marine support services
9. Seek funding via grants, private foundations or individuals
10. Seek an annual allocation from the NCTCB

***4b. Development of an adequate budget to meet the needs of the Harbor***

Existing accounting system does not identify how much, and where, harbor revenue is generated and where it is spent, so it can be compared to total city expenditures for operating and maintaining the Harbor

**Recommended Action**

The Maritime Director will establish a separate accounting of funds generated from and spent on the Harbor, to be officially prepared and made available on a yearly basis.

***4c. Capital improvements***

The City of Newport needs to focus on a development plan for ongoing capital improvements for the Harbor.

#### Recommended Action

Maritime Director to:

- Develop data for inclusion in the City's five year capital improvement plans.
- Work with State to identify dredging spoils areas for local marinas so that regularly planned maintenance occurs on a timely basis
- Work with the Maritime Commission to formulate a responsible capital improvement plan
- Seek alternative sources of funding including bonds, grants, private foundations or individuals
- Involve the community in development/repairs/financing of planned capital improvements (such as time/labor/materials)
- Be responsible for time line for completion of agreed upon projects

#### **GOAL # 5: Develop a public relations program specifically pertaining to maritime resources**

It is imperative that any promotions of Newport's waterfront also consider the impact upon the local citizens. Issues raised with increasing frequency have been:

- Does Newport want cruise ships?
- Yachting events – quality vs. quantity
- Tour boats

#### Policy

Any promotional plans for Newport's waterfront must be considered with regard to their impact upon local citizens

#### Recommended Actions

The Maritime Director will be responsible for developing a public relations program to market the Harbor, exploring but not limited to the following:

- Contacting other promotional groups for ideas and suggestions
- Develop marine sister city program with a city that has similar maritime tourist based industry. Possibilities are: Annapolis, MD, Charlestown, S.C. and Savannah, GA.
- Exploring other possible activities for future funding such as a sister city program or museum
- Develop printed materials/handouts/web page

## **B. PUBLIC ACCESS ELEMENT**

### **1. INTRODUCTION**

Public access to the shore and contiguous waters is a right long recognized as inherent to citizens of the United States. Adequate access for the public is necessary to meet the commercial and recreational needs of the State and to support tourism as Rhode Island's largest industry. Tourism, fishing, recreational boating and commercial shipping comprise critical elements of the cultural and economic resources of the State and are dependent upon adequate access to the shore. Goals and recommendations of the Newport Harbor Management Plan regarding public access will ensure the public continues to have access to and whenever practicable, along the shore.

### **2. BACKGROUND**

Public access to the shore is guaranteed under provisions of the Rhode Island Constitution, Article 1, Section 17, which provides for basic rights in relation to the shore. The Article states that:

*"The people shall continue to enjoy and freely exercise all the rights of fishing and privileges to the shore, to which they have been heretofore entitled under the charter and usages of the state, including but not limited to fishing from the shore, the gathering of seaweed, leaving the shore to swim in the sea and passage along the shore..."*

These above mentioned privileges apply only between the mean high tide line and the sea, the so-called Public Trust land. Access to this inter-tidal zone through waterfront land historically is not as well defined. The State of Rhode Island has tried to improve public access to the intertidal zone by identifying traditional and existing public rights of way to the shore. Since 1978, this responsibility has resided with the State's Coastal Resource Management Council (CRMC). RI General Laws 46-23-6(E) gives CRMC these charges:

- (1) Designation and continuing discovery of all public rights of way to the tidal water areas of the State.
- (2) Maintenance of a complete file of all official documents relating to the legal status of all public rights of way to tidal water areas
- (3) The power to designate for acquisition, development, and all lands for tidal rights of way, public parking facilities, etc.

In designing the rights of way, the CRMC primarily considered:

1. Land evidence records
2. The exercise of domain over the parcel such as maintenance, construction and upkeep
3. The payment of taxes
4. The creation of a dedication
5. Public use
6. Any other public record or historical evidence such as maps and street indexes

The Harbor Management Plan will provide guidance to the City of Newport, its government, Boards and Commissions during the decision making processes concerning tidal waters of Newport. The Plan will also serve as a guide for state agencies, reflecting the intentions of the City for projects in its tidal waters. As required by the State of Rhode Island, the Goals and policies in the public access section are consistent with the Newport Comprehensive Land Use Plan (CLUP) (See Land Use Element – Policies F, Q and S, Natural and Cultural Resources Element – Goal 4B, Open Space and Recreation Element – Goal 3A, Circulation Element – Goals 1D and 3B.)

## **2a. Inventory**

Newport is unique in that it is bounded on three sides by water. As such, it is subject to developmental pressures that are not found in other cities and towns in Rhode Island.

In compiling the inventory, the committee visited (by driving, boating and walking) the entire shoreline of Newport. While it is a complete inventory of the existing public uses of the waterfront and shoreline as of 1998, it does not take into consideration areas and situations that may indeed be disguised or “privatized” public access points. During the CRMC hearings in the mid 1980, a number of public access areas were established, and the streets marked with CRMC markers in 1987. The following is a list of access points in the City of Newport:

### *2a 1. List of Public Access Points by CRMC Designation*

Z1	Webster Street
Z2	Narragansett Avenue
Z3	Ledge Road
Z4	Ruggles Avenue
Z5	Seaview Avenue
Z6	Cypress Street
Z7	Van Zandt Street
Z8	Battery Street
Z9	Pine Street
Z10	Cherry Street
Z11	Chestnut Street
Z12	Walnut Street
Z13	Willow Street
Z14	Poplar Street
Z15	Elm Street
Z16	Goat Island Connector East (28B)
Z17	Goat Island Connector West (28A)
Z18	Brown and Howard Wharf
Z19	Lee’s Wharf
Z20	Howard’s Wharf
Z21	West Extension Street/Sisson’s Wharf

- Z22 Waites Wharf
- Z23 Spring Wharf

*2a 2. List of Public Access Points by Federal/City/or State Designated Public Use*

Newport is blessed with a number of shoreline parks and recreational areas:

- |   |  |
|---|--|
| Ann Street Pier (City)                                    | King Park (City)                         |
| Bailey's Beach East (City)                                | King Beach (City)                        |
| Battery Park (City)                                       | Perrotti Park (City)                     |
| Brenton State Park (State)                                |  |
| Castle Hill Lighthouse (Federal)                          | Storer Park (City)                       |
| Cliff Walk (Federal, lateral access)                      | Van Zandt Pier (City)                    |
| Coddington Wharf (City)                                   | Washington Street/Long Wharf Park (City) |
| Easton's Beach (City)                                     |  |
| Elm Street Pier (City)                                    |  |
| Fort Adams State Park (State)                             |  |
| Goat Island Causeway south east shore end ( <u>City</u> ) |  |
| Green Light (Federal)                                     |  |

*2a 3. Partial List of Public Access Areas under Dispute or Question*

This list includes the problem areas as of May 1998:

- Brown and Howard Wharf (State Court)
- Long Wharf sea wall (State Court)
- North and South Commercial Wharf (State Court)
- Washington Street water access channel (City action)
- West Extension Street water access channel (City action)
- Sheppard Avenue (City action)
- Marine Avenue (City action)
- Waites Wharf (access violations reference CRMC assent)

*2a 4. Comprehensive Annotated Inventory*

Due to the size of the Annotated Inventory, it is presented as a separate document and is incorporated as Appendix F of this report.

2a 5. *Dinghy access areas*

Current accepted areas where there is established practice to leave a dinghy unattended are:

- |  |                       |
|--|-----------------------|
| King Park (stone pier)                         |                       |
| Slipway at corner of Wellington and Coddington |                       |
| West Extension Street                          |                       |
| Ann Street Pier                                | Inn at Long Wharf     |
| Bowen’s Ferry Landing                          | Alofsin South Pier    |
| Goat Island Marina                             | Sail Newport Dock     |
| Elm Street Pier                                | Newport Shipyard Pier |
| Pine Street                                    | Poplar Street         |
| Cherry Street                                  | Walnut Street         |
| Chestnut Street                                | Willow Street         |

2a 6. *Public Beaches*

- |                        |                               |
|------------------------|-------------------------------|
| King Park Beach        | Bailey’s Beach (East)         |
| Fort Adams State Beach | King’s Beach (on Ocean Drive) |
| Easton’s Beach         |                               |

2a 7. *Utility Easements*

Any potential rights-of-way that may arise due to the existence of any utility or buried cable are hereby incorporated by reference, and documentation to their existence may be located in the City Engineering office.

**2b. Statutory Authority**

In Rhode Island, public access to the shore is provided by designated rights of way to the water, which are the primary physical means by which the public reaches the shoreline and water areas. Generally, there are six legal methods of establishing a public ROW in Rhode Island:

- (1) Roadways that have been laid out, recorded, opened and maintained by a city or town council. These are commonly known as city or town accepted streets. To become a public ROW, the city or town must follow the statutory method for laying out public highways.
- (2) Highways by grant or use (RIGL Chapter 24-2). This statute provides that all lands that have been quietly, peaceably, and actually used improved and considered as public highways for 20 years by a city or town shall be taken and considered to be public highways as if the lands had been regularly laid out, recorded and opened by the city or town council. In order for this statute to apply, a city or town must give notice of its intentions to declare the land as a public highway and must prepare and record a plat of the highway in the land evidence records of the city or town where the land lies.

(3) Ways that have been approved by recordation of a subdivision plat. The State subdivision statute authorizes cities and towns to control the subdivision of land within their borders (RIGL Chapter 45-23). A subdivision of necessity requires roads and ways. Sometimes a subdivision contains roads or ways that lead to the state's tidal waters. After a city or town planning commission has given notice of the proposed subdivision plat, held public hearing(s), and approved the subdivision plat and the plat has been recorded in the city/town's land evidence records, the roads or ways are available for public use.

(4) Ways that have been offered to the public by dedication and accepted by public use or by official city or town action (implied dedication). This is a common law method of establishing public ROW's. In order for there to be a common law dedication, there must be a clear intent by the owner to donate the land and a clear acceptance of that land by the public. Once a parcel of land has been dedicated, the transfer is irrevocable. The landowner's intent to dedicate the land can be evidenced by the recordation of a plat map showing ROW as public or by language contained in a deed(s). Many public ROW's to Rhode Island's shoreline have been established by dedication.

(5) Highways that have been used by the public since time immemorial. This is an old common law concept. The law provides that to create a public ROW by use, the evidence must show that the use has been general uninterrupted, continuous, and adverse so as to warrant the inference that the land had been laid out, appropriated, or dedicated by the landowner to the public. An occasional use of the land by a few persons living in the area or by abutters to the property without any claim of right is insufficient to establish a public ROW.

(6) Ways that have been obtained by the public's adverse use. Privately owned paths to the shore that have been used for a period of ten consecutive years by the public may become public ROWs but only if the requirements of the RIGL are met (RIGL Chapter 34-7). This method is commonly known as an easement by prescription. An easement is a right to use the land of another in a specified manner. In order to create a public ROW by this method, the public has the burden of establishing actual, open, notorious, hostile and continuous use of a way under a claim of right for ten years. In addition, the law specifically does not allow a public ROW to be established by footpaths; the pathway has to have been used by carriages or vehicles.

### 3. ISSUES AND NEEDS ANALYSIS

As the privatization of the coastal zone continues, public access points provide the only link between the inter-tidal zone and the upland areas. With development and growth continuing on the shorelines, these links may disappear.

Access sites to the shore traditionally used by the public are easily displaced by commercial and residential developments, unless positive action to protect the public's interests is taken. Many city access sites are not easily maintained and/or marked, and thus have been incorporated or "privatized" by adjacent property owners. Some public sites are illegally chained and/or blocked off with signs declaring them for use only by neighborhood users. This severely limits the ability of individuals to access the shore so that they may exercise their shoreline rights.

Traditionally, many access points have been used only by local residents who are aware of their existence through familiarity with a particular neighborhood. The result is that these access points are under-utilized by the general public and not properly documented. Moreover, this lack of knowledge has led to the private taking of public land and has increased the opportunity for additional existing ROWs to become clouded with an incorrect “private” status claimed by adjacent landowners.

Some of the most common reasons people use to attempt to refuse access to the shore are:

- Infringement on privacy/privilege
- Fear of strangers and resultant security issues in neighborhoods
- Litter, noise, rowdy behavior, vandalism, drinking, etc.
- Lack of adequate facilities, sanitary facilities, and parking
- Damage to environmentally sensitive areas
- Liability of property owners abutting ROWs if a member of the public is injured in the ROW
- Increased traffic
- Ethnic and cultural prejudice

These may be important issues to those who live in coastal areas, but they generally have remedies in City ordinances and State laws with enforcement powers residing with the police.

Rhode Island has a private property liability law that states if access is allowed on private property, an injured party is not allowed to sue unless there is negligence on the part of the property owner. (General Laws of Rhode Island, 1998 Cumulative Supplement, Title 32. Parks and Recreational Areas, Chapter 6. Public Use of Private Lands–Liability Limitations). The draft legislation dealing with filled tidal lands contains provisions for enhancing public access. It states that no owner of private filled lands shall be liable for injury to persons or their property while that party is exercising his or her rights to enter and use such land under the public easement.

The public in turn has the responsibility to:

- Access and return from the shore only in designated public ROW.
- Not trespass on adjacent private property
- Respect private waterfront property
- Keep the shoreline clean of debris and trash
- Be aware of sensitive environmental areas
- Leave the shore in the shape in which they would wish to find it

The public must obey all State and City ordinances when using public ROW.

The City in turn has the responsibility to:

- Research and document the legal status of each public access area and ROW
- Implement a system of signage at each public access area and ROW
- Implement minimum safety requirements at each public access area and ROW

- Notify the public of unsafe areas or conditions
- Expand the public awareness with promotional materials
- Write legislation and enforce laws protecting ROW
- Inspect and maintain all public access areas and ROW

With cooperation between the City of Newport and its citizens, these responsibilities will protect public access areas and ROWs for future generations of Newport’s residents and visitors alike.

4: GOALS, POLICIES AND RECOMMENDATIONS

- GOAL #1:** Provide public access to tidal waters of the City of Newport.
- GOAL #2:** Document existing public access to Newport tidal waters
- GOAL #3:** Expand and improve access to Newport tidal waters
- GOAL #4:** Guarantee and protect future public access to Newport tidal waters

**GOAL #1: Provide public access to the tidal waters of the City of Newport**

Policy

The City of Newport shall strive to provide adequate public access to and along the shores of its tidal waters. It shall be the policy of the City of Newport to assist CRMC to establish public rights-of-ways not currently in existence at paper streets, drainage outfalls, buried cables and at other opportunities and or locations to provide public access to and along the shore.

*1a. Establish communication between interested parties*

The Newport waterfront includes land owned by a wide variety of entities: private individuals, businesses, the City itself in the form of roads, parks, and beaches, and businesses that lend themselves to public access (such as marinas and hotels). Other stakeholders include: the State, the U.S. Coast Guard, the Navy, and non-profit organizations (such as IYRS).

Added to this diverse group of landowners, there are a variety of associations, lobby groups and government bodies with public or private interests in the waterfront. Funds for access-related work come from an equally wide variety of sources, some of them also being waterfront property owners.

The City must establish clear and permanent lines of communication with all these entities to encourage the coordination of their activities, obtain available funding and ensure access.

The City must review the notification requirements for abutting landowners and ensure the abutters have adequate notice of changes involving public access to the water.

Recommended Action:

Assign at least one city employee for liaison with, but not limited to:

- Waterfront property owners and developers
- Local civic action groups

- State DOT
- DEM
- CRMC
- Governors Office
- Legislative and local reps and senators
- Federal DOT
- EPA
- Army Corps of Engineers
- Coast Guard
- Navy
- Our local Congressperson and Senators
- Other government, non-profit, business or other organizations and individuals as appropriate.

This liaison is to include identifying funding and obtaining all possible grants, funds etc. The identity of the employee, job description and areas of responsibility are to be well publicized, particularly informing the relevant organizations.

*Ib. Ensure safety at all public access areas*

Public access implies that it is safe public access. Unsafe public access areas need to be identified. Bulkheads, pilings, pier decks, fences, launching ramps and fishing areas are all subject to deterioration from weather, wave action, salt spray and other effects. The consequences of falling in the water can be more severe than falling on land.

The city must write standardized and minimum safety requirements (such as how many trash receptacles, lighting, type of materials used, width of walkways, docks, etc.) for all public access facilities. This includes beaches, piers, wharves, parks, walkways, launching ramps, fishing, swimming, diving and other recreational areas. The city must ensure these facilities comply with applicable state and local regulations.

Recommended action:

Assign a city department to establish minimum and standardized safety standards for all public waterfront facilities, and develop a management system responsible for ensuring the standards are met.

Require city engineering department to inspect city piers and other city structures on a regular schedule, report on physical conditions and make recommendations on maintenance and other safety related programs.

Assign an employee to research regulations and make recommendations regarding safety to the department responsible for safety and bring the City's facilities into compliance.

*1c. Public Awareness: Interpretive access, awareness promotion and civic action*

A successful public access program informs people of what is available to them. Civic groups can be involved by direct promotion and by volunteer involvement in activities such as cleaning, painting, and repairs. This can lead to public recognition of groups and individual volunteer efforts.

Individuals can be informed by use of:

- Signs and plaques at or near access sites
- Brochures and other materials through the NCCVB
- The City website
- Education and PR media
- City schools.

Businesses can be involved by participating in a program in which they “Adopt-a-Spot”, thereby receiving public recognition of their contributions. Likewise, businesses such as hotels and guesthouses can distribute brochures and other materials to individuals in the same way as the Newport County Convention and Visitors Bureau (NCCVB).

The City has a responsibility to become involved in public education, recognition of contributions and promotion of accessible sites.

Recommended action:

Assign a city department to develop:

- A civic group awareness program
- A volunteer recognition program
- An organization recognition program
- A public education program (including signs, printed information, coordination with the NCCVB and website information)
- A program to increase citizen and business responsibility at rights of way

Implementation of these programs need not involve unnecessary expenditures by the City but would be a cost-effective way of increasing awareness of what is available for citizens and visitors alike.

*1d. Ensure physical access is preserved*

Physical access is the ability to reach the shoreline from land or water, to pass and re-pass along the shoreline (as guaranteed by the RI Constitution) using rights of way, ramps, recreational areas for diving, fishing etc., piers, beaches and other facilities. The City must continue to provide this access.

Recommended action:

- Assign a department to research city ordinances, state law and CRMC or city assents for public access
- Pass an ordinance to coordinate existing laws on physical access
- Pass an ordinance specifying fines or other penalties for encroachment of rights of way that impede physical access to the water
- Pass an ordinance specifying fines for littering, fouling, or other misuse of public rights of way
- Establish additional launching ramps where possible
- Establish and identify dinghy docks for boaters on moorings or at anchor to come and go unimpeded
- Establish a city dock
- Provide appropriate access to the water for all recreational uses, such as scuba diving, snorkeling, windsurfing, etc.

*1e. Ensure visual access is preserved*

Visual access is the ability to see the water and other coastal views from the land and to view this beautiful, historic city from the water. Visual access of the City is attractive to tourists and residents alike. High structures and even trees can detract from this aesthetic quality. An established harbor walk can improve the view of the Harbor from the land.

Restrictive waterfront zoning is essential to maintain the character of the Harbor. The City must maintain the view of downtown Newport from the water. The City must also maintain and promote views of the water from the land, including a harbor walk, Cliff Walk and Ocean Drive.

Recommended action:

- Provide viewing areas on public property wherever possible.
- Identify and maintain scenic vistas which provide important visual access to the waterfront and coastal features
- Ensure scenic vistas are listed on city website, brochures and maps
- Outline and publicize the process to establish mini-parks or improve existing areas that enhance public enjoyment of scenic vistas.
- Protect visual access with appropriate zoning regulations, such as height restrictions
- Encourage development that includes openings between structures and visual “portals” to the water
- Keep city waterfront property clear of wild growth that obstructs visual access.
- Pass ordinances protecting visual access when application is made for re-development or new construction.

**GOAL #2: Document existing public access to Newport tidal waters**

Policy

The City of Newport shall maintain current and detailed documentation regarding existing public access sites to Newport tidal waters.

*2a. Identify and research*

An initial inventory of all traditional and existing ROW sites is found in Appendix F. This list needs to be updated by the City on a regular basis to identify the proper location of ROWs and raise awareness of the regulations that must be followed at each site.

To clarify the ownership rights of way to the shore, the City will carry on a continuous process of discovery and designation of ROWs in order to establish and control its own ROW list. To offset the costs involved, the City can designate a harbor management fund under which a portion of the revenues will be used to develop new ROWs and maintain existing ROWs.

The City will work with the CRMC and DEM to identify and designate ROWs. This will include investigation of the legal status of existing ROWs, ROWs under dispute and potential ROWs. The most important action for the City is to determine the legal status of each ROW on the inventory.

Recommended action:

The City should pass an ordinance that declares that all public roads which are accepted or maintained as city roads, that physically extend to or pass over the mean high water mark and those which are platted, be declared city ROWs.

The City should seek to discover and designate traditional and existing ROWs to the shore in all parts of the City. The City should also accept all platted paths to the water as valid ROWs after their legal status as been determined.

An inventory of all traditional and existing ROWs should be printed and updated on a regular basis by the City. This inventory will identify the proper location of the ROWs and raise awareness of the regulations which must be followed at each site. This information should also be posted on the City's website.

After the legal status of any site on the inventory is clarified, the ROWs should be designated and marked, barriers to access removed, and the ROWs open to the public. These ROWs should be made accessible and usable to the public and maintained in a safe condition.

Land donations and conservation easements should be sought where feasible.

Each ROW should be posted with a sign detailing the activities allowed at that site. The limits of each ROW will be clearly marked so that the public will be informed as to the correct place to access the shore.

The City will document related support facilities for visiting boaters, such as all dinghy/landing areas, public launching ramps and drift ways, as well as available water taxi terminal points.

2b. *Library database*

Presently, there is no specific database held by the City relating to public access areas and ROWs. Much time and effort is wasted in research every time an issue is raised concerning shoreline access. An established database with reference to all ROW/public access in the City will facilitate research and future legislation.

Recommended action:

The City will establish a public database on each public access/ROW, to be kept on file at City Hall, the City website and the Newport Public Library. This database should contain all pertinent information relating to ROWs:

- Easements
  - Developer agreements
  - Deeds
  - Dedications
  - Public record or historical evidence such as maps or street indexes
  - Land evidence records
  - Payment of taxes
  - The exercise of domain over the parcel such as maintenance, construction and upkeep
- This information should also be distributed to other appropriate agencies and/or departments.

**GOAL #3: Expand and improve public access to Newport tidal waters**

Policy

- The City of Newport shall continually expand and improve public access to its tidal waters.
- The City shall work with RI CRMC to develop public access to Newport waters.

3a. *Establish a uniform and coordinated public access parking policy*

Due to the lack of land space available in historic Newport, the City will designate and make available specific parking areas for public access areas and post restrictions.

Recommended action:

City of Newport will:

- Identify possible areas for increased parking facilities
- Develop reasonable, uniform and standardized parking regulations
- Suggest alternative methods of transportation such as RIPTA buses or local shuttle

*3b. All agreements with developers and private landowners must be written and filed with the city's registrar of deeds.*

Many agreements made in conjunction with the issuance of zoning or building permits by the City of Newport and/or CRMC to developers regarding public access have been lost and are therefore unenforceable. This lack of enforcement is detrimental to the public interest and the City of Newport. The focus of city policy should be towards protecting the public's interest.

Recommended action:

The Maritime Commission shall review and approve all waterfront developments and/or redevelopment projects for possible impacts on existing public access points and for consistency with the goals and policies of the harbor management plan regarding public access.

All agreements will be filed with the Registrar of Deeds in the City of Newport and made part of the public database for each public access area, including but not limited to:

1. Easements set forth by CRMC permits, through long-term public use, or as compensation for filled tideland or infringements upon tidal water areas
2. Developer agreements
3. Agreements with private landowners
4. Agreements with Federal/other State agencies/municipalities

*3c. Protecting the public interest*

The loss of water dependent businesses such as ship repair, ship building, fish offloading and fishing boat berthing detracts from Newport's unique character. History has also shown that the loss of these types of water dependent businesses also has meant the loss of public access as private developments encroach on the waterfront.

Efforts must be made to foster cooperation between the private and public sectors to improve access to the Newport Harbor shoreline, and stimulate innovations in balancing individual rights related to security and privacy with the advantages of better access to all.

Frequently, redevelopment in Newport has resulted in the erection of physical barriers or signs to convey the impression that casual pedestrians are unwanted. Pathways may be blocked, unmarked or circuitous, rendering access to them or through them inconvenient or discouraging. Property owners can just as easily construct pathways, such as grade separations or landscaping which isolates private space while permitting access.

Developers are often required to provide public access when undertaking re-development projects along the waterfront. Unfortunately, many of the requirements for public access are not implemented. A system should be created to ensure that public access requirements are indeed fulfilled by the responsible party, and in a timely manner.

Pedestrians should be provided with the best opportunities to view waterfront activities, which in turn support the economic development and tourist appeal of Newport's shoreline.

Recommended action:

- Whenever possible, the City should seek opportunities for increasing shore access.
- The City must mandate the integration of public access into any proposed waterfront development projects in all zoning categories.
- No development should impair or eliminate an existing ROW.
- If necessary, zoning regulations should be modified/created as required to protect existing ROWs from interference, impairment, or elimination during development and/or redevelopment projects.
- Access to the shore shall be required when water dependent and marine industrial uses of a site are replaced in whole or in part by commercial or residential uses.
- Requirements of developers pertaining to public access should be recorded in the land evidence records to facilitate research and enforcement of public access agreements.
- Within the ROW database, a schedule should be established to review each agreement and inspect the ROW to ensure the developer's agreements have been enforced.

*3d. Acquire sites providing new public access to the shore*

The City will at all times promote the public's interest in obtaining, where possible, new access to and along the unique historical and scenic resources of the Newport shoreline, thereby protecting the free movement of people and boats between the land and shore.

Recommended action:

City seek to acquire sites having the highest potential for providing new public access to the shore through the acquisitions of federal surplus land, direct purchase of land by City or land trusts, or by the purchase of development rights and/or easements for public access and conservation.

*3e. City to evaluate, improve and maintain public launching areas*

Historically, the citizens of Newport have had the ability to launch and retrieve small vessels from the shore. This privilege has expanded to include any visitors wishing to launch vessels from the shore. The resulting congestion has created unreasonable demands on the parking system in and around launching areas. These areas are established and recognized and are called various names such as breezeways, drift ways, launching ramps, etc.

Recommended action:

- City to establish those areas which allow launching and retrieving of small vessels
- City to implement system of signage to identify vessel launching and retrieval areas
- City to establish regulations regarding applicable uses of launching areas
- City to establish uniform safety and maintenance standards for all vessel launching areas

3f. *City to expand water taxi terminal/harbor observation areas*

At the present time, private companies offer water taxi service in Newport. Additional water taxi terminal areas, such as Long Wharf, should be developed by the City to expand the use of water taxi service as an alternative means of transportation around the City's waterfront. This in turn will decrease the amount of vehicular traffic on Newport's already congested streets.

These terminals can serve a dual function by becoming attractive observation areas for visitors.

Recommended action:

- City to identify possible water taxi terminals
- City to publicize location and routes of water taxi services
- City to encourage visitors and boaters to use the water taxi as alternative transportation

3g. *City to develop a harbor walk*

The city of Newport supports the establishment of a Harbor Front Walk to provide a pedestrian pathway along the Newport Waterfront beginning at Van Zandt Pier on Washington Street through to King Park on Wellington Avenue. See Appendix F detailing property located on Newport Harbor's shoreline.

There are no major physical impediments to establishing lateral shore access along the entire length of Newport Harbor from Van Zandt Pier to King Park. In many places, shore access is provided and well maintained. However, it is isolated and does not comply with any uniform standard. The principal obstacle to lateral access is the presence of fences, debris and the storage of uncovered items such as dock floats, building materials and unused equipment.

In addition, some areas of the shore have not been well maintained including the condition of the roads, sidewalks and property. When sites along the Harbor are redeveloped for commercial and residential use, these poor conditions improve dramatically.

Destination: Access is most needed where people most want to go. The diverse, interesting and often exciting maritime activities of Newport Harbor are an international attraction for both participants and onlookers. The Harbor constitutes a unique Rhode Island resource in this respect. Both private and public facilities are important destinations.

Linkage: The ability to choose any combination of destinations from along a single pathway creates a recreational resource much larger than the destinations themselves, and attracts a large number of people, which leads to the creation of still more attractive destinations.

The resulting access is attractive, properly maintained and appropriate to the uses that exist at a particular site. A well-constructed harbor walk has the potential to increase the value of commercial waterfront property and could lead to commercial use of properties that are currently vacant. This would further impact the economic development of Newport's shoreline.

Recommended action:

Lateral and perpendicular access can be established throughout the Harbor if:

- New projects are required to include it in their site design
- Existing shore uses modify their sites to facilitate the linkage of adjacent shore access segments
- Unauthorized barriers are removed, specifically those blocking access areas which have previously been granted CRMC assents

**GOAL # 4: Guarantee and protect public access to Newport tidal waters**

Policy

It shall be the policy of the City of Newport to guarantee and protect public access to its tidal waters.

*4a. Enforcement*

Agreements to provide public access are not always clear after the event. Nor are they always easy to locate. Planning board restrictions, CRMC agreements, zoning variance agreements, and other information defining the use of property parcels, are all relevant but not centrally located. The city planning dept. (or other appropriate designated dept.) must compile and maintain the fullest possible list of these agreements specifically relating to public access. This must be in a computer file in a form that allows access to all agreements for any specific property in Newport.

Recommended action:

- The existence of the computerized list should be publicized and made as easily accessible as possible
- A summary of federal, state, and city laws concerning rights of way should be compiled and published

*4b. Maintenance*

Public access eventually results in wear and tear due to public use. In environmentally sensitive areas overuse could degrade the attraction to the point that the public might destroy what they are coming to see. A procedure for routine maintenance must be established (see Goal 1b) to: ensure aesthetic values and, project budget requirements.

Such a procedure would allow the City to set aesthetic standards and establish a regular schedule for inspection and a budget for needed maintenance. A list of city owned Rights of Way must be established for the public works department (or other appropriate designated department) with a procedure for keeping the list up-to-date. A suitable schedule of maintenance must be drawn up, periodically reviewed, and adhered to by the department.

Recommended action:

- The public works department (or another appropriately designated department) will inspect all public sites at least once a year, for environmental impact, aesthetics, and any other maintenance needs. This could be linked to safety inspections (see goal 4(1) (b)).
- Legislation should be enacted making encroachment by abutting property owners, damage, blocking or obstructing rights of way, damaging or removing signs, punishable offenses
- A regular maintenance program to repair, replace and maintain ROWs as required should be established.
- Write and enact ordinances to provide penalties (fines are recommended) for removal or damage of any right-of-way marker, blocking, encroaching on or obstructing, damaging, or detracting from any right of way to the waterfront.
- Develop a list of minimum safety requirements for each ROW (see Goal 1b)

4c. *Funding*

A regular source of funds is needed to ensure public access is continued. This must be part of the city budget funding for the Maritime Department (or other appropriately designated department).

Recommended action:

- Establish a separate source of funding for harbor related projects
- Dedicated funding should be set aside to designate new rights of way
- An adequate maintenance budget should be established for existing rights of way.
- Sufficient funding should be available for aggressive legal action to protect and defend rights of ways against developers, encroachment by abutting property owners, and other interests, including attempts to privatize public property.

## **C. CRMC WATER TYPE / DEM WATER QUALITY ELEMENT**

### **1. INTRODUCTION:**

The quality of the tidal waters of Newport has a profound impact on the City's economy and reputation as the "City by the Sea." Not only are waterfront businesses directly affected, but also any business directly or indirectly related to the recreation and tourism industry has a stake in the health and cleanliness of our waters. If the water quality ever degraded to such a degree that swimming and fishing were prohibited, or the surface were covered with debris, it would be likely that yachters would shorten their visits or find a more attractive port, beach goers would find cleaner beaches and day visitors would venture to another resort town where waterfront dining would be more pleasant.

Of course, as the polluters of our waters, we have a responsibility to the coastal environment. Sensitive wetlands and habitats must be protected and preserved in order to maintain the diverse local marine environment.

### **2. BACKGROUND:**

In the State of Rhode Island, the Department of Environmental Management establishes water quality standards for the State's surface waters. These standards are intended to restore, preserve and enhance the physical, chemical and biological integrity of the waters of the State, to maintain existing water uses and to serve the purposes of the Clean Water Act and Rhode Island General Laws Chapter 46-12. These standards provide for the protection of the surface waters from pollutants so that the waters shall, where attainable, be fishable and swimmable, be available for all designated uses, taking into consideration their use and value for public water supplies, propagation of fish and wildlife, recreational purposes, and also taking into consideration their use and value for navigation, and thus assure protection of the public health, safety, welfare, and a healthy economy and the environment.

In order to protect water quality, DEM regulates the number and density of boats allowed in marinas, mooring areas and harbors through the Water Quality Certification Process. Possible sources of contamination are gasoline and oil leaks, boat motors, boat repair operations, anti-fouling boat paints, improper trash disposal, boat maintenance and construction materials, and direct overboard discharge of sewerage from vessels. Primary emphasis of this program is the protection of public health and shellfish areas.

The R.I. DEM Division of Water Resources is charged with classifying the waters according to the guidelines of the National Shellfish Sanitation Program (NSSP), as adopted by the Interstate Shellfish Sanitation Conference (ISSC). Allowable numbers of boats are a function of the area of the mooring or marina area, water depth, and proximity to shellfish resources as well as occupancy of boats and actual head discharge rate. According to the RIDEM East Passage Shoreline Survey 1994 Report, Newport Harbor contains approximately 2267 boats, including 40 commercial vessels located at Rhode Island State Pier #9. When the ISSC Marine Formula is applied, the maximum allowable number of boats in Newport harbor is 2190.56, indicating that the area is saturated. The report goes on to state that a great many of the vessels in Newport

Harbor are large enough to be equipped with marine heads, therefore the possibility of direct discharge into the water is highly probable. In addition, the northern section of the main harbor has a history of pollution due to influences emanating from Coddington Cove and from the presence of a naval training fleet which utilized TBT as anti-fouling bottom paint. Because of the substantial pollution of the harbor bottom, officials in the DEM feel that shellfishing may be banned from Newport Harbor permanently, and is not a consideration for water quality criteria in Newport.

On August 10, 1998, Rhode Island became the first state in the nation to declare all of its coastal waters off-limits to the dumping of sewerage from boats. Within this No-Discharge Zone, boats with heads are required to use a type III marine sanitation device (MSD) with a holding tank, or to have type I or II MSDs locked, secured, or otherwise rendered inoperable. In order to receive federal approval for the No-Discharge designation, Rhode Island had to develop a network of pump-out facilities statewide. Pump-out facilities available in Newport are shown in Appendix A.

The Goals and policies of this section are consistent with the Newport CLUP (see Land Use Element – Policy R, Natural and Cultural Resources Element – Goals 1G, 1H, Community Facilities Element – Policy 6A.)

## 2a. Inventory

- Newport Water Type and Quality designations are shown on map 4 in Appendix A.
- The following is a description of DEM's Water Quality classifications:

### RIDEM Seawater Classifications

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

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

Class SB1 – These waters are designated for primary and secondary contact recreational activities and fish and wildlife habitat. They shall be suitable for aquacultural uses, navigation, and industrial cooling. These waters shall have good aesthetic value. Primary contact recreational activities may be impacted due to pathogens from approved wastewater discharges. However, all class SB criteria must be met.

Class SC – These waters are designated for secondary contact recreational activities and fish and wildlife habitat. They shall be suitable for aquacultural uses, navigation, and industrial cooling. These waters shall have good aesthetic value.

*Note: Certain Class SA, SB and SB1 waterbody segments may have partial use designations assigned to them as noted in RIDEM Water Quality Regulations, Rule 8.B (2).*

- **SC classification is no longer used to classify salt water bodies in RI, however, DEM retains SC in its water quality regulations so that it is still legally available to**

**accommodate proposals to reclassify existing water bodies to the lower water quality goals of SC waters (2/14/08)**

- The Coastal Resources Management Council (“CRMC”) classifies the coastal waters of the state by type of use allowed. CRMC’s Water Type descriptions are as follows:

**Type 1 Conservation Areas**

**A. Definition**

Included in this category are one or more of the following: (1) water areas that are within or adjacent to the boundaries of designated wildlife refuges and conservation areas, (2) water areas that have retained natural habitat or maintain scenic values of unique or unusual significance, and (3) water areas that are particularly unsuitable for structures due to their exposure to severe wave action, flooding, and erosion.

**B. Findings**

1. The coastline that fronts directly on Long Island and Block Island Sounds includes some of the most dynamic and naturally scenic features in Rhode Island. These include but are not limited to the South Shore barriers and headlands, the erosion-prone bluffs of Block Island, and Newport’s rocky promontories. In order to adequately preserve these shorelines in these conservation areas, many activities proposed on shoreline features or in the tidal waters directly adjacent to these features must be severely restricted or prohibited.
2. Brigg’s Marsh in Little Compton, Sachem Pond on Block Island, and Hundred Acre Cove in Barrington are examples of water areas which have exceptional value as waterfowl nesting and feeding habitat. Rare and unique assemblages of plants and animals and rich shellfish beds are found in these undisturbed waters. Many, but not all, water areas of well-recognized significance to wildlife are within established sanctuaries or management areas.
3. Opportunities for scientific research and education have been enhanced by the designation of a National Estuarine Sanctuary in the upper Bay, one of some 15 similar designations nationwide. The sanctuary includes Bay waters extending to the 18-foot depth contour around Patience Island, the northern half of Prudence Island, and Hope Island.
4. Valuable conservation areas are not all in clean, rural environments. For example, Watchemoket Cove in the heart of the East Providence industrial waterfront is an important waterfowl resting area, particularly during the winter months when large numbers of canvasbacks, scaup, widgeon, and black ducks are present.
5. Several stretches of shoreline within Narragansett Bay have survived the rapid proliferation of residential development during recent decades in pristine condition. Examples include the Potowomut River, the Palmer River in Barrington and Warren, and the Mt. Hope Cliffs in Bristol. It is important that as much of this land as practicable be preserved from alteration to assure that Rhode Island’s rich diversity of shoreline types and high scenic value are preserved.

### C. Policies

1. 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.
2. The mooring of houseboats and floating businesses, the construction of recreational boating facilities, filling below mean high water, point discharge of substances other than properly treated runoff water (see Section 300.6), and the placement of industrial or commercial structures or operations (excluding fishing and aquaculture) are all prohibited in Type 1 waters.
3. In Type 1 waters, activities and alterations including dredging, dredged materials disposal, and grading and excavation on abutting shoreline features are all prohibited unless the primary purpose of the alteration or activity is to preserve or enhance the area as a natural habitat for native plants and wildlife or a beach renourishment/ replenishment project. Structural shoreline protection facilities shall not be permitted to preserve or enhance these areas as a natural habitat or to protect the shoreline feature.  
Notwithstanding the Council's prohibition against construction of recreational boating facilities in Type 1 Waters, the Council recognizes that some residential boating facilities may have pre-existed in Type 1 Waters prior to the formation of the Council. The Council's ultimate goal is to remove said structures and restore the areas involved to be free of all recreational boating facilities. Although recreational boating facilities are inconsistent with the Council's goals for Type 1 Waters, in order to provide for the equitable transition and compliance with the Council's goals pre-existing residential boating facilities may be permitted under the limited terms and conditions set forth in Section 300.4 of the RICRMP and in the Council's Pre-existing Residential Boating Facilities Program.
4. Since runoff can be a major source of pollutants from developed areas, new or enlarged point discharges of untreated runoff shall be permitted in Type 1 waters only when it is demonstrated that no reasonable alternative exists and that no significant adverse impact to the receiving waters will result. The cumulative impacts of runoff are of particular concern in Type 1 waters.
5. Applicants for Council Assents for alterations or activities in or contiguous to Type 1 waters shall describe the measures taken to mitigate impacts on the scenic quality of the area (see Section 330).
6. Activities and alterations subject to Council jurisdiction contiguous to public parks, public beaches, public rights-of-way to the shore, and conservation areas abutting Type 1 waters shall not significantly interfere with public use and enjoyment of such facilities. Where significant interference is found, the Council shall suitably modify or prohibit that alteration or activity.

### **Type 2 Low-Intensity Use**

#### A. Definition

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.

#### B. Findings

1. Type 2 waters are similar to Type 1 waters in their high scenic qualities, high value for fish and wildlife habitat, and, with some exceptions, good water quality. Densely developed residential areas abut much of the waters in this category, and here docks and the activities and small-scale alterations associated with residential waterfronts may be suitable.
2. Major portions of the salt ponds along the South Shore between Watch Hill and Point Judith are assigned to Type 2 waters. Nearly all have retained their scenic and natural characteristics while accommodating residential docks, minor dredged channels, and small-scale shoreline protection structures. Each coastal pond is an individually distinct ecosystem and a unique feature of great scenic value. Continuing residential development within the watersheds of the salt ponds poses severe threats to future water quality in the form of both bacterial contamination and eutrophication. Permanent breachways built in the 1950s to provide easy access for boats to the ocean have radically altered the ecology of many of the larger ponds and are causing rapid siltation within the ponds.
3. Waters along open coasts which support low-intensity uses associated with residential areas are found along stretches of the lower Bay. An example is the Sakonnet River, which separates Aquidneck Island from Tiverton and Little Compton. The Sakonnet's waters are of high quality except for small areas adjacent to the few densely developed areas, and its shorelands are varied and picturesque, displaying large salt marshes, rocky cliffs, open agricultural fields, and wooded shoreline. The upper half of the Sakonnet River is a productive quahog ground and is fished commercially. Conchs are fished commercially throughout the river, and Almy Brook, which drains into the Sakonnet from Nonquit Pond, contains a sizable alewife run.
4. Several small riverine estuaries such as the Kickemuit River in Warren and the Pettaquamscutt (Narrow) River in Narragansett, South Kingstown, and North Kingstown are also assigned to Type 2 waters. These rivers contain extensive salt marshes and rich diversity of fish, shellfish, and waterfowl. Extensive residential development and restricted flushing combine to pose severe water quality concerns similar to those in the more developed salt ponds. Scenic values, however, remain high, and local residents are highly concerned that activities such as shellfishing and swimming are maintained and not preempted by poor water quality.

#### C. Policies

1. 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.
2. New or deepened dredged channels and basins (termed "improvement dredging" by the Army Corps of Engineers); new marinas and expansion of pre-existing marinas in excess of 25 percent of their capacity; the mooring of houseboats and floating businesses;

industrial and commercial structures and operations (excluding fishing and aquaculture); and filling are all prohibited in Type 2 waters. The Council's intent for pre-existing marina operations located in Type 2 Waters is to allow for their continued maintenance and viability as such operations. Maintenance dredging, dock reconfigurations, activities such as travel-lift operations and other best available technologies, and other ancillary activities necessary to maintain the operational viability of the facility, should be expected to occur at pre-existing marina operations in these waters. Structural shoreline protection facilities should not be prohibited. Such allowances will only be instituted at marina facilities with approved marina perimeters (see Section 300.4.E) and will be reviewed in accordance with applicable standards of Section 300.4.E. In order to be eligible for this policy, applications for marina perimeters must be submitted to the CRMC by April 1, 1994. Current capacities of pre-existing marinas, as found in CRMC-approved special area management plans, and similar management plans, should be recognized and no attempt should be made to require these pre-existing marinas to meet their capacities as of January 1981.

3. Residential boating facilities, public launching ramps, and structural shoreline protection facilities may be permitted in Type 2 waters, provided it can be demonstrated that there will be no significant adverse impact to coastal resources, water dependent uses or public's use and enjoyment of the shoreline and tidal waters of the State. It is the Council's policy that one or more of the following conditions describe a situation, condition, or proposal that is deemed to have a significant adverse affect on Rhode Island's coastal resources and therefore is grounds for denial or modification of an application for an Assent:
  - a. The construction of the proposed facility may cause significant impacts on coastal wetlands and other public trust resources (e.g. shellfish, finfish, submerged aquatic vegetation, etc.);
  - b. Access to the construction site is not available without causing significant impacts to Rhode Island's coastal resources (e.g. coastal wetlands);
  - c. The proposed facility would significantly interfere with and/or impact other public trust uses of the tidal or inter-tidal areas of the shoreline (e.g. interfere with navigation);
  - d. Water depths adjacent to the site would require dock span lengths in excess of the standards contained in Section 300.4.E in order to allow normal and appropriate use of the dock by a vessel.
4. Applicants for Council Assents for alterations or activities in Type 2 waters shall describe the measures taken to mitigate impacts on the scenic quality of the area (see Section 330).
5. Since runoff can be a major source of pollutants from developed areas to poorly flushed estuaries, new or enlarged discharges shall be permitted into the following Type 2 waters only when it is demonstrated that no reasonable alternative exists and that no significant adverse impact to the receiving waters will result:
  - a. Winnapaug Pond
  - b. Quonochontaug Pond
  - c. Ninigret Pond (Charlestown Pond)
  - d. Green Hill Pond
  - e. Potters Pond
  - f. Point Judith Pond

- g. Nannaquaket Pond
  - h. Palmer River
  - i. Kickemuit River
  - j. Fishing Cove (Wickford)
  - k. Pettaquamscutt River
6. Activities and alterations subject to Council jurisdiction contiguous to public parks, public beaches, and public rights-of-way to the shore and conservation areas abutting Type 2 waters shall not significantly interfere with public use and enjoyment of such facilities. Where significant interference is found, the Council shall suitably modify or deny that alteration or activity.

### **Type 3 High-Intensity Boating**

#### **A. Definition**

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.

#### **B. Findings**

1. Marinas are the principal means by which the boating public gains access to tidal waters, and therefore provide an important public service. Only beach going involves more Rhode Islanders in a recreation activity that makes direct use of tidal waters. In 1978, some 65 percent of all slips and moorings were within marinas and yacht clubs, and nearly all of these are within Type 3 waters.
2. Marinas face a number of difficulties. The boating season in Rhode Island is confined to six months, with most of the activity concentrated in June, July, and August. Many marina operations have difficulty in generating income during the remainder of the year and are economically marginal businesses. Nearly all the existing marinas were built when the value of waterfront property was far lower than it is today, and the pressure is mounting to convert marginal operations occupying high-value waterfront land to more profitable uses.
3. Areas suitable for marinas are severely limited, and the steady growth in the number of recreational boats is increasing the competition for the available facilities. Unfortunately, sheltered waters suitable for marinas are limited, and most of the remaining potential sites contain salt marshes that could only be developed at great environmental as well as high economic costs. Persons proposing new marinas are also hampered by local zoning and high land costs, and neighborhood opposition is frequently vociferous. The solution to growing demand is therefore to use the available facilities more efficiently and to recycle already altered sites in the upper Bay and on excess Navy holdings, such as Allens Harbor in North Kingstown and along the Aquidneck west shore.
4. In many locations, marina operators are plagued with siltation problems and find it difficult to find acceptable sites for their dredged materials. Dredging problems can be best solved if the marina operators within a cove or harbor join together to finance the dredging and find a common local solution to the disposal problem. Options such as

marsh building, beach nourishment, or the transport of materials to a more distant location become technically and economically feasible when a sufficiently large volume of material is to be moved and a united effort to solve the problem is organized.

5. The growth in the size of the recreation fleet, limited berthing opportunities, and the increasing expense of in-water storage have contributed to rapid growth in the number of trailered boats. This has placed a heavy demand on public launching ramps, which are in short supply and many of which are in deteriorating condition or have limited parking capacity.
6. Type 3 waters and the adjacent shoreline, while utilized intensely for the needs of the recreational boating public; nevertheless retain numerous natural assets of special concern to the Council. These include coastal wetlands, and the value these areas provide as fish and shellfish spawning and juvenile rearing grounds. These factors must be weighed when the Council considers proposals that may impact these assets.

#### Table 2. Policies

1. 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.
2. 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.
3. The Council encourages marinas to seek innovative solutions to increased demands for moorings, dockage, and storage space, and allows marina operators to alter the layout of their facilities (see Section 300.4).
4. The Council shall encourage more and improved public launching facilities by protecting existing facilities from interference by other uses subject to Council jurisdiction, identifying appropriate sites for new ramps and parking areas, and working with other agencies to build new ramps and maintain existing facilities.

### **Type 4 Multipurpose Waters**

#### A. Definition

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.

#### B. Findings

1. The open waters of Narragansett Bay and the Sounds are used for a number of purposes including commercial and sport fishing, boating, commercial shipping, aquaculture, and scientific research. These areas are highly productive of fish and shellfish, and support

substantial commercial fisheries including a small dragger fishery, seasonal lobstering, and shellfishing. The overwhelming majority of activity is in shellfishing, particularly quahogging. The quahog fishery has grown steadily over the past decade, and in 1980 the reported landings of quahog meats peaked at an all-time high of 3.5 million pounds, worth over \$11 million. It is generally accepted that the reported catch is substantially less than the actual. In 1980, Rhode Island supplied more than one-quarter of the nation's total harvest, and the fishery provided full-time employment to some 1,300 fishermen and part-time employment to an additional 2,300. The boundaries of principal grounds for the quahog trawler and lobster fisheries are shown in a general manner on maps in "An Aquaculture Management Plan for Rhode Island Coastal Waters," prepared in 1981 by W.J. Lapin of the Department of Environmental Management. A significant portion of the Bay's quahog beds is in upper Bay areas permanently closed to shellfishing, and many of the currently most productive grounds are closed for much of the year. Water pollution is thus a major threat to the Bay's shellfisheries.

2. In the early years of this century, the Bay supported a lucrative oyster culture industry. In 1910, some 20,000 acres of Bay bottom were leased to private growers. Conflicts between oyster growers and commercial shellfishermen were intense. The oyster industry began a rapid decline in the 1930s and ended in 1957. In the late 1970s, a new form of aquaculture using intensive off-bottom culture methods was proposed for several locations. By mid-1982 three leases had been granted by the Council in the Bay and in the coastal ponds. Commercial fishermen oppose the re-establishment of aquaculture in the Bay fearing encroachment on their grounds and impacts on shellfish prices. Aquaculturists argue that their intensive methods need not compete with traditional fisheries for prime grounds and that aquaculture could provide the state with a new industry, providing jobs and revenues from a renewable native resource. Aquaculturists use floating structures such as rafts or lines suspended from buoys or may conduct their activities on the bottom. Most aquacultural activities involve fixed and relatively permanent structures. While the species potentially suitable for aquaculture are almost unlimited, the species of current interest for Narragansett Bay are mussels, oysters, and quahogs.
3. Boaters and sport fishermen are another major user group of Type 4 waters. The majority of the state's estimated 33,000 (1979) recreational boats are used on the Bay. Sport fishermen take large numbers of flounder, bluefish, and striped bass each year. The scenic qualities of the Bay, good water quality, and control over preemptive uses are essential to all recreational users.
4. A major concern to all users of Type 4 waters is good water quality. The major source of all principal pollutants to the Bay, including pathogenic bacteria, nutrients, petroleum hydrocarbons, metals, and exotic organic chemicals, are the urban and industrial centers that discharge into the Providence River. Strong down Bay gradients is seen in both the sediments and water column for all these pollutants. The long-term combined impacts of pollutants on the Bay ecosystem are not well understood. There is evidence, however, that pollutants that enter the Providence River may be impacting the Bay as far south as Hope Island. The major sources of pollutants to the Bay are the rivers that drain some 2,000 square miles in Rhode Island and Massachusetts, the effluents from sewage treatment plants, and urban runoff.

Table 2. Policies

1. 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.
2. The Council recognizes that large portions of Type 4 waters include important fishing grounds and fishery habitats, and shall protect such areas from alterations and activities that threaten the vitality of Rhode Island fisheries.
3. Aquaculture leases shall be considered if the Council is satisfied there will be no significant adverse impacts on the traditional fishery.
4. The Council shall work to promote the maintenance of good water quality within the Bay. While recognizing that stresses on water quality will always be present in urban areas such as the Providence River, the Council shall work to promote a diversification of activities within the upper Bay region through the water quality improvement process.

### **Type 5 Commercial and Recreational Harbors**

#### **A. Definition**

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

#### **B. Findings**

1. Type 5 waters all support a vibrant mix of commercial and recreational waterfront activities. All have important historic value that must be preserved. Competition for space is intense in all Type 5 waters, commercial fishing vessels, recreational boats, and ferries compete for limited water space, while waterfront businesses of many varieties vie for a position on the waterfront. The visual quality of these areas is highly important, since all are centers for tourism.

#### **C. Policies**

1. 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.

2. 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.
3. Applicants for Council Assents for alterations or activities in Type 5 waters shall describe measures taken to mitigate impacts on the scenic quality of the area (see Section 330).

## **Type 6 Industrial Waterfronts and Commercial Navigation Channels**

### **A. Definition**

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

### **B. Findings**

1. The Port of Providence extends some ten miles along the Providence and East Providence shores of the Providence River and is the state's principal general cargo and petroleum port. Import and export of products moving through the port have a major impact on the state's economy and generate jobs and economic activity in many other sectors. In fiscal 1981, 5.3 million tons of petroleum, steel, cement, automobiles, lumber, scrap metal, and other non-petroleum commodities were received or shipped. The Providence shipping channel is dredged to an authorized depth of 40 feet. Large segments of shoreline and water in the port area are in derelict condition and littered with abandoned piers and sunken barges. Efforts to expand and improve the port have been underway for many years. In East Providence, across the channel from the Providence municipal wharf, the Providence and Worcester Railroad Company has made large investments in a major new landing pier. On the Providence side, infusions of public funds have brought many improvements, but much remains to be done. Priority problems include the difficulty in finding acceptable sites for dredged materials produced by maintaining or improving existing channels and berths, and the need to remove some 26,000 cubic yards of debris

that forestalls the reuse of presently derelict areas. Coordinated planning and development efforts are essential to any initiative to improve the port and make it more competitive.

2. In the 1970s large-scale port facilities and waterfront industrial sites at Quonset-Davisville, Coddington Cove, and Melville were declared surplus by the Navy. These sites are available for redevelopment principally through the R.I. Port Authority. Some of the port facilities in these areas are in disrepair, and will require major infusions of capital if they are to be reused, while others are in good condition and are in active use for shipbuilding and other water-dependent purposes. These facilities, when combined with the derelict waterfront in the Providence River, give the state a large inventory of unutilized or underutilized port facilities.
3. Rhode Island supports a thriving offshore commercial fishing industry based at the ports of Galilee and Newport. Galilee is home port to some 160 vessels, which landed 56 million pounds of fish and shellfish worth \$11.7 million in 1982. The port facilities at Galilee are owned by the state and managed by the Department of Environmental Management. A large portion of the 21 million pounds of fish and shellfish worth \$13 million (1979) landed at Newport is caught by vessels that have home ports out of state. Fishing vessels berthing at Newport utilize facilities managed under lease by the Department of Environmental Management. Rhode Island's commercial fishing fleets are growing but are severely hampered by limited berthing and unloading facilities. An expansion and improvement program of the state facilities at Galilee and Newport has been underway for a decade.
4. Nearly all Rhode Island's boating and shipping facilities require periodic dredging to maintain adequate water depths in channels and turning basins and at berths. Until the mid-sixties, dredge spoils were disposed with little concern for environmental impacts. Salt marshes were filled, new sandbars and spits created, and the largest project in recent history, the deepening of the Providence channel from 30 to 40 feet, left a large spoil mound off Brenton Reef in the Sound and a legacy of vehement opposition by fishing interests to any offshore disposal. For the past two decades, finding acceptable solutions to dredged materials disposal needs has proved difficult. Salt marsh building, bulkheading, and beach nourishment are frequently viable solutions where small volumes are concerned, but offshore dumping may be the only cost-effective solution for large projects. All solutions raise concerns, and energetic opposition is frequently organized. Finding acceptable, environmentally sound solutions to dredged materials disposal remains an important challenge for the coastal program.

#### C. Policies

1. 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. Highest priority uses of Type 6 waters and adjacent lands under Council jurisdiction are: (a) berthing, loading and unloading, and servicing of commercial vessels; (b) construction and maintenance of port facilities, navigation channels, and berths; and (c) construction and maintenance of facilities required for the support of commercial shipping and fishing activities.

The Council shall prohibit activities that substantially detract from or interfere with these priority uses.

3. The Council will encourage and support port development and modernization and increased economic activity in the marine industries by participating wherever possible in the joint long-range planning and development activities with other state and local agencies, including the R.I. Port Authority, the Department of Environmental Management, and coastal cities and towns.
4. Through its Special Area Management Plan for Providence Harbor, and other planning initiatives, the Council will identify and designate acceptable disposal solutions and sites adequate to meet the need for dredging, and provide the assurances required by industry that channel depths will be maintained, while minimizing environmental effects. The solutions may be more costly than older disposal practices, and may involve innovative technology. The Council will also work in cooperation with the Cities of Providence and East Providence and the Corps of Engineers toward achieving the removal of dilapidated piers and abandoned barges, which presently preclude economic use of large areas within Providence Harbor.

- Twenty-two actual and potential water pollution sources as determined by the RIDEM East Passage Shoreline Survey 1994 Report are shown on the map in Figure 1 and listed in table 1.
- The Newport Waste Water Treatment Plant maintains two CSOs (Wellington Avenue and Long Wharf Avenue) which discharge into the main harbor during excessive rainfall events.
- Boating activity has a significant negative impact on water quality. According to the previously mentioned 1994 survey report, Newport Harbor contains approximately 2267 boats, including 40 commercial vessels located at Rhode Island State Pier #9.



Figure 1. Actual and potential water pollution sources in Newport waters as determined by the RIDEM East Passage Shoreline Survey 1994 Report

**Table 1. Actual and potential pollution sources located in the East Passage**

Sample #	Results*	Description and Location	Direct/ Indirect	Actual/ Potential	Flow Rate
52	430/43	6 in. cast iron pipe near Fort Adams and Brenton Village located at concrete slab in water sample taken from manhole.	D	A	Min.
53	3-/3-	8 in. PVC leads into water at concrete slab next to previous, sample taken at manhole.	D	A	1gal/20sec
54	23/3-	6 in. cast iron pipe at embankment running slowly 20 ft north of corr. Metal drain pipe Brenton Village.	D	A	Min.
55	75/4	24 in. corr. Metal drainpipe with remains of headwall.	D	A	1gal/7sec
56	9/3-	8 in. PVC top of embankment 200 ft south of previous.	D	A	1gal/70sec
57	NO FLOW	6 in. cast iron pipe on top of embankment Brenton Village	D	P	-
58	NO FLOW	Two, 6 in. cast iron pipes on top of embankment Brenton Village	D	P	-
59	43/3-	8 in. cast iron pipe going directly to water manhole on road.	D	A	1gal/30sec
60	NO FLOW	6 in. cast iron pipe out of embankment above ledge, southern edge of cemetery.	D	A	-
61	NO FLOW	6 in. cast iron on beach w/large stones 25 ft away from fence marking edge of state property.	D	P	-
62	93/3-	6 in. blue PVC in stonewall south of Hammersmith Farm dock.	D	A	1gal/8sec
63	NO FLOW	4 in. white PVC possible yard drain top of embankment 250 ft south of Hammersmith Dock	D	P	-
64	NO FLOW	4 in. PVC next to stone wall 200ft south of previous	D	P	-
65	3-/3-	6 in. cast iron 200 yds. north of metal dock	D	A	1gal/60sec
66	4300/930	15 in. PVC pipe 40 ft south of metal dock	D	A	1gal/4sec
67	150/23	12 in. PVC pipe filled with debris 53 Ridge Rd.	D	A	Min.
68	430/150	6 in. corr. Metal drain pipe buried east side of Castle Hill Coast Guard Station.	D	A	1gal/10sec
69	93/3-	12 in. concrete pipe w/headwall at Castle Hill Coast Guard Station parking lot.	D	A	Min.
70	NO FLOW	4 in. cast iron pipe west side of Castle Hill cove concrete holding tank had gray residue not enough to sample	D	A	-
71	23,000/ 23,000	Castle Hill Inn northern point septic discharge running down embankment no pipe could be seen but strong sewage odor.	D	A	-
72	NO FLOW	6 in. cast iron pipe 100 ft south of northern point of Castle Hill Inn.	D	P	-
73	150/150	18 in. concrete storm drain in headwall 571 Ocean Rd. moderate flow	D	A	1gal/35sec

\* Results indicate bacteria levels (total coliforms/fecal coliforms)

## **2b. Statutory Authority**

The R.I. DEM, Division of Water Resources regulates water quality standards throughout the state (G.L.R.I. 46-12, 42-17.1, 42-17.6 and 42-35 as amended). Water quality standards define water quality goals of a water body, by designating the use or uses to be made of the water and by setting criteria necessary to protect the public health and welfare, enhance the quality of water and serve the purposes of the Clean Water Act and Chapter 46-12 G.L.R.I.

There are several federal laws that address water quality issues. The international agreement of 1988, MARPOL, made it illegal to throw any plastics into the ocean within three miles of the shore. In addition, MARPOL requires that docks and marinas provide shore-based refuse facilities for the garbage of seagoing vessels. The Federal Water Pollution Control Act of 1972, later amended in 1977 and 1987, now known as the Clean Water Act, regulates vessel sewerage discharge. Section 312 of this Act outlines the requirements of marine sanitation devices (MSDs) on boats and enables states to apply to the US EPA for authority to prohibit discharges of all vessel wastes, both treated and untreated.

## 3. ISSUES AND NEEDS ANALYSIS:

The health and cleanliness of waterways has a direct link to the health of the passenger vessel industry (i.e., if waterways are too polluted to attract customers, the business will go elsewhere). In this regard, passenger vessel operators are in a unique position to help in the long-term prospects for the continued economic health of their businesses. In addition to assuring that vessels do not pollute the waterways, operators can educate their passengers about the value of marine ecological resources, the problems challenging the health of waterways, and what passengers can do in their normal lives to improve and protect aquatic resources.

From sources such as street litter or trash thrown overboard from vessels, marine debris is any man-made object that enters the water either through direct or indirect means. For example, a casually dropped plastic bag onto a street can be washed into a storm drain, go through the sewer system to a stream/river and eventually into the ocean where it can be deposited on beaches or eaten by an animal causing internal injury or blockage of vital passageways. It can also strand a boat by clogging intake valves and entangling propellers.

The discharge of sewage from vessels into the waterways can contribute to the degradation of the marine environment by introducing disease-causing microorganisms (pathogens), such as bacteria, protozoa's, and viruses, into the marine environment. In addition, sewage released in the vicinity of shellfish beds pose a public health problem. Because shellfish are filter feeders, they concentrate the pathogens in their tissue, thereby causing the shellfish to be unsafe for human consumption. The most notable diseases potentially transmitted by the ingestion of shellfish contaminated with the pathogens are gastroenteritis, dysentery, infectious hepatitis, and typhoid fever. Sewage discharged from vessels can also be visually repulsive and decreases the use of water bodies for contact sports, such as swimming, water skiing, and snorkeling.

Chemical compounds, such as oil and gasoline resulting from spills or leaks from vessels and/or the discharge of bilge water, can poison fish and other marine organisms. Research has shown that by-products from the biological breakdown of petroleum products can harm fish and wildlife

and pose threats to human health if ingested. The ubiquitous rainbow sheen of a small gasoline or diesel spill is an all too common sight. Although most spills are small, cumulatively they can represent a considerable problem. Since many of the petroleum pollutants float on the surface of the water and are eventually wind blown into the shoreline, they can physically cover plants and small animals, interfering with their respiration and life cycles.

#### 4. GOALS, POLICIES AND RECOMMENDED ACTIONS:

- GOAL 1:** Develop programs that would minimize the introduction of pollutants into tidal waters of the municipality from recreational boats and shore side activities.
- GOAL 2:** Ensure there are sufficient facilities for the safe and sanitary disposal of organic vessel-generated waste through a comprehensive marina pump-out installation and maintenance plan, for vessels at dock, and vessels at mooring.
- GOAL 3:** Develop programs for municipal facilities to provide for disposal of common trash and hazardous materials such as waste oil, plastics, varnish, batteries and other inorganic materials at locations convenient to recreational boaters.
- GOAL 4:** Encourage Best Management Practices (BMPs) for marinas to reduce non-point sources of pollution caused by marina operations.
- GOAL 5:** Where significant shallow-water habitat is identified, restrict boating activities as necessary to decrease turbidity and physical destruction of such habitat.

#### **GOAL 1: Develop programs that would minimize the introduction of pollutants into tidal waters of the municipality from recreational boats and shore-side activities.**

##### Policy

- The City shall support efforts to reduce non-point sources of pollution affecting the tidal waters of Newport.
- The City will develop educational programs to increase public awareness regarding non-point pollution sources.
- The City shall follow RIDEM policy in working to eliminate CSOs into Narragansett Bay.
- The City shall promote low-impact fishing and aquaculture practices so as not to further degrade water quality and impact biological oxygen demand (BOD).

*Goal 1a. Preserve and restore wetlands to control non-point pollution sources.*

##### Recommended Actions

- Identify existing wetlands and discourage development in these areas
- Expand inventory of open space properties
- Coordinate with agencies such the EPA, USDA, NOAA, U.S. Army Corps of Engineers, in order to form strategic alliances for the purpose of land preservation
- Encourage organizations such as the Nature Conservatory, the Trust for Public Land, and local land trusts such as the Aquidneck Island Land Trust to purchase wetlands for conservation purposes.
- Coordinate with state and federal agencies to restore degraded wetlands and riparian zones with pollution control potential

- Consider use of engineered vegetated treatment systems to capture runoff before it reaches natural wetlands
- Review cluster zoning laws to remove wetlands and other un-buildable land from density calculations and ensure that at a minimum, required buffer zones are maintained to protect pond and marsh perimeters
- Ensure that wetland setbacks are protected and kept in a natural state

*Goal 1b. Reduce amount of contamination resulting from inappropriate water type.*

Recommended Actions

- The City of Newport will review the Zoning Ordinance in relation to CRMC water type designations to ensure that designations balance use and space utilization against preservation of water quality, natural habits, and historical and scenic value.
- The City shall apply for a higher quality water type designation for Rose Island.

*Goal 1c. Reduce amount of contamination resulting from urban runoff.*

Recommended Actions

- Require new developments to maintain volume of run-off at pre-development levels by using structural controls, pollution prevention strategies, and best management practices
- Perform a comprehensive evaluation of waterfront storm drains and develop run-off management plans for existing areas
- Identify priority pollutant reduction opportunities
- Protect natural areas that control run-off
- Restore ecologies and retrofit existing construction
- Ensure adequate natural barriers exist to protect reservoirs and watercourses from road spume
- Review catch basin clean out and oil/water separator maintenance programs
- Review street and sidewalk cleaning programs for areas abutting the main harbor
- Decrease volume of traffic
- Stencil storm drains with ‘No Dumping’ warnings
- Develop water conservation programs
- Retrofit bathrooms with water saving devices
- Disconnect gutters and downspouts from sewer lines
- Disconnect basement sump pumps from sewer lines where appropriate.

*Goal 1d. Reduce amount of contamination resulting from poor household management.*

Recommended Actions

- The City of Newport shall ensure households are managing septic systems through inspections, scheduled pump-outs, and timely repair.
- The City of Newport should encourage homeowners to limit continuous impervious surface areas and employ xeriscape gardening techniques.
- The City of Newport will ensure the existence of adequate programs to provide safe and convenient disposal sites for hazardous substances used in the home which are chemical and

petroleum based products such as household cleaner, grease, oil, plastics, and some paper products.

*Goal 1e. Reduce amount of contamination resulting from agriculture.*

Recommended Actions

- Identify areas where erosion of soil is problematic and encourage property owners to employ best management practices to control the volume and flow rate of runoff water, keep soil in place, and reduce soil transport
- Identify areas where fertilizers are employed and encourage users to implement nutrient management plans
- Identify confined animal facilities and ensure they operate with an appropriate waste management system
- Identify areas where pesticides are used and encourage users to apply Integrated Pest Management techniques

*Goal 1f. Reduce amount of contamination resulting from the discharge of harmful materials into the sewer system.*

Recommended Actions

- Monitor businesses that are likely to discharge oil, grease, and other chemicals into the sewer system
- Review current permitting process and its fee structure to encourage businesses to eliminate harmful discharges
- Require businesses to maintain effective pretreatment systems
- Structure the permit process so that the largest benefits are realized by those businesses that convert to new, environmentally sound technologies

*Goal 1g. Eliminate discharges into coastal waters.*

Recommended Actions

- Conduct a shoreline survey to identify any non-permitted discharges into coastal waters
- Work with State and Federal Government to upgrade existing City and State point discharge areas.
- Consult with DEM as necessary to discuss chlorine contamination limits for Newport Harbor and Narragansett Bay from the CSO and sewage outflows
- Regularly monitor CSO outflows
- Encourage community participation in monitoring CSO outflows
- Require retrofitting of all City road projects with best management practices when construction and renovation projects are undertaken
- Retrofit storm drains with detention basins to catch sediments
- Review parking areas and paving materials used in coastal developments to limit point and non-point pollution

*Goal 1h. Increase general public awareness of how to minimize pollution within the environment.*

Recommended Actions

- Develop programs to educate the public about proper handling and disposal of toxins to eliminate their being poured down the drain
- Encourage schools to conduct educational programs focusing on preservation of the environment
- Develop hand-outs for Maritime Depart distribution and enclose environmental information with mooring fee notices
- Develop programs to educate the public to discourage continued use of materials that are difficult to treat and/or dispose

*Goal 1i. Identify potential hazards and minimize resulting damages.*

Recommended Actions

The Hazard Mitigation and Safety section of this plan has called for the identification of potential environmental hazards and outlined requirements for maintaining an inventory of emergency management resources in the harbor in the event of an oil spill or similar emergency.

*Goal 1j. Minimize the impact of aqua-cultural activities to the City of Newport.*

Recommended Actions

The City of Newport shall conduct pre-development water quality and habitat assessments to determine pollution levels. Post-development the City shall ensure pollution levels do not exceed that of pre-development.

*Goal 1k. Minimize the impact of commercial fishing activities.*

Recommended Actions

The City of Newport shall work with state and federal agencies to ensure shore-side commercial fishing activities are in compliance with existing regulations.

**GOAL 2: Ensure there are sufficient facilities for the safe and sanitary disposal of organic vessel-generated waste through a comprehensive marina pump-out installation and maintenance plan, for vessels at dock, and vessels at mooring.**

Policy

- The City shall strive to ensure adequate facilities exist in the main harbor area for the safe and sanitary disposal of vessel generated septic waste.
- The City will work with RIDEM to update water quality designations for Newport waters that are believed to qualify for a higher quality standard.

*Goal 2a. Reduce amount of contamination generated from boat septic discharge.*

#### Recommended Actions

- Support State of Rhode Island's designation of Narragansett Bay as a no-discharge zone
- Ensure there is an inventory of land-based pump-out facilities in the main harbor to sufficiently serve the population of boaters in Newport Harbor and review inventory periodically
- Ensure compliance with the Clean Water Act
- Implement a system that allows the Maritime Department to monitor whether 'Y-valves' on holding tanks are sealed
- Impose fines against violators through Harbor Rules and Regulations
- Update Harbor Rules and Regulations to reflect Newport's 'No Discharge' policy
- Review Zoning Ordinance to require a provision for proper sanitation facilities at new or improved recreational boating facilities, marinas, and other waterfront developments as appropriate.
- Ensure sufficient supply of toilet facilities in the main harbor to serve the population of boaters in Newport Harbor

*Goal 2b. Increase public awareness of the benefits of pump-outs.*

#### Recommended Actions

The Maritime Department shall work with marina operators to develop and implement a public education program to inform users about pump-outs and the ways in which they improve water quality and environment.

**GOAL 3: Develop programs for municipal facilities to provide for disposal of common trash and hazardous materials such as waste oil, plastics, varnish, batteries and other inorganic materials at locations convenient to recreational boaters.**

#### Policy

- The City shall endeavor to provide facilities for the safe disposal of hazardous waste such as motor oil, cleaning products etc. at convenient locations for recreational boaters
- The City shall endeavor to provide facilities for the safe disposal of common boat refuse at convenient locations for recreational boaters

*Goal 3a. Reduce amount of contamination generated from substances associated with boat operation and repair.*

#### Recommended Actions

- Ensure adequate number of oil and worn motor part collection facilities in the main harbor to sufficiently serve the population of boaters in Newport Harbor.
- The Maritime Department will encourage marina and commercial mooring operators to identify oil and worn motor part collection facilities to boaters.

*Goal 3b. Reduce amount of contamination generated by discharged boat refuse.*

#### Recommended Actions

- Ensure adequate number of refuse collection facilities in the main harbor to sufficiently serve the population of boaters in Newport Harbor.
- Require marina and commercial mooring operators to provide refuse collection receptacles.
- Review the benefits of purchasing and operating a ‘skimmer’ to reduce debris in the inner harbor.

**GOAL 4: Encourage Best Management Practices (BMPs) for marinas to reduce nonpoint sources of pollution caused by marina operations.**

Note to marina operators – An excellent step-by-step guide to BMPs for marinas in Rhode Island titled “Environmental Guide for Marinas: Controlling Nonpoint Source Storm Water Pollution in Rhode Island” is available from the University of Rhode Island Sea Grant Library and on the Internet at <http://seagrant/gso.uri.edu/riseagrant/bmp/bmp.htm>.

Policy

- Encourage implementation of effective runoff control strategies that include the use of pollution prevention activities and the proper design of hull maintenance areas.
- Endeavor to reduce the average annual loading of total suspended solids in runoff from hull maintenance areas.
- Promote proper disposal of solid wastes produced by the operation, cleaning, maintenance, and repair of boats to limit the entry of solid waste into surface waters.
- Promote sound fish-waste management practices.

*Goal 4a. Minimize the negative impact of marina facilities on water quality.*

Recommended Actions

The City of Newport shall require marina operators to implement strategies that will prevent erosion, control storm runoff, and contain hull maintenance areas.

*Solid Waste and Storm Water Runoff*

- Implement effective runoff control strategies that include the use of pollution prevention activities and the proper design of hull maintenance areas.
- Reduce the average annual loading of total suspended solids in runoff from hull maintenance areas.
- Properly dispose of solid wastes produced by the operation, cleaning, maintenance, and repair of boats to limit the entry of solid waste into surface waters.
- Promote sound fish-waste management practices.
- For boats that are in the water, perform cleaning operations to minimize, to the extent practicable, the release to surface waters paint from in-water hull cleaning.

*Fuel, Oil and Other Petroleum Hydrocarbons*

- Allow for ease in cleanup of spills.
- Provide and maintain appropriate storage, transfer, containment, and disposal facilities for fuel, oil, and other petroleum hydrocarbons and encourage recycling of this material.

- Reduce the amount of fuel and oil from boat bilges and fuel tank air vents entering marina and surface waters.

*Hazardous Material and Liquid Waste*

- Provide and maintain appropriate storage, transfer, containment, and disposal facilities for liquid material, such as harmful solvents, antifreeze, and paints.
- Encourage recycling of hazardous material, such as harmful solvents, antifreeze, and paints.
- For boats that are in the water, perform cleaning operations to minimize, to the extent practicable, the release to surface waters of harmful cleaners and solvents.

*Vessel Discharge of Sewerage*

- Install pump-out, dump station, and rest room facilities where necessary to reduce the release of sewage to surface waters.
- Design pump-out facility to allow ease of access and post signage to promote use by boating public.
- Ensure that sewage pump-out facilities are maintained in operational condition and are used.

*Goal 4b. Increase public awareness of how to maintain a boat while minimizing impact on the environment.*

Recommended Actions

The Maritime Department will work with marina operators to develop and implement a public education program to inform users about advances in less toxic anti-fouling paints and boat supplies, non-toxic cleaning products, proper boat painting practices, and toxic material disposal.

**GOAL 5: Where significant shallow-water habitat is identified, restrict boating activities as necessary to decrease turbidity and physical destruction of such habitat.**

Recommended Actions

- Identify shallow water areas with sensitive habitats such as eelgrass beds
- Restrict boating activities that could cause damage in the identified areas

## **D. MOORING AND ANCHORAGE MANAGEMENT Element**

### **1. INTRODUCTION**

The primary principles in managing vessel mooring and anchorage areas in Newport should be:

- To maximize the safe utilization of our harbor resources by all citizens, guests and traditional fishing and maritime activities.
- To set rules and monitoring procedures to insure that any mooring in the Harbor can safely accommodate any vessel permitted to be moored on it without endangering other vessels in the harbor.
- To provide appropriate anchorage areas for visiting vessels.
- To equitably allocate individual leased mooring sites among vessel-owning residents of Newport and non-resident vessel owners.
- To provide an equitable, effective system to allocate, assign, and relocate leased mooring sites on a first-come, first-served basis within individual resident, individual non-resident, and commercial applicant categories.
- To allocate leased commercial moorings on a basis that will provide an appropriate mix of seasonal rentals and short-term rentals for transient vessels.
- To develop a specific plan and system for the utilization of moorings managed directly by the City.
- To provide the resources and flexibility in the City's management of moorings and anchorages to accommodate the major maritime events that are attracted to Newport and constitute such an important part of Newport's economy and image as a yachting capital of the world.
- To ensure flushing at significant mooring expansions.
- To protect against adverse effects at new mooring areas.
- To ensure that mooring sites will not adversely affect finfish or shellfish wetlands\_submerged aquatic vegetation, or other important aquatic habitat areas.
- To not site mooring and anchoring areas where they may substantially interfere with access to public recreation areas, conservation areas, designated shellfish management areas or traditional fishing grounds as defined by the CRMC.

### **2. BACKGROUND**

#### **2a. Inventory**

<b>Newport Harbor Private Moorings Waiting List (September 2001)</b>			
	<b>New Mooring</b>	<b>Relocate Mooring</b>	<b>Totals</b>
<b>Resident</b>	161	29	190
<b>Non-Resident</b>	92	10	102
<b>TOTAL</b>	253	39	292

Note: 8 new moorings assignments were made last year

The table on the following page shows the distribution of moorings by class and quantity per licensee.

MOORING DISTRIBUTION by Class and Quantity per Licensee

Mooring Class	Moorings by Quantity	1	2	3 or 4	5 to 115	Total # mooring	Total # lessees	% of Class	% of Total
Private	Resident Lessees	272	18	2	2		294		
	Resident Moorings	272	36	7	19	334		53%	
	Non- Res Lessees	291	2	0	0		293		
	Non- Res Moorings	291	4	0	0	295		47%	
	Sub Totals: Lessees	563	20	2	2		587		
	Sub Totals: Moors	563	40	7	19	629			70%
Commercial	Resident Lessees	71	5	3	7		86		
	Resident Moorings	71	10	10	160	251		91%	
	Non- Res Lessees	24	0	0	0		24		
	Non – Res Moorings	24				24		9%	
	Sub Totals Lessees	95	5	3	7		110		
	Sub Totals Moorings	95	10	10	160	275			30%
Grand Totals	Lessees	658	25	5	9		697		100%
	Moorings	658	50	17	179	904			100%

2a.1.Mooring Areas

2a.1.Mooring Areas

**Main Harbor:** In Newport Harbor the Main Harbor Mooring area is approximated 66 square acres and has been defined by RI State Plane Feet Coordinates. Beginning at the SW corner of the mooring area going in a counter-clockwise direction:

- 44319.864y, 114649.134x extending in an easterly direction (41 28.936N/071 19.476W)
- 44309.201y, 114866.305x from this coordinate towards the NE (41 28.930N/071 19.320W)
- 44335.538y, 115065.303x from this coordinate towards the ENE (41 28.994N/071 19.177W)
- 44327.913y, 114963.705x from this coordinate due N (41 28.940N/071 29.250W)
- 44902.137y, 115154.593x from this coordinate NW (41 29.250N/071 19.112W)
- 44920.577y, 115121.15x from this coordinate due W (41 29.260N/071 19.136W)
- 44875.506y, 114809.464x from this coordinate SW (41 29.236N/071 19.360W)
- 44808.585y, 114670.413x due S to the starting coordinate (41 29.200N/071 19.460W)

**Main Harbor City Mooring:** In Newport Harbor the Main Harbor City Mooring area is approximately 10 square acres that begins at C “5” extending northward to C “7” and bordered on the west by the shore of Goat Island.

- 44793.403y, 114485.322 from this point in an E direction (41 29.192N/071 19.593W)
- 44797.298y, 114481.355 from this point in an S direction (41 29.194N/071 19.524W)
- 447384.574, 114611.419 from this point in an W direction (41 28.971N/071 19.503W)
- 44382.468y, 114484.755 from this point in an N direction (41 28.970N/071 19.594W)

**Point Mooring:** In Newport Harbor the Point Mooring area is approximated 36 square acres an begins north of the causeway connecting mainland Newport to Goat Island. This area has been defined by RI State Plane Feet Coordinates in a conter-clockwise rotation starting at:

- 45410.034y, 114599.603x at the S then in a NE direction (41 29.525N/071 19.376W)
- 45523.455y, 114848.496n from this point in a N direction (41 29.586N/71 19.331W)
- 45419.665y, 114784.688x from this point in a NNE direction (41 29.530N/071 19.377W)
- 45984.298y, 114814.149x from this coordinate due W (41 29.795N/071 19.520W)
- 45909.788y, 114584.676x from this coordinate due W (41 29.795N/071 19.548W)
- 45419.143y, 114527.212x due S to the starting coordinate (41 29.530N/071 19.5562W)

**Spindle Mooring:** In Newport Harbor the Spindle Mooring area begins on the easterly side of Lyme Rock extending to the daymark known as Spindle Rock, from this point it parallels the Newport Harbor front along its easterly border and the Kings Park region along its southerly border. This area is approximately 23 square acres

- 44069.360y, 115248.214x from this point in a N direction (41 28.800N/071 19.046W)
- 44127.951y, 114940.455x from this point in a SE direction (41 28.832N/071 19.267W)
- 43821.849y, 114608.381x from this point in a N direction (41 28.667N/071 19.506W)
- 43707.564y, 114843.877x from this point in a N direction (41 28.605N/071 19.337W)

**Brenton Cove Mooring:** In Newport Harbor, the Brenton Cove Mooring is approximately 110 square acres area that begins on the westerly side of Lyme Rock and extends in a NW direction towards N “2” at Fort Adams. From this point the mooring area parallels the shoreline of Newport at Fort Adams State Park in a southerly direction towards the state boat ramp located just south of the last structure along the shore and returns in a NE direction back to Lyme Rock, forming a triangular mooring area.

- 43829.185y, 114574.957x from this point in a WNW direction (41 28.671N/071 19.539W)
- 44033.755y, 114123.525x from this point in a WNW direction (41 28.782N/071 19.854W)
- 44102.463y, 115145x from this point in a S direction (41 28.789N/071 19.978W)
- 43726.021y, 113886.078x from this point in a WSW direction (41 28.616N/071 20.025W)

- 43277.539y, 113608.504x from this point in a S direction (41 28.374N/071 20.225W)
- 42927.682y, 113603.594x from this point in a ENE direction (41 28.185N/071 20.229W)
- 43007.644y, 113796.964x from this point in a ENE direction (41 28.228N/071 20.090W)
- 43627.430y, 114579.540x from this point in a WNW direction (41 28.562N/071 19.527W)

#### 2a. 2. Main Harbor Anchorage Area

The transient anchorage area is roughly defined as a triangular area bounded by the cable line to the north and by lines drawn between the northern tip of Lime Rock and Fort Adams Light to the west and Spindle Rock to the east. This area is approximated 28 square acres and has been recently surveyed and the exact definition of its boundaries may be found in Appendix A.

- 44127.951y, 114940.455x from this point in a W direction (41 28.832N/071 19.267W)
- 44033.755y, 114123.525x from this point in a ESE direction (41 28.782N/071 19.854W)
- 43829.185y, 114574.957x from this point in a W direction (41 28.671N/071 19.539W)
- 44902.137y, 115154.593x from this coordinate NW (41 29.250N/071 19.112W)

#### 2a. 2. Anchorage Areas

The transient anchorage area is roughly defined as a triangular area bounded by the cable line to the north and by lines drawn between the northern tip of Lime Rock and Fort Adams Light to the west and Spindle Rock to the east. This area has been recently surveyed and the exact definition of its boundaries may be found in Appendix A.

#### 2a. 3. Tall Ship Moorings

There are a few large capacity moorings known as the “Tall Ship Moorings” in the main harbor.

### **2b. Statutory Authority**

Title 46, Section 4 of the General Laws of Rhode Island grants municipalities the authority to establish Harbormaster ordinances and rules and regulations pertaining to the administration of their harbors.

### 3. ISSUES AND NEEDS ANALYSIS

At the present time Newport Harbor has a good mix of recreational waters, navigational channels, temporary anchorages and permanent mooring areas. There is room for vessels of all sizes to navigate Newport Harbor, and facilities available for them to stay and visit. However, there are issues that can be addressed to help improve the management of mooring and anchorages in Newport in order to maximize the benefit and enjoyment for all.

A Visitor Survey was conducted in the Fall of 1997, which indicated that a major source of dissatisfaction of harbor users was the clear lack of free, accessible and secure public dinghy landing/loading docks, public restrooms/shower facilities and accessible trash/recycling receptacles. Similar responses were noted in the mooring leaseholder survey conducted in the spring of 1998. The vast majority of destination harbors that compete with Newport for the

interest, presence and length-of-stay of visiting yachtsmen have such facilities. Recent improvements, notably the addition of landing/loading facilities at several harbor locations, do not alleviate the need for progress on the restroom/shower need and on trash/recycling receptacle additions at several harbor locations. The Visitor Survey of 1997 also indicated that many maritime visitors have difficulty in obtaining provisions and propane in Newport, primarily due to the weight of these items and the relatively remote location of suppliers from existing dinghy landings. A dinghy landing north of the Newport Bridge would address this issue.

The Armory Building, located at the center of the waterfront district, is the last sizable city-owned property on the water that can be converted into a complete public service facility that Newport Harbor has always been lacking. The Armory building must undergo an internal redesign to include ample restrooms, showers, laundry and short-term storage lockers at a minimum. The upper floors can be leased as commercial space to support the building's operating expenses. User fees for the service areas should also be considered. At the end of its current lease, the adjoining Ann Street Pier must be retained and operated by the City as free public dinghy and loading docks.

At the present time there is one defined temporary anchorage area in Newport Harbor. Over the course of history since the area was established in 1975, it has only filled to capacity on two occasions. Those took place during the Tall Ships event of 1976 and the finals of the America's Cup races in 1983. Future events may require additional anchorage space. Some yachts use the Federal ship anchorage to the west of Goat Island, but because of its exposure to the prevalent southwesterly summer winds it is not feasible for yachts of less than 100 feet in length to anchor there. In order to meet the needs of the future, it is necessary to determine if additional temporary anchorage area is available and if so, how it will affect the other activities in Newport Harbor.

There is a great demand for private mooring leases in Newport Harbor. And because the leases are such a valuable public resource, it is imperative that they are managed to provide the maximum sustainable benefit to the boating community. Many contentious issues surrounding this subject were raised.

Situations exist where the lessee meets all current rules but doesn't actually use the mooring at all. Or, the lessee meets all rules and uses the mooring, but not 100% of the time. Some mooring lessees do not use Newport Harbor as their vessel's primary port, but as a weekend visitor. This practice causes applicants who intend to base their vessel in Newport to have to wait years for a mooring. In some cases, the lessee's vessel might be out of the region or in dry storage for more than a year or two. Should he be allowed to keep the lease while active demand for moorings exist?

Despite the demand, there are circumstances in which it is desirable to allow the temporary use of a private mooring by parties other than the permit holder. Such circumstances might be limited to loaning to friends for brief periods, or offering the mooring to the lessee's yacht club as a guest mooring when the lessee is away.

It is appropriate to mention here that there is some confusion regarding the definition of a mooring. What is commonly known as a "mooring," is actually made up of two parts, a mooring

lease and mooring tackle. A mooring lease is a license granted by the city allowing a person, company or entity to maintain approved mooring tackle in an authorized location designated by the Harbormaster. Mooring Tackle is Hardware such as a mushroom anchor, chain, swivels, shackles, bridle, float, pickup whip, pennant, etc used to permanently moor a vessel.

The purpose of what are currently known as commercial moorings is to provide a secure moorage to vessels who are visiting Newport Harbor (short and long-term) and who do not have their own mooring or berth; or to vessels who are waiting for City assignment of their own mooring but want to keep yachting while they wait.

Safety for all vessels in the harbor is diminished when moorings are not inspected in accordance with required inspection schedules or when vessels improperly use moorings not qualified for their size. Some such concerns are: (1) failures of un-inspected mooring can result in vessels going adrift and hitting and damaging themselves and other vessels. (2) Unauthorized vessels using under-sized moorings can swing into and damage neighboring vessels or drag the mooring and damage other vessels.

There are a limited number of moorings in the harbor to support large transient vessels such as Tall Ships. These large vessels provide both economic and cultural benefits to the City and the Harbor. The City should consider the benefits of maintaining a proper number of these moorings to maximize the facilities available for these great ships. Commercial interests may be uninterested or incapable of maintaining such moorings because they are not commercially viable and require heavier equipment than is commonly available. Attracting Tall Ships and related events requires the cooperation of the Maritime Department, city council and a range of public and private interests as well as the infrastructure to support such activities.

Significant portions of Newport's waterfront are currently not directly managed by the Harbormaster. The coastal waters from the northwest tip of Fort Adams (entrance to Newport Harbor) to the Newport/Middletown line at the eastern end of Easton's Beach are of significant recreational and commercial value to Newport. However, increasing recreational activity, lack of direct city management, and coastal development expansion threaten the unique character of these diverse areas.

Some of the important activities/uses in this area include: recreational boating dockage (e.g. Castle Hill), private moorings, public access points (e.g. Fort Adams, King's Beach and Green Bridge – two popular dive and fishing spots), recreational and commercial fishing, scuba diving, recreational boating and sightseeing. Important coastal environmental features include: substantial sea-grass beds, attractive underwater features (e.g. "the arches" of Gooseberry Island), and fisheries of commercial and recreational significance, beaches, saltwater marshes, dunes and rocky shorelines. These waters are zoned Type 1 (Conservation Waters) by the Rhode Island CRMC.

There is a City ordinance to keep the placement of mooring tackle within area boundaries. Unfortunately, the location of some moorings is such that under certain wind conditions, vessels will swing into a channel and creates a hazard to navigation. Mooring tackle must be positioned so that full channel widths are clear of such obstructions under all weather conditions.

The existing Federal Project areas in Newport Harbor reflect conditions that are no longer totally relevant to how the harbor is utilized today. This situation causes conflicts between the programs requirements/regulations and everyday harbor use, which puts the city into a position of violation and potential liability.

Prior to the creation of a HMP there was no comprehensive, up-to-date Official reference document to which harbor users can refer for information about the harbor and guidance relating to harbor regulations. This lack of information of harbor regulations and waterfront resources can lead to unintentional infractions and underused waterfront resources. Such ignorance creates a confused and frustrated user instead of an informed user who enjoys the harbor to the fullest. The lack of easily accessible information can also cause users to call on the Maritime Dept. staff unnecessarily to get answers that such a document could provide, thereby freeing up time for the staff to tend to other management duties.

Since the 17<sup>th</sup> Century, Newport has been an international port of call. For this reason Newport is presently served by its own customs and immigration officer. It is customary for vessels arriving from a foreign port to anchor in a quarantine anchorage area or take a designated quarantine mooring from the time of arrival until the vessel and crew are officially cleared into the U.S. The maintenance of quarantine moorings by the City will enhance Newport's reputation as a welcoming international port of call for visiting mariners.

#### 4. GOALS, POLICIES AND RECOMMENDATIONS

- GOAL 1:** Promote maximum sustainable usage of moorings and anchorages through precise definition of mooring areas, anchorage areas and navigation channels.
- GOAL 2:** Make efficient use of Newport waters by evaluating and recommending changes in channel, mooring and anchorage areas.
- GOAL 3:** Define the proper function of various categories of moorings to achieve maximum sustainable benefits of moorings in Newport harbor.
- GOAL 4:** Improve mooring facility management practices.
- GOAL 5:** Develop a welcoming atmosphere for transient maritime visitors.

#### **Goal 1: Promote maximum sustainable usage of moorings and anchorages through precise definition of mooring areas, anchorage areas and navigation channels.**

In support of the development of this plan an effort was made by members of the Mooring and Transient Visitors Subcommittee and the Harbormaster to define the boundaries identified in all sections under Goal 1.

The information concerning the defining boundaries of areas identified in all sections under Goal 1, along with information developed by other sub-committees is being incorporated into a high resolution GIS chart database that will serve as a valuable tool in managing the resources in the harbor and around the shores of Newport. Detailed information describing these areas may be found in the resource inventory of this document and in Appendix A.

Policy:

The City shall maintain a highly detailed GIS based database of Newport harbor channels, mooring and anchorage fields, and individual mooring locations, to promote maximum sustainable usage and vessel safety for mooring, anchorage and channel use.

*Goal 1.a. Define Newport Harbor and coastal shorelines*

At present there is no official city definition of the coastal waters that come under the management of the City of Newport as authorized by the State of Rhode Island and only half of Newport Harbor currently patrolled by the Harbormaster is defined.

In regards to Newport Harbor, the Harbormaster presently operates an unofficially defined area that is referred to as the Inner Harbor, east of Goat Island, and the Outer Harbor, west of Goat Island. The city ordinance No. 12.28.070.B clearly defines the “Newport Inner Harbor”. City ordinance No. 12.28.130.B.4 (definitions) states, “Newport Harbor means those portions of Newport water delineated as such on the chart attached to Ordinance No. 24-92 and on file in the office of the harbormaster.” This chart is very vague with respect to the western and northern boundaries.

Before mooring and anchorage areas can be defined, the total water area under consideration must be identified. Many factors must be considered when defining a mooring or anchorage area such as: current or desired user groups, environmental concerns such as bottom type and proximity to shore, impact on navigation, etc. Once uses and resources have been identified for certain areas, proper boundaries can be defined.

Recommended Actions:

1) The Maritime Department should examine and clearly define boundaries for:

- NEWPORT HARBOR which can be further divided into the following:
  - The INNER HARBOR which is characterized by heavy recreational and commercial boating traffic in designated channels with controlled speed accessing densely populated mooring and anchorage fields, marinas and service facilities. In addition it is host to instructional sailing classes, lobstering and marine parades, to name a few.
  - The OUTER HARBOR which is an open body of water that has unrestricted recreational and commercial boating traffic and speed and is host to activities such as sailboat racing, cruise ship anchoring, fishing and lobstering.
- SOUTH SHORE being the coastal shoreline adjoining the harbor from the south. With its rocky shores and private beaches, the South Shore is visited by a few recreational boaters seeking its solitude or adding to beach recreation. It also includes a small cove that is home to some moorings for small commercial fishing boats and a scattering of un-registered private moorings mostly owned by adjoining property owners. Fishing, lobstering, kayaking, scuba diving and swimming are some of the common near-shore activities

- NORTH SHORE being the coastal shoreline adjoining the harbor from the north. This area primarily abuts the U.S. Naval Base complex. There is a Navy Base yacht club and marina at the southern end near the Newport Bridge and the northern end is just short of the naval ship piers and support facilities in Coddington Cove.
- 2) The City should develop, maintain and make readily available to the public an official and up-to-date database of written descriptions of boundaries with corresponding charting of Newport's water areas.
  - 3) The City should formalize these definitions by incorporating them in the necessary city, state and federal statutes.

#### SUGGESTED AREA DEFINITIONS

1. INNER HARBOR is that body of water that lies close to or as bounded northerly by the Goat Island causeway and Long Wharf; easterly by Thames Street; southerly by Wellington Avenue; southwesterly along the Brenton Cove shore; westerly by Fort Adams and then by a line drawn from the light on the northern point of Ft. Adams to the southern point of Goat Island and then by Goat Island back to the point of origin.”
2. OUTER HARBOR is that body of water that lies close to or as bounded southerly by the Goat Island causeway; easterly by Washington Street; northerly by the south side of the Newport Bridge west to the southeast corner of the easterly suspension cable anchor pier; westerly by a line drawn to red nun no. 12-A, then to red bell no. 12 (both off Rose Island), then to the light on the northern point of Fort Adams skirting the west side of anchorage D; southerly by a line from the light on the northern point of Fort Adams to the light on the southern point of Goat Island; easterly along the east side of Goat Island back to the west end of the Goat Island causeway.”
3. NEWPORT HARBOR is that body of water that is the combination of the INNER HARBOR and the OUTER HARBOR as described above.”
4. SOUTH SHORE are those waters extending from the northern point at Fort Adams southward along the coastal shoreline to the Middletown town line at the east end of Easton Beach.”
5. NORTH SHORE is those waters extending from the eastern end of the Newport Bridge northward along the coastal shoreline to the Middletown town line in Coddington Cove.”

#### *Goal 1.b. Moorings outside of Newport Harbor*

Most mooring and transient visitor activity in Newport takes place within the harbor. However, there is some relevant activity along the coastal shorelines adjoining the harbor.

Along the SOUTH SHORE, which is completely classified as CRMC type 1 waters (conservation areas); the majority of moorings in this area are pocketed at Gooseberry Cove, Prices Neck and the greater Green Bridge area. There are also some individual moorings outside these areas that seem to be associated to adjacent property owners. All the moorings along the South Shore have never been required to register nor issued permits by the city.

The cove at Green Bridge harbors many small commercial fishing vessels, some of which are moored between mooring tackle and the shore. The Price's Neck Cove has recreational moorings mostly of property owners, a private pier and an underutilized boat ramp that currently requires structural improvements. The Gooseberry Cove has moorings belonging to near-by property owners and to members of the beach clubs located in this cove.

There is presently no management of the moorings located in these areas. While there are both commercial and cultural benefits to be derived from moorings in these areas, being unregulated could result in overuse and uncontrolled expansion in the number of moorings posing a threat to the overall ecological quality of these sensitive areas.

Most of the NORTH SHORE and the moorings therein, fall within the Newport U.S. Naval Base complex. These areas include the waters around Coasters Harbor Island and Coddington Cove. The Navy operates a marina on Coasters Harbor Island, which has a number of finger piers and moorings and the North Shore waters in Coddington Cove are adjacent to the Navy's two fleet piers in Middletown's waters. In the past the City of Newport mistakenly felt that these waters were restricted and strictly under the control of the Navy. Also, adjacent land access to these waters is restricted due to the land being under the control of the Navy.

Recommended Actions:

- All moorings in both coastal water areas outside Newport Harbor should be registered with the City along with their latitude and longitude, meet the City's established minimum anchor and tackle requirements, and undergo the required periodic inspections.
- Require a yearly mooring license issued by the Maritime Department. For safety and environmental management purposes, all moorings in Newport waters must be registered. Mooring registration fees may be reduced for moorings outside the harbor's defined mooring areas because they would not receive routine Maritime Department services.
- Moorings in the coastal waters outside of the Harbor mooring areas defined in this plan should be limited to riparian property owners. Multi-family, condominium and/or commercial properties should be limited to no more than one mooring per lot as per CRMC guidance.
- When managing placement of moorings in these coastal areas, the Maritime Department will comply with City ordinances, local, state, and federal regulations
- In the Green Bridge Cove the Maritime Department should regulate mooring placement and use in the cove. The cove should be designated for the exclusive traditional commercial fishing use of a limited number of small active commercial fishing vessels.
- The Maritime Department in conjunction with the City of Newport should contact the appropriate Navy officials and discuss how the Navy presently uses the City's North Shore waters. The City should then decide how it will manage the North Shore waters in conjunction with the Navy's presence. At a minimum, all moorings along the North Shore

should comply with the City's minimum tackle specifications and inspection interval requirements. The City's responsibility to manage as directed by the State must be clarified to avoid any possible liability for mismanagement of the area waters.

- The Maritime Department should investigate if the City has the right to designate its waters in Coddington Cove as a temporary hurricane anchorage.
- The City of Newport should draft a utilization plan for the Newport North Shore coastal waters in preparation for their possible reuse if the Navy relinquishes them.

**GOAL 2: Make efficient use of Newport waters by evaluating and recommending changes in channel, mooring and anchorage areas.**

Policy:

The Maritime Department shall:  
periodically assess current uses of harbor channels, mooring and anchorage areas to ensure they are being put to the most efficient use.

Ensure that all moored and anchored vessels are within the appropriately designated area.

*Goal 2.a. Newport Harbor Federal Project Area*

Newport Harbor includes a federal dredge project area that is delineated on the high-resolution GIS chart database.

This dredge project was done because of the intense naval ship presence in Newport in the early part of the 1900s. Once the Naval Piers were established in Coddington Cove, the Navy relocated out of Newport Harbor to the piers.

The various use designations of the federal project area initially based upon Navy uses have not changed since their inception. Newport Harbor's uses today without the Navy are inconsistent with these designations in some areas. Through discussions with the U.S. Army Corp of Engineers it has been learned that Newport can request changes to area boundaries and their designations within the existing project area. This maintains the project status in Newport Harbor for possible future dredging by the federal government while aligning designations to current actual uses.

Recommended Action:

- The Maritime Department should use the high definition GIS chart database to compare the redefining of Newport Harbor's current use areas (map 3) against the existing Federal Project Area designations.
- The Maritime Department, in coordination with the U.S.A.C.O.E., should identify and then coordinate designation changes within the existing project area that will accurately reflect the harbor's current uses.
- The City should petition federal legislators to have the above changes to the federal project area enacted into law.

*Goal 2.b. Navigation Channels within Newport harbor*

Existing Channels of Official Description (Appendix A, map #2): In Newport Harbor there are federal channels located east of Goat Island running north and south. There are also a few city

channels identified in city ordinance, located in Brenton Cove and north of the Goat Island causeway in the Point Area. All of these channels, both federal and municipal, were created many years ago when the harbor's use was totally different from what it is today, resulting in an outdated, inadequate and misplaced channel system today.

Existing Channels of use: Newport Harbor has operational channels that reflect the current needs of boat traffic flow, which are not officially designated as channels.

The lack of legally defined, up to date channels in the Harbor is a major loophole to the City being able to successfully defend enforcement actions in the courts. A prime example of this is in the Central Mooring Area. Officially the operational channels on the north, east and south sides of the mooring field are federally designated as an anchorage and not as channels.

The most critical physical channel problems exist around the Central Mooring Area. Vessels along all edges of this mooring area, under various wind directions, will lie into a channel narrowing it and impeding safe navigation. A prime example of this is during an easterly breeze, large vessels on the west edge of the mooring field hang across the west channel, blocking the channel to vessels going to the shipyard.

Another concern in the Central Mooring Area is the channel rounding the northeast corner of this mooring area. It is dangerously narrow for the current boat traffic, and now that the new Harbormaster office is located in this area, it will become a greater hazard to navigation as boat traffic increases.

There is also a lack of established channels between the city's public facilities and the open waters of the harbor. If not addressed it could lead to public access litigation problems.

The Mooring and Anchorage Management Sub-committee has incorporated some suggested changes to the existing channels into a high-resolution GIS chart database (see map 3). Detailed information describing these areas may be found in the resource inventory of this document and in Appendix A.

Recommended Actions:

- Attention must be given to physical layout problems that exist with the current operational channel locations
- The harbor channel system should be thoroughly reviewed and revised for safety and efficiency and then officially designated as channels.
- The Maritime Department should give establishment of proper channels priority over existing moorings where practical.
- The Maritime Department must enact regulations to ensure proper mooring placements so that vessel swing circles do not compromise the channels.
- Maritime Department should establish official access channels between public shoreline facilities and the open waters of the harbor.
- The Maritime Department should widen the west channel of the Central Mooring area at its narrowest point at can # 7. This can be accomplished by requesting federal authorities to relocate green can #7 westerly to the adjacent turning point of the west side of the ACE's federally designated eighteen foot channel. The inclusion of the eighteen-foot depth channel

along side the twenty-one foot depth channel will also create a wider channel capable of servicing commercial needs at the American Shipyard.

- The Maritime Department should investigate various methods to establish fore-aft vessel mooring on the “tall ship” moorings to maintain a clear west channel. Presently, mega-yachts single point moored to the “tall ship” moorings can swing into and narrow the west channel.
- Consideration should also be given to concrete floats secured between the “tall ship” moorings to accommodate vessels tied along both sides.

#### *Goal 2.c. Mooring Areas in Newport Harbor*

##### Existing Mooring Areas (Appendix A, map #2)

There are five official mooring fields in Newport Harbor. These include; the CENTRAL area in the center of the Inner Harbor which is bordered on all sides by navigational channels, BRENTON COVE which is a cove in the southwest portion of the harbor, the IDA LEWIS area, a sub-section within Brenton Cove which surrounds the Ida Lewis yacht club, the SPINDLE area located at the south end of the harbor, and the POINT area which is north of the Goat Island causeway and west of Washington Street.

There is also one unofficial mooring field, the CITY area located south of the Goat Island Marina, east of Goat Island, north of green bell #3, and west of the Central mooring area. This area contains only City owned moorings.

##### Possible Mooring Area Expansions (Appendix A, map #3)

Currently, two existing mooring areas in Newport Harbor could accommodate significant mooring expansion, and one undesignated area could be legalized.

One area is the SPINDLE AREA in the south end of the harbor; it could be expanded into the shoal area south of the Spindle Rock day marker #6, and clear of existing eelgrass beds. Although it is shallow, there is the potential to utilize this location for mooring of shallow draft vessels in the waters adjacent to King Park. This area has many advantages such as being sheltered from the prevailing southwest summer winds and its close proximity to public parking, launch ramp with adjacent beaching area, dinghy dock and rest rooms. This is a potential area for development as a “small boat” moorage area, especially for independent boat owners not affiliated to boating organizations.

The other area is the POINT AREA, while less accessible and less protected it has the potential to be expanded to the west and especially to the north by re-designating the part of Anchorage E south of the Newport Bridge as a mooring area. (Anchorage E is referenced in US Coastal Pilot-2 29<sup>th</sup> edition 1996) This expansion area would be particularly good for mooring larger vessels.

The third is to legalize the City mooring field west of the west channel in the Central AREA.

##### Recommended actions:

- The Maritime Department should reposition moorings in the Spindle mooring area according to vessel drafts to better utilize the shallower water depths.

- The City should petition the federal government to re-designate Federal Anchorage E as a mooring area.
- Designate part of Anchorage E as an expansion of the Point mooring area. The part of Anchorage area E located adjacent to and directly south of the Newport Bridge and just west of the Washington St. shore exposes vessels to the typically strong southwesterly breezes in the summer. If an anchor drags the vessel can quickly be against the bridge or aground on the shore. Consequently, this area would be better suited to permanent moorings rather than as an anchorage.
- The Maritime Department should formalize the City Mooring Area by drafting a proposed mooring area perimeter for the presently undefined City mooring area; once approved by the CRMC this will provide a mooring area boundary from which setbacks for docks, wharves, and piers can be established according to CRMC regulations. In the Brenton Cove mooring area, small special use mooring areas along the Fort Adams shore should be established with specific use definitions, such as “Quarantine Mooring Area”, “Museum of Yachting Mooring Area”, and “Sail Newport Mooring Area”. The Maritime Department would monitor and regulate these areas.
- The Maritime Department should review and modify mooring field boundary lines so that proper channels are maintained and that vessels on moorings within those areas do not swing outside the mooring areas into channels.
- The Maritime Department should annually examine each mooring area’s density (ratio of registered vessel size to licensed mooring size and related swing radius) and if there is a significant amount of unused space that could be made available by re-locating moorings and resizing authorized vessel size, an action plan developed to use the available space for additional moorings.

*Goal 2.d. Anchorage Areas in Newport Harbor*

At the present time there are three *official* anchorage areas in Newport Harbor. City ordinance requires that anchoring vessels must be attended. Individuals may go ashore but shall not leave the area.

1) INNER HARBOR ANCHORAGE is located in the southern end of the harbor. It is roughly defined as a triangular area bounded by the cable line to its north and by lines drawn between the northern tip of Lime Rock (ILYC), one westward toward Fort Adams Light and the other eastward toward Spindle Rock.

Currently, there is some encroachment into this area along its southern boundaries by moorings from adjacent mooring areas. This is a protected anchorage, predominately used by transient vessels under seventy-five feet for short durations of time, although there are some live-aboards that anchor for the entire summer season.

2) FEDERAL ANCHORAGE D, located west of Goat Island and lying between Rose Island to its north and Ft. Adams to its south. It’s identified in the US Coastal Pilot-2, 29<sup>th</sup> edition, 1996 and on NOAA Chart no. 13221. This anchorage is unprotected and is used by cruise ships and miscellaneous large vessels for short stays.

3) FEDERAL ANCHORAGE E, a designated anchorage located north of the Point Mooring Area going north to the southerly shore of Coasters Harbor Island and identified in the US Coastal Pilot-2 29<sup>th</sup> edition, 1996 and on NOAA chart no. 13221.

This anchorage is now divided in two by the construction of the Newport Bridge. The area of concern is the small section that lies south of the bridge and is in the Newport Harbor area. It is situated directly upwind from the Newport Bridge / Washington St. corner and is unprotected to the summer's predominantly southwest breezes. A vessel slipping its temporary anchor would quickly find itself against the bridge or aground on the shore. Due to this danger, this area is not officially identified locally for anchoring and is almost never utilized as such.

There also exist two *unofficial* anchorage areas.

1) STORM ANCHORAGE, used with direct permission of the Harbormaster only. It is a small very well protected anchorage located on the northeast side of Goat Island, to the north of the causeway and west of the channel, used for severe storm conditions and only for one to two days duration.

2) The undefined OUTER HARBOR ANCHORAGE located north of Goat Island and west of both Anchorage E and the Point Mooring Area. Its large area and exposed location has resulted in it being used by large vessels almost exclusively. Vessels must always be manned due to the unprotected location although the holding ground here has proven to be very reliable.

#### Recommended Actions:

- The Maritime Department should take the necessary steps to formally designate the two unofficial anchorage areas so that they are bound by legal statutes and enforceable. The combined area that the combined anchorages provide is adequate to accommodate the present demand and potential increased demand.
- In the INNER HARBOR ANCHORAGE, the Maritime Department should enforce the boundary between the mooring and anchorage areas so the anchorage area is preserved. Any invasive moorings must be re-located into an official mooring field. It is also recommended that the west and east ends of the Anchorage be reconfigured for more efficient use, as shown in Appendix A, map #3.
- FEDERAL ANCHORAGE D west of Goat Island should be continued in its current use for vessels over 250 feet. The surrounding open waters are heavily used for general boating and sail training and should *not* be infringed upon by anchored vessels.
- Formally designate the small Storm Anchorage east of the north end of Goat Island, used only with Harbormaster approval for brief severe weather conditions.
- Formally designate the Outer Harbor anchorage, north of Goat Island and West of Anchorage E and Point Mooring area, primarily for large vessel use due to exposure to strong southwesterly winds.

#### Suggested Outer Harbor Anchorage Boundary (Appendix A, map 3)

“The OUTER HARBOR ANCHORAGE is an area delineated by continuing the north-east side of the city channel in the Point Area, at its present terminus at the north end of Goat Island, northwesterly toward green can “5” south of Tracey Ledge for a determined distance, then turning northerly toward the Newport Bridge for a determined distance, then turning back easterly and running parallel to the bridge till it meets the current Anchorage E northwest boundary corner, then turning southerly and running along the existing westerly lines of Anchorage E and the Point Mooring Area back to the point of origin.”

The two ‘determined distances’ should be calculated to create a sufficient buffer (i.e.: 200-400 feet) between the anchorage area and both Tracey’s Ledge and the bridge for the safety of anchoring vessels.

**GOAL 3: Define the proper function of various categories of moorings to achieve maximum sustainable benefits of moorings in Newport harbor.**

All coastal waters out to three miles are ultimately under the jurisdiction of the state government, which dictates that the use of such public waters must be “open to all.” Local communities have the authority to establish and administer regulations for the use of their coastal waters. Accordingly, municipal harbor management programs must include “open to all” policies for both visiting yachtsmen and the resident and non-resident mooring users. In fact, because state waters are held in the Public Trust for all citizens, coastal communities have the obligation to allocate a portion of mooring licenses to non-residents who may live in land-locked towns.

When the Newport Harbor Rules and Regulations ordinance was established, it created two different types of mooring permits in an effort to ensure the “open to all” condition.

The “private mooring permit” was the first type of mooring permit, which at that time, was to address the individual needs of the predominately local boaters, for their personal vessels. The second was the “commercial mooring permit” which was to address all other types of mooring use that did not meet the definition of a private mooring. It was felt that the commercial mooring would predominately service the visiting yachtsman.

The local and non-local boater had options available to seek either an annually licensed private mooring or a commercial rental mooring. This division of license types assured that the harbor met the “open to all” mandate.

The second type of permit, the commercial mooring permit, was further delineated in an attempt to ensure that neither of its two predominant user types, the daily/short term visitor and the seasonal visitor, could exclude the other from commercial mooring use. A maximum limit of 40 “transient rental moorings” was established to service the daily or short-term visitor. Unfortunately this sub-group of commercial moorings was not found to be feasible administratively and therefore was not enforced, but the intent was to further ensure the “open to all” status. At this time, there does not appear to be a need for continuing a mandated limit on types of commercial mooring uses.

The private and commercial mooring permit system has proven to work well at keeping the harbor “open to all.” But as the demand for both types of service increases and the ability to

expand mooring fields into new areas is limited, better and more efficient management practices are desirable.

A target ratio of 75% private moorings and 25% commercial moorings was originally established and has proven to be representative of actual use demands. The current ratio of 70 % private to 30% commercial is not far from the initial target (not including the Bolender moorings or City moorings, which would increase the Commercial percentage further).

The Army Corp of Engineers' **"Open To All Policy"** states that: "Federal navigation projects must be managed in the general public interest and must be accessible and available to all on equal terms. Any number of approaches may be used to ensure that all citizens desiring mooring or other access to the projects are treated impartially."

A management system shall be considered acceptable provided that it:

Make no arbitrary distinctions or requirements of any kind in allocating use of the project and ancillary facilities and services to the public except as may be consistent with the purpose for which the project was constructed.

Does not impose arbitrary fees or arbitrary variations in fees among users. The cost of providing necessary management and ancillary facilities and services may be offset through equitable user fees based on the actual costs incurred.

Information pertinent to harbor management – including but not limited to rules and regulations, lists of mooring holders, waiting lists and fee schedules – shall be readily available to the public at all times.

Policy:

Make the most efficient use possible of harbor resources to benefit the marine community as a whole.

Ensure that private moorings are:

- Utilized as defined in the Ordinance
- Actually used and not left empty
- Turned-over to those on the waiting list if unused
- Not used to generate revenue, in any manner, to the licensee

The primary policies for rental mooring permits should be to insure that:

- They provide the service intended, which is other than as a private mooring
- The "use or lose" philosophy is applied to rental as well as private moorings
- The City will continue the existing limit of "50% of the total allowable rental moorings" that any one entity can control. "Control" is defined as being the license holder and/or the agent for other rental license holders.

Newport should continue to develop and maintain the capacity to provide adequate mooring facilities for Tall ships and large transient vessels within the harbor.

Goal 3a. Revise the definition of “Private Mooring” to reflect current desired uses.

The original intent of the private mooring permit was to service the personal needs of boaters who planned to be actively boating in and from the harbor. Some licensees have held permits in Newport Harbor for decades. As the demand for this resource exceeds the readily available supply, there has been interest in redefining the qualifications and the allowable uses of private mooring permits so that this mooring resource is utilized more efficiently, as intended.

The primary management goals for private moorings should be to ensure:

- They are utilized as defined in the Ordinance
- They are actually used and not left empty
- The system fosters turn-over of unused moorings to those on the waiting list

In the current definition, the first sentence “Private mooring means any mooring registered to an individual and used exclusively for recreational purposes” is no longer appropriate. This should be modified to “Private mooring means any mooring licensed to a person and used exclusively for the vessel named on the license. Further, no private mooring, itself, is to be used to generate any financial or other compensation to the license holder”

Currently some entities (persons) hold private mooring licenses for vessels that are used for non-profit educational or charter purposes. The Private intent is met if the mooring is used solely for the person’s licensed vessel (s).

There is a limit to the water area available in Newport Harbor for the numerous different uses that comprise our marine community. Mooring areas cannot be casually expanded at the expense of other types of uses. With the constant demand for moorings, changes in the mix of boat sizes, and the limit of space available, the City should actively explore new mooring techniques that could use space more efficiently. Some examples are the moored star dock, Mediterranean, fore and aft moorings, and double mooring docks. All of which require less water space per boat. An expert study should be commissioned to determine whether and where any of these alternatives are desirable and feasible in Newport Harbor, and the impact of an increased number of vessels and floating structures should be considered at the same time. Elsewhere in the plan is a recommendation that the harbormaster maintain a computerized chart database that includes the GPS determined current location of every mooring in the harbor. This database will facilitate studies of the best possible distribution of moorings and mooring fields within the harbor.

New Private mooring licenses are now, and should continue to be, issued to those on the waiting list, in a ratio of three Newport residents to one nonresident, a ratio that is recognized and accepted by the State and Federal regulatory authorities. It is interesting to note that the current occupancy ratio is close to 50/50.

Recommended Actions:

- Eliminate the requirement that the permitted vessel is for *recreational* use only.
- Add that the mooring lessee cannot derive any revenue in any form from the use of the licensed mooring.

- The City should actively explore new mooring techniques that use water space more efficiently. Some examples are: Helical mooring anchors; moored star dock; fore and aft mooring, Med mooring; and double mooring docks, all of which require less water space per boat. Careful consideration should be given to whether or where they are suitable in Newport Harbor

*Goal 3.b. Revise the definition of “Commercial mooring” to reflect current desired uses.*

From the beginning, when the demand for commercial services was low, the City recognized that it did not want to be in the business of operating commercial moorings. At that time the harbormaster’s office came under the police department. The staffing and resources allocated to the harbor was very minimal and its primary responsibility was for public safety and maintaining order.

The initial issuance of commercial moorings was through a notice to all mooring holders. There were no different classifications prior to that. Those wishing to change to the new commercial mooring permit only had to request it and pay a higher annual license fee. At that time, the City did not have the experience to establish sufficient regulations for rental moorings to maximize their intended benefit to the harbor.

With the rapid growth of recreational boating in the past thirty years, Newport Harbor has become one of the leading destination ports in the northeast. This pushed the demand for commercial moorings, resulting in the issuance of the total allowed permits (25%), some twenty years ago.

Currently, Newport has 275 commercial mooring licenses issued to 115 licensees, not including court ordered 26 moorings for a displaced operator and approximately 30 moorings that the city operates.

The intent of this type of mooring is for the commercial permit holder to generate income for providing a mooring to other boaters. It was believed, and has proven to be true, that commercial moorings would primarily service those boaters who did not have, want, need or qualify for a private mooring permit. It also is responsive to the “open to all” objective.

Commercial moorings provide service to:

- Daily rentals for transient/short-term visitors
- Seasonal rentals for long-term visitors or those on the private mooring waiting list

The primary management goals for rental mooring permits should be to insure:

- They provide the service intended, which is other than as a private mooring
- The “use it or lose it” philosophy be applied to rental as well as private moorings
- The City should maintain the existing limit of “50% of the total allowable rental moorings” that any one entity can “control.” “Control” is defined as being the license holder and/or the agent for other rental license holder

#### Recommended Actions

- Change the term “Commercial Mooring” to “Rental Mooring.” The average person assumes that commercial refers to the type of vessel accommodated. For example, a fishing boat or a charter boat or a cruise ship or a barge. The present definition; “commercial mooring”, means any mooring which is not a private mooring
- A “Use it or Lose it” policy shall apply to Rental (formerly commercial) moorings as well as Private moorings.
- Maintain the existing limit that no Rental licensee can license, control, and/or manage, more than 50% of the total allowable Rental moorings. The intent is to prevent monopolization of commercial mooring resources.
- If a Rental license holder desires to use a mooring solely for his personal vessel, he may be allowed to change the classification to a lower cost Private mooring without penalty, subject to the limits on the allowable percentage in the category.

*Goal 3c. Use of registering “decoy” vessels, such as dinghies, to keep private mooring lease without owning a primary vessel.*

Currently, to keep a private mooring lease, the holder has to provide a current boat registration and pay the license fee. If the leaseholder sells the vessel licensed for a mooring he has the current season and the following one to replace it with another. Instances of abuse have occurred when a mooring licensee changes their boat registration to a secondary or insignificant vessel (a “decoy” vessel), such as a dinghy, thereby effectively rendering the mooring unused. If the licensee changes the registered vessel on the license to a significantly larger or smaller vessel, the mooring may need to be reassigned to a different site that can better handle the reduced or enlarged swing ratio and/or draft of the new vessel. This will allow the Harbormaster to maximize the number of moorings within the defined fields.

#### Recommended Actions:

When the City receives a license renewal or mid season change in vessel application with a change to a significantly smaller or larger boat, the permit holder should be informed that the swing room and depth of water previously needed will be changed to match the new vessel size, and the mooring may be re-assigned to a field that has the appropriate space for the new vessel. In the case of significantly larger vessels, it may be necessary to place the request on a waiting list if adequate draft and swing radius are not available in any of the defined mooring fields.

#### *Goal 3d. Minimal or non-use of Private Mooring*

Minimal or non-use of a mooring can occur when the registered vessel is never on the mooring or has not even been launched in years, or the mooring is identified as a “storm mooring” only, for a vessel normally kept at a dock. The license holder doesn’t want to relinquish the mooring because he may want to have a vessel in the future. Actual use of the mooring for the licensed vessel named on the permit is presently not a requirement. These conditions can result in many moorings “legally” being left empty or unused by the permit holder for years, while the City has a waiting list of resident and non-resident applicants.

#### Recommended Actions:

Require a specific minimal use of each mooring. Add to the current license a requirement that licensee's vessel must "use it or lose it." Set a specific minimum number of days of actual seasonal use of the mooring by the licensed vessel. If the mooring is identified by the harbormaster as not meeting the minimum use, the license holder should be notified that it is his responsibility to prove minimum required use or have the license revoked. This rule should apply to all private moorings, including those identified as being for "Storm" use only.

*Goal 3e. Investigate short-term alternative uses for private moorings during periods when the permit holder is not personally utilizing the mooring*

The Maritime Department should explore possible short-term alternative uses for private moorings when a licensee is not using the mooring. This type of option would enable more use of the harbor's moorings to the benefit of the marine community as a whole.

The Private mooring concept, "to be exclusively used for recreational purposes, to service the applicant's registered vessel." Must be maintained, with any alternative use secondary and subject to times authorized by the license holder.

No such alternative use would satisfy the applicant's personal requirement of "use it or lose it" if such a policy is established. Consideration must be given to how such alternative uses would be administered and monitored by the City to avoid abuse of the concept.

The City should consider seeking the right to utilize such empty private moorings, subject to the permit holder's agreement.

The mooring's licensed capacity, physical condition and liability if the mooring fails during an alternative use, must be considered in any plan in order to protect the other vessels in the harbor and City. For example, pennant failure due to chafe at the deck caused by miss-matched chafe gear is very possible during a storm event.

Recommended Actions:

- City should consider developing specific, strictly controlled, short-term, sub-uses for private moorings
- Private permit holders should continue to be allowed to lend their moorings to a personal guest's transient vessel in accordance with city ordinances
- Private permit holders who are members of a yacht club be allowed to make their mooring available to their Yacht Club for the sole purpose of the Club being able to offer "yacht club transient guest moorings" to other yacht clubs with which they have a "reciprocal privileges" agreement.
- City to be able to utilize empty private moorings with the license holder's agreement

Suggestions for Short Term alternate uses:

Private permit holders should continue to be allowed to lend their moorings to a personal guest's transient vessel in accordance with city ordinance that should include the following requirements:

- That the Maritime Department is contacted in writing of the request to lend, along with all required information
- That no one, including the permit holder, receives monetary or other compensation for such use.
- That the size of the visiting vessel will not be greater than the maximum length allowed by the license.
- The length of any one stay does not exceed 14 days.
- The permit holder may loan the mooring a total of 21 days per season.

Due to the general non-profit status of yacht clubs and the fellowship they offer visiting members of other yacht clubs, it is felt to be beneficial to the visiting yacht club guest that such organizations have the ability to offer some “yacht club transient guest mooring” accommodations as part of their “reciprocal privileges” understandings. Ideally this would be done through the club having their own commercial moorings. But presently, since the allowable percentage of commercial moorings has been exceeded, the following alternative is suggested.

Those private permit holders, who are members of a yacht club, be allowed to make their mooring available to their Yacht Club for the sole purpose of the Club being able to offer “yacht club transient guest moorings” to members of other yacht clubs with which they have a traditional reciprocal privileges relationship. Certain provisions should be met, such as:

- The Yacht club receive no compensation for the use of the private mooring in addition to what ever guest fees that are charged to any visiting boats for the general use of the club facilities
- A club may use up to ten such member private moorings as transient guest moorings at any one time.
- The Private license Holder must notify the Maritime Department in writing that the mooring may be used for this purpose.
- The Yacht Club be allowed to offer these private moorings only to members of other yacht clubs and/or to vessels invited to participate in a club sponsored race event.
- The Yacht Clubs will keep written records as required by the Maritime Department of all such mooring use.
- The private permit holder does not receive any compensation from the yacht club, including services, for use of the mooring by the club.
- That the City’s Private Mooring license application be revised to include information of the applicant’s Yacht Club affiliation if any.

*Goal 3f. Allocate number and location of City Moorings*

City moorings evolved out of necessity. Initially there were just a few to facilitate the Harbormaster when he had to remove an unauthorized vessel from a private mooring or one that dragged in the anchorage. In 1976, the first major Tall Ships event was hosted and the State had special large moorings installed to accommodate the ships. They were left in the harbor for future large vessel use. Over time, the Harbormaster set up a mooring field east of the southern half of Goat Island to gather city moorings.

City moorings are used in a variety of ways:

- As courtesy moorings to official guests of the City and to special race participants,
- As rental moorings when the commercial operators can not accommodate requests,
- As a holding area for vessels seized or rescued by the harbormaster,

Presently there are no guidelines regulating city moorings. This has not been a problem in the past, but with mooring space becoming scarce and with new needs developing a city mooring category should be planned so that additional city moorings develop in a controlled and properly managed fashion.

Recommended Actions:

- The Maritime Commission and Maritime Department should delineate an official “City Mooring Field” and establish it on the Newport City harbor chart. “City Mooring Field” to be located east of the southern end of Goat Island and west of the central harbor area’s western channel
- All City moorings located outside the City Mooring field should be relocated to the City Mooring field, except for “emergency, tall ship and quarantine” moorings.
- Additional moorings may be set in the City field if needed.
- Two or Three city moorings should be left in each mooring field for emergencies

*Goal 3g. Tall ship moorings*

The City of Newport has the capacity to attract and successfully host Tall Ship and related large vessel events. Consequently, Newport should develop and maintain the capacity to provide large transient vessels (e.g. Tall Ships and sail training vessels) with adequate mooring facilities within the harbor. These unique “city moorings” consist of very heavy anchors and are located along the western and southern edge of the central mooring area. Seasonal leasing of city and tall ship moorings should be avoided so the City retains the flexibility to respond to unexpected marine events that will benefit Newport.

Recommended Actions:

- Newport should continue to develop and maintain the capacity to provide large transient vessels with adequate mooring facilities within the harbor.
- Priority use of some of these moorings should go to large “sail training” vessels, at reduced rates, to support and promote these educational endeavors.
- When not used for special events and sail training vessels, tall ship moorings should be available for lease to large yachts that visit Newport.

*Goal 3h. Emergency Moorings*

Each mooring field should have two to three “city emergency moorings” to conveniently accept disabled or vessels towed by the harbormaster. All City moorings should comply with all mooring regulations and inspections and be numbered and listed in the City’s master mooring inventory list with all information normally required. The City shall record and report the revenue generated from city moorings

Recommended Actions:

- Emergency moorings should be of considerable weight to ensure safety to the vessels on these mooring under the harbormaster’s control.
- Emergency moorings should be clearly marked to eliminate unauthorized use.
- These moorings should not be used for transient rental moorings.

*Goal 3i. Quarantine Moorings*

The City should establish and maintain two courtesy moorings for the exclusive use of transient foreign-visitor yachtsmen arriving directly from a foreign port, thus facilitating their clearing-in process and providing their first “welcome to Newport.”

Recommended Actions:

- The U.S. Customs Department is to utilize these two moorings. The establishment, installation and annual maintenance should be a joint effort between the City and the Customs Department.
- “Quarantine moorings” should be located north of the Alofsin Piers and just east of the Fort Adams shore, an area near the new Customs office.
- Due to the fact that these moorings are used by vessels of various sizes, they should have mushrooms of 1000 to 1500 pounds as a storm safety measure.
- These moorings should be painted yellow, the international color of quarantine moorings and have all the established markings for quarantine moorings.
- The use of these moorings is for the purpose of clearing customs only. Once cleared, the vessel should vacate the quarantine mooring. The maximum stay on these moorings for the purpose of clearing should be two days.
- Properly publicize the existence, terms of use, and location of these moorings. (City website and other internet locations, USCG Castle Hill, Reeds, Bermuda Departures office in St George’s, BVI and Antigua locations, etc.)
- The harbormaster in conjunction with the customs office should keep a log of the use of these moorings.

**GOAL 4: Improve Mooring facility management practices.**

Policy:

- Development of an “open for all to see” mooring permitting system will lead to more compliance with mooring regulations.
- That the City be knowledgeable of Federal Project program/regulations.
- That the City request changes to the Federal Project program as needed

*Goal 4.a. Eliminate encroachment into navigational channels by moored or anchored vessels*

There are currently cases where vessels on their moorings or in anchorages are able to swing such that they are outside the designated areas. It is the policy of the City of Newport that vessels in the harbor or/on their mooring/anchor shall be within the federal, state and city specified boundaries of their respective mooring or anchorage areas at all times.

Recommended Actions:

Permanent helix moorings should be set to accurate coordinates to hold area corner buoys so such buoys accurately mark boundaries of the mooring/anchorage areas. The connecting tackle shall be kept short or counter-weighted after going through a pulley under the buoy in an effort to minimize buoy drift off its coordinates.

A comprehensive review of the issue should be conducted to establish how many vessels are in violation and where. Upon review of the findings, correction techniques must be weighed, such as:

- The ability to properly reposition the violators within the area immediately.
- The establishment of a multi-year program of repositioning violators as moorings are given up. No new assignments until the area's violations are corrected.
- The possibility of repositioning the boundary line between the mooring area and channel where a channel is excessively wide due to past traffic needs that are no longer relevant today.

Such realistic solutions must be considered and used where possible to achieve clear, safe channels while also trying to accommodate mooring needs.

Any new mooring that is moved or set so as to be in violation of federal, state or city setback requirements within the specified boundaries shall cause the Maritime Department to:

- Physically tag the mooring with a sign marked "Danger – Do Not Use".
- Remove the vessel from the mooring on to an alternate suitable mooring.
- Notify the mooring permit holder immediately by phone and by written notice.
- Facilitate the repositioning/removal of the mooring immediately so that the vessel when on the mooring always lies within the area boundaries, at the expense of the permit holder.

*Goal 4b. Mooring balls carry inspection and authorization stickers*

Presently, it is primarily up to the Maritime Department. Staff to verify safety information and use authorization about a mooring and the vessel using it. An excessive amount of time is needed by the staff to check records in the office for current status or proper vessel user. The violators of these ordinances know that the odds of being discovered by a busy staff are very small.

What is needed is a system that allows for "on the spot" verification of safety and authorized use compliance. An "open for all to see" system will by its nature promote improved compliance. Such a system reduces the amount of time need by the harbor staff to verify compliance by not having to check office records. It also allows neighboring mooring lessees to see for themselves that their neighbors are acting responsibly, thereby aiding the staff with compliance monitoring.

Presently all moorings are identifiable by their color and an ID Number. The color identifies the class of mooring (Private, Commercial, etc.) and the number identifies the specific lessee. The ID number is issued by the Recreation Department to qualified lessees. A list of mooring number vs. name of lessee, description of the authorized vessel and location of mooring is kept in the Maritime Department's Office. During normal patrols, the Maritime Department verifies that a vessel on a mooring is authorized to be there.

Moorings are required to be inspected at least every three years by authorized mooring inspectors. Inspectors submit a form to the Maritime Department on completing their inspections. The date of last inspection appears on the annual mooring application sent to each mooring lessee.

It is difficult for anyone except a member of the Maritime Department to verify that (1) the vessel on a mooring belongs there and (2) that the mooring has been inspected within the past three years. Typically, any visiting yacht can pick up any empty mooring and remain there until the authorized mooring occupant returns or until detected by the Maritime Department.

A simple means is needed to verify that (1) each private mooring is being used by the vessel assigned to it and (2) that the mooring has been inspected within the last three years. Yachts in the vicinity of the questioned yacht should be able to easily verify this.

An identification system of stickers should be instituted to easily verify that (1) an assigned yacht is on its proper mooring and (2) the mooring has been inspected within the required period. Then any mooring lessee who suspects that an unsafe situation exists due to an oversize unauthorized yacht on a small mooring, or by use of an un-inspected mooring, can verify these suspicions by checking the mooring's ID stickers and notifying the Maritime Department if an improper condition exists.

It is a goal of this plan to institute a program of mooring ID stickers which facilitates verification that:

- Moorings are occupied by authorized vessels
- Fees are current
- Moorings are within their proper inspection interval
- What each mooring's maximum permitted vessel length is.

Easy verification of a mooring's maximum permitted vessel length and inspection date can help prevent damage to properly moored yachts caused by oversized yachts on moorings or broken tackle on improperly maintained moorings adrift or dragging through mooring fields, especially during heavy weather

Recommended Actions:

Maritime Department to implement a system of mooring stickers that will meet these identification requirements.

*Goal 4.c. Use of City Mooring Field*

Another goal for City Moorings is for the City to own, maintain and make available to the public a number of moorings in a specific mooring area in Newport Harbor. Consistent with this goal the following guidelines are put forward:

- The City of Newport will have exclusive use of the mooring field adjacent to the eastern side of Goat Island and that this area and number of moorings it can support will be defined by the Maritime Department.

- Establish specific limits on the number of “Tall Ship” moorings and other city moorings that can be rented on a seasonal basis by the city.
- The balance of the city moorings be available for transient rental and maritime event support.
- Seasonal, transient and maritime event mooring rental rates be determined by the Maritime Department with the approval of the Maritime Commission.
- The number, availability and rental rates for city moorings be published and widely disseminated.
- City moorings will comply with all mooring regulations.

Recommended Actions:

- The Maritime Department will define and designate a city mooring area.
- The Maritime Department to consolidate all city moorings in this area and add moorings to the area as appropriate.
- The Maritime Department and Maritime Commission will set the rental rates for city moorings.

*Goal 4.d. Retention of federal project status in Newport Harbor*

It is the goal of this plan to bring the status of the federal project program in Newport Harbor into alignment with the current uses and future needs of the harbor.

Recommended actions:

- The Maritime Department and Maritime Commission should review the question of whether to retain, request de-authorization or modification of the federal project area program in Newport Harbor and recommend action to the City Council.
- Prepare a version of the GIS based harbor chart showing where conflicts exist.

**Goal 5: Develop a welcoming atmosphere for transient maritime visitors.**

Policy:

- The Maritime Department will annually update and publish two documents: a “rules and regulations” document focused on mooring lessees and a document geared to the needs and requirements of transient maritime visitors.
- The City shall improve and expand service facilities to encourage maritime visitors.
- The City shall make it as easy as possible for maritime visitor to properly dispose of trash, recyclable material.
- The City shall continue to expand public dinghy access.

*Goal 5.a. Improved information availability and content*

Maritime visitor requirements for information about Newport Harbor are as diverse as their watercraft and the way in which they will be using the harbor and waterside resources located here. Car-top sailors and/or kayakers need information relating to water access, vehicle parking availability and regulation, as well as pertinent harbor rules, etc, whereas moderate sized (25-45’) cruising sail or power vessels, have requirements which relate to the safe securing of their vessel, transport ashore (if not at a marina), and information related to maintenance, repair,

replenishment, communication, entertainment, etc. Additionally, race event participants, mega-yacht captains, launching ramp-based fishermen, rendezvous attendees, to mention but a few of the many “new to Newport” user categories, all have their own specific needs for information. The ease with which “first-time” harbor users obtain this information and begin to feel “comfortable” in their new surroundings is a dominant factor in determining the “friendliness” of a given harbor- and a strong element influencing a decision for a return visit.

Section 5 of the ordinance appointing Newport’s harbormaster and describing anchorage regulations, enacted by the General Assembly of Rhode Island in June 1839, reads as follows: “The Harbormaster shall cause 1000 copies of this Ordinance to be printed in hand bills, one copy of which he shall deliver to every master or officer in command of a vessel, by him visited and ordered either to be removed, or to show a light as herein provided.” The handbill described fairway, anchoring zones and other regulations pertinent to the commerce traffic of the day.

Although shipyard repair and maintenance, and commercial fishing facilities remain in Newport Harbor, the traditional commerce of ship-born cargoes of materials, supplies and foodstuffs have disappeared from Newport’s anchorage and wharves. In its place, new forms of commerce related to marinas, charter vessels, tour boats, and launch services, etc, have evolved, all driven by tourism and recreational watercraft use. The one-page handbill of the 19<sup>th</sup> century has evolved into today’s present “NEWPORT HARBOR RULES AND REGULATIONS,” a 14 page compendium which is essential to a mooring lease, useful to a seasonal or monthly mooring rental, but unwieldy and inappropriate to a transient maritime visitor.

Existing Information Sources

1. Area/regional Cruising Guides. Most cruising yachtsmen utilize printed regional guides that provide an overview of a given harbor, rental mooring and anchorage information, marina locations, an indication of shore-side services, etc. Guides help the vessel owner decide whether or not a given harbor should be visited, depending on his/her needs, the weather, schedules, etc, but almost always never contain enough accurate, timely, local information needed to make a harbor visit pleasant, satisfying and productive. Some “port information” booklets only contain information from those product or service providers who purchased advertising space in the free-to-user publication, hence their inclusiveness- and usefulness-is suspect.
2. Seaman’s Church Institute Information Booklet. The SCI Booklet is an excellent source of shore-side information and provides a significant element of the information requirements of maritime visitors
3. Visitor Center. The NCCVB, once discovered by the maritime visitor, is an excellent source of information relating to Newport’s many tourist attractions, as well as the focal point of the public transportation system.
4. Yacht Clubs – Marinas. These facilities are traditional and effective sources of local information for transient maritime visitors who seek out and contract for their services.
5. Launch Operations. Launch operators and their base staffs are good sources for local information, if their service has been procured.

6. Event Chairpersons. Responsible event organizers should be, and typically are, good sources of both event site-specific and general harbor area information for event attendees.
7. Other Sources (Internet, City Web Page)

Recommended Action:

- Ensure development of these documents as soon as possible.
- The Harbor Dept. shall either take on this project directly or preferably create a committee to accomplish this task.
- Annually review and update the documents.
- Establish a distribution system that provides the appropriate document to as many harbor users as possible.
- The finished draft shall be presented to the Maritime Commission for comment and final approval.

Additional Suggestions:

For the compilation committee:

1. Establish a format by securing and reviewing such documents from other destination harbors and requesting comments from their harbor departments as to success or not of their documents.
2. Compile information to be included from other documents, from local documents, from public and personal input.
3. List information for inclusion in the guide(s) based upon the user's need and value to know and not upon paid advertising.
4. Use paid "space advertising" to support production costs if needed.
5. Establish a printing/production method that efficiently allows for annual updating of information.
6. Ensure that each printing will include the print date and relevant contact information for sending comments to the document management committee.
7. The transient visitor document should contain useful "local knowledge" info such as: VHF channel usage, storm advice (with ground tackle suggestions), a chart of the harbor describing anchorages and landings, harbor rules pertinent to visitors, and directions to shore-side sources of further information, etc.

For the distribution system:

1. A distribution system must be structured to ensure that as many harbor users as possible possess a hard copy. Reference should be made on the hard copy to the availability of the same information on the City's Internet web page.
2. For initial distribution, the appropriate copy will be included with each mooring renewal application and with each new mooring permit issued. In subsequent years the renewal form will clearly state how to get another copy if desired.
3. Rental mooring permit holders will be required to supply each seasonal lessee with the appropriate copy and information as to how they can get another copy if desired. They will also be required to hand out the appropriate copy to each short-term transient customer.
4. Marinas will be required to provide all customers initially with the appropriate copy and have a display rack for pick-up copies prominently placed.
5. The Maritime Dept. will establish creative locations primarily geared toward transient harbor users for easy pick-up of the visitor document. Some such locations should include Customs and Immigration office, the Harbor Office building and all Harbormaster launches, commercial launches and their waiting docks, Yacht Clubs and their launches, public dinghy docks and all launch ramps.
6. The Maritime Dept will establish a standing email/ mailing list of cruising guide publishers and ensure that they have the latest information on the harbor.
7. The Maritime Department should consider mooring a seasonal welcome/information/control office on a float at the main entrance to the Inner Harbor, (i.e. at the south end of Goat Island), suitable for visitation by vessels to acquire helpful information. As an initial effort, a float at the harbor entrance, with Welcome and VHF channel information signs is recommended

*Goal 5b. To promote an improved "Newport Harbor Welcome" for transient maritime visitors through improved service facilities*

Maritime visitors to Newport who arrive by sea in sail or power vessels with live-aboard accommodations have requirements for shore-side service facilities that are related to the manner in which they chose to secure their vessel during their stay in Newport Harbor.

Marina-bound arrivals have expectations for a service and amenity "package" which is met by their choice of a commercial service provider who can supply secure floats and/or docks, shore power, water, cable and telephone hookups, showers, laundry, trash collection and ancillary services which can rival that of major hotel resorts. Newport appears to have no shortage of this class of service facility.

For many reasons, a significant number of maritime visitors choose a commercial mooring as their preferred method of securing their vessel when in Newport Harbor. Their requirements for services, once the commercial mooring has been secured, focus on shore access and often trash disposal and the replenishment of needed supplies or repairs for their vessel.

Several Newport Harbor Yacht Clubs provide a level of service, available to visitor members from reciprocating Clubs, which lies in-between that of marinas and commercial moorings. Many as their preferred way of experiencing Newport seek a secure mooring or float, launch service, showers and laundry, access to the lounge, phone/fax/email, etc, together with Yacht Club ambiance.

Depending on weather and available space in the Temporary Anchorage, many visitors- who range from world-cruising foreign sailing vessels, to budget-conscious boaters from up the bay choose to rely on their own ground tackle as the primary means of securing their watercraft while visiting Newport. Their requirements for shore-side service facilities most closely match those who utilize commercial moorings.

Another category of visitor to Newport is the mooring lessee, or guest of a lessee, who homeports his vessel elsewhere, but utilizes the mooring on numerous occasions during a boating season, typically on weekends. This knowledgeable visitor “knows the town” and has few problems obtaining whatever services he/she knows are available. Shore access is a common need with those in the anchorage or on commercial moorings.

#### Recommended Actions:

- Configure the shore-side basement of the Armory building as a Maritime Visitor center, complete with showers, restrooms, laundry facilities, and short-term rental lockers. Utilize the adjoining Ann St Pier as a free dinghy landing/loading dock with provision for filling potable water jerry jugs at this supervised location.
- Create a West Extension Street Landing.
- Develop the Stone Pier Landing to include greeting signage and an information directory for maritime visitors.
- Add a dinghy landing/loading facility in the Brenton Cove area.
- Develop the Perrotti Park Ferry Landing to include a visitor dinghy landing/loading dock with provision for filling potable water jerry jugs at this supervised location.
- Immediately create a public dinghy/loading dock facility at the Elm Street Pier to support adjacent mooring lessees and ramp users
- Create a public dinghy landing/loading facility north of the Newport Bridge to allow maritime visitors to access the shopping area in the vicinity of the Connell Highway rotary (provisions, propane, marine equipment, sail maker, etc.)
- A program of distinctive and unique waterside signage to identify the location of public and commercial dinghy landings to boats on the water is urgently needed.
- Sites and procedures for waste oil and filter disposal should be made accessible to maritime visitors and be described in “welcome” guides for transient visitors.

## **E. HAZARD MITIGATION AND SAFETY Element**

### **1. INTRODUCTION:**

The Newport coastline is at risk to a number of hazards both natural and man-made. Because some sort of catastrophe is inevitable, the city must be prepared with proper planning. Various federal, regional, state and municipal agencies and organizations are trained to respond to certain coastal disasters. Cooperation and coordination with the proper authorities is essential to minimizing risk to human lives and destruction of property.

The Hazard Mitigation and Safety section will focus on hurricanes, floods oil spills and fires. Each hazard requires special planning and response techniques. Hurricane preparedness and a hurricane response plan are included as required by the Rhode Island CRMC. Because flooding is a usual hazard associated with hurricanes, coastal flood mitigation is integrated in the hurricane planning process. Oil spill prevention will be addressed. However, oil spill response is outside the scope of this document and will be limited to providing a checklist of information to gather about the spill and identifying the proper authorities to contact in the event of an oil spill. Finally, issues regarding coordination among emergency agencies responsible for fire hazards will be addressed.

Each sub-section of the Safety and Hazard Mitigation element is divided into three parts: Oil Spill Hazard, Hurricane Hazard and Fire Hazard. Material in this section is consistent with the Newport CLUP (see Natural and Cultural Resources Element – Goal 1C.)

### **2. BACKGROUND:**

#### **Oil Spill Hazard**

Since the passage of the Federal Water Pollution Control Act (FWPCA) of 1972 there have been three major oil spills in or in close proximity to Newport waters. On April 9<sup>th</sup> 1973, the Liberian T/V PENNENT grounded in upper Narragansett Bay, spilling approximately 6,000 barrels of heavy fuel oil. The clean up took about ten weeks. Twenty-two miles of shoreline was affected by the spill. June 23, 1989, the Greek Tank Ship WORLD PRODIGY ran aground on Brenton Reef near the entrance to Narragansett Bay, approximately four miles south of Newport, Rhode Island. The vessel was loaded with 8.2 million gallons of #2 home heating oil. Nine of the 23 cargo tanks were ruptured, releasing approximately 6,900 barrels of oil into Rhode Island Sound. And on Friday, January 19, 1996, the tugboat Scandia ran aground on the south shore of Rhode Island, along with the barge it was towing. The 340-foot barge North Cape was carrying 4 million gallons of No. 2 home heating oil, 820,000 gallons of which leaked into Block Island Sound before salvage workers were able to stop the flow of oil on Monday, January 22. It is the worst oil spill in Rhode Island's history, pouring more than twice the amount of oil into the sea than the World Prodigy accident (294,000 gallons).

#### **Hurricane Hazard**

Since the National Weather Service began tracking major weather events in 1936, thirty-two storms classified as tropical storms or hurricanes have struck Rhode Island. In 1991, Hurricane

Bob and the October coastal storm caused an estimated \$60 million in boat losses according to insurance industry estimates.

August and September have been the most likely months for a tropical storm or hurricane to hit Rhode Island. Fourteen major storms have occurred in September and twelve in August. The earliest storm to affect Rhode Island was on June 22, 1972, Tropical Storm Agnes. And the latest the state has been hit by a storm was on October 29, 1963 by Hurricane Ginny.

## **2a. Inventory**

The following is listing of potential hazards in Newport harbor during a severe storm followed by resources available for storm preparation. In addition, it would be impractical to list all potential navigational hazards within the City's coastal waters. With this consideration, only navigational hazards found in the main harbor are listed in the following inventory because this is by far the most heavily used body of water in Newport's jurisdiction.

### Flood Zones

Flood zones are depicted on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) 445403 0001D, 445403 0002F, and 445403 0003 E as of June 16, 1992.

### Navigational Hazards

Navigational hazards are interpreted from NOAA Chart number 13223.

- \* Unmarked submerged ruins and obstructions are located just offshore in the point section of the harbor between Chestnut and Walnut streets.
- \* Little Ida Lewis Rock is located in the Spindle area of the harbor and is marked by a fixed day-board marker.
- \* Citing Rock is located between Rose Island and the C"5" can navigation marker at Tracey Ledge just south of the Newport Bridge. The rock is submerged at high tide and is unmarked.
- \* Between the C"5" can at Tracey Ledge and the Newport Bridge is a Green/Red preferred channel marker on shallow rocks.

### Underwater Cables

Underwater cable areas are identified on the harbor map found in Appendix A. Anchoring is prohibited in cable areas.

Hurricane preparedness resources:

**Table 2. Hurricane Preparedness Resources**

<u>Boat Ramps</u>	<u>Boat Hauling Facilities</u>	<u>Towing Services</u>
NETC Marina Fort Adams King Park King's Beach Elm Street	Casey's Boat Hauling Service Island Boat Hauling Newport Yachting Center Sail Newport, Inc. American Shipyard	Oldport Marine Safe/Sea by Marine Rescue Services Tow Boat/US

Fire Fighting/Rescue Equipment

The Newport Fire Department has an inflatable/rigid bottom boat for transporting Emergency Medical Technicians (EMTs) to emergencies on the water. The Fire Department has no fire fighting capability such as a boat with a water pump and nozzle for extinguishing fires.

Currently, when an EMT is required on the water, the harbormaster and the Fire Department have a pickup system in place. Depending on the location of the emergency in the harbor, the harbormaster will meet the EMTs at a pre-determined waterfront location and transport them to the scene. EMTs are located at the America's Cup station at the north end of the harbor, and the Old Fort Road station at the south end of the harbor, which allows shorter travel time to the waterfront meeting place with the harbormaster. In addition, the Fire Department has established a relationship with the Jamestown Fire Department for use of their boat for emergency medical situations. However, this boat also has no special fire fighting capability. The U.S. Coast Guard will transport EMTs if necessary, but their policy is that they be called upon as a last resort.

In the event of a hazardous material emergency, Newport has coordinated an emergency plan with the Naval Education and Training Center (NETC) Fire Department. The NETC Fire Department is well equipped to handle hazardous materials, while Newport supplies the command structure, medical personnel and other required infrastructure.

Further, The Newport Fire Department has detailed plans and performs regular drills requiring knowledge of the length of each pier and wharf in the City, the length of hoses required, the nearest hydrants, where to locate a pump truck and hand held hoses, and where a draft can be established to pump sea water if necessary.

**2b. Statutory Authority**

**Oil Spill Hazard**

Section 4202 of the Oil Pollution Act of 1990 (OPA 90) amended Subsection (j) of Section 311 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C. 1321 (j)) addresses the

development of a National Planning and Response System. As part of this system, Area Committees are to be established for each area designated by the President. These Area Committees are to be comprised of qualified personnel from Federal, State, and local agencies. Each Area Committee, under the direction of the Federal On-Scene Coordinator (OSC) for the area, is responsible for developing an Area Contingency Plan (ACP) which, when implemented in conjunction with the National Contingency Plan (NCP), shall be adequate to remove a worst case discharge of oil or a hazardous substance, and to mitigate or prevent a substantial threat of such a discharge, from a vessel, offshore facility, or onshore facility operating in or near the geographic area. All oil spill planning within this HMP shall be conducted in accordance with the Rhode Island and S.E. Massachusetts Area Contingency Plan. The lead authority for this area is the Commanding Officer of the U.S. Coast Guard's Marine Safety Office, in Providence.

#### **Hurricane Hazard**

Primary authority for implementing the hurricane preparedness plan is vested in the Maritime Department, which will work in cooperation with the Maritime Commission. However, successful execution of this plan requires the Maritime Department to interact with other town departments including police and fire, public works and the City emergency management coordinator.

#### **Fire Hazard**

The Newport Fire Department has primary authority during a fire hazard on the water or on a dock, wharf or waterfront structure.

### **3. ISSUES AND NEEDS ANALYSIS:**

#### **Oil Spill Hazard**

Millions of gallons of oil travel up Narragansett Bay's East Passage annually aboard oil tankers and barges. Because upper portions of the bay have not received maintenance dredging, boats with drafts too great to navigate all the way to Providence must transfer oil to barges through a system called "lightering." Lightering takes place just north of the Newport Bridge. In addition, the East Passage is navigated by hundreds of large displacement vessels every year carrying thousands of gallons of fuel. Concern is also growing over the potential development of the Quonset Point/Davisville shipping port and the increased shipping traffic that would result in the East Passage of Narragansett Bay. On a smaller scale, marina operators and boaters fuel recreational boats with the potential of many small petroleum spills.

The City of Newport must be prepared for any size oil spill hazard. Oil spills can have devastating effects on the coastal habitat and can disrupt all waterfront activity thereby impacting the local economy. All marina operators, especially those that distribute fuel and oil should be trained in techniques to reduce the possibility of oil and hazardous material spills through best management practices. If a spill occurs, marina personnel should immediately know what action should be taken and who should be contacted. Boaters should also be educated in oil and hazardous material spill prevention and what to do when a spill is discovered.

### **Hurricane Hazard**

Hurricanes and coastal flooding have the potential to cause severe damage and injury to any coastal community. However, the high density of boats in the main harbor, along with hundreds of transient visitors each summer dramatically increases the risk of hurricane damage in Newport. Vessels grounded by a hurricane can cause: intense damage to roadways and bridges; leaking fuel and septic tanks; hazardous debris and flotsam littering the waterways, marshes, beaches and wetlands. Because most coastal flooding hazards are due to hurricanes and major storms, these hazards should be addressed together. (See Appendix J)

The City of Newport must be prepared for the inevitable by having a hurricane preparedness plan in place. The Maritime Department, marina operators and boaters must all be aware of what action must be taken when a hurricane or major storm is threatening. In addition, the City should have a long-term plan to mitigate destruction that repeatedly takes place in flood prone areas of the city.

### **Fire Hazard**

Fire safety is something that everyone who owns or operates a boat should practice. Each year nationally, boating fires and explosions injure hundreds of individuals and cause millions of dollars in property damage. While there is a greater chance for a fire or explosion on a boat than on land, many of these accidents can be prevented.

#### **4. GOALS, POLICIES AND RECOMMENDED ACTIONS:**

- GOAL 1:** The Maritime Department to develop an oil spill plan.
- GOAL 2:** Require marina operators to develop an oil spill plan.
- GOAL 3:** Educate boaters and marina operators in techniques to prevent oil spills.
- GOAL 4:** Educate boaters and marina operators to respond properly when discovering an oil spill.
- GOAL 5:** Develop a long-term hurricane preparedness plan before a storm is imminent; the plan may include removing boats from docks or lowering harbor density.
- GOAL 6:** Develop a hurricane response plan that includes immediate emergency action and utilizes all resources including staff, volunteers and equipment.
- GOAL 7:** Enforce existing regulations and inspection procedures for mooring systems, dock construction and maintenance.
- GOAL 8:** Educate boaters, marine facility operators and the Maritime Department to prepare and respond to storms and hurricanes.
- GOAL 9:** Implement flood hazard mitigation techniques through comprehensive planning.
- GOAL 10:** Prepare a fire hazard plan for fires aboard boats in Newport waters.

## **Oil Spill Hazard**

### **GOAL 1: The Maritime Department, develop an oil spill plan.**

#### Policy

- The City will require the Maritime Department to develop a municipal oil spill plan for Newport waters.
- The Maritime Department Oil Spill Plan will conform to all oil spill protocols promulgated by the U.S. Coast Guard, EPA and Rhode Island State Agencies responsible for acting during an oil spill.

#### Recommended Actions

- The City should obtain oil spill planning information from the U.S. Coast Guard, Rhode Island Emergency Management Agency, RIDEM, EPA and other coastal municipalities to develop an effective oil spill response plan.
- The plan should contain a coordinated effort with the Jamestown Harbormaster so that the state oil skimmer boat can be deployed quickly during a spill in Newport waters.

### **GOAL 2: Require marina operators to develop an oil spill plan.**

#### Policy

The City will require all marinas operating in Newport waters to develop a facility oil spill plan and supply a copy of the plan to the Maritime Department.

#### Recommended Actions

- The City will notify marinas that they are each required to develop an oil spill response plan.
- Each marina should be required to have oil spill response equipment such as containment booms and absorbent pads easily accessible and clearly marked.
- The Maritime Department and Fire Department should receive a copy of each marina's oil spill plan.

#### **Minimum requirements of an Oil Spill Plan**

- Who is responsible for taking what action, such as deployment of equipment and contacting emergency agencies (A spokesperson should be designated for the facility)
- A list of emergency phone numbers
- List of oil spill equipment available and its capabilities
- What action will be taken based on likely spill threats, and what equipment will be employed
- A maintenance and practice schedule for spill equipment
- Identify at what point additional resources will be necessary. Know your capabilities.
- Identify where additional equipment can be quickly attained if necessary (neighboring marina or a commercial response firm)
- An explanation of equipment operation and disposal
- A drill schedule to practice using equipment

**GOAL 3: Educate boaters and marina operators in techniques to prevent oil spills.**

Policy

- The City shall encourage boaters and marina operators to use best management practices for storing and dispensing fuel and oil.
- The City will provide information to marinas and local boaters regarding actions to be taken in response to an oil spill.

Recommended Actions

- Marinas should direct marina tenants to the proper disposal of all used hydrocarbon products through the use of signs, marina newsletters and other means.
- Marinas should install automatic shut-off nozzles at the fuel dock and fuel/air separators on air vents or tank stems of inboard fuel tanks to prevent accidental overflow during fueling.
- Recommend boaters use oil absorption materials in the bilge.
- Place containment berms around fixed machinery that use oil and gas.

**GOAL 4: Educate boaters and marina operators to respond properly when discovering an oil spill.**

Policy

- The City will provide information to marinas and local boaters regarding actions to be taken in response to an oil spill.
- Any information distributed by the city regarding oil spill response measures shall be in exact accordance with state and federal agencies responsible for implementing oil spill response.

Recommended Actions

- The City shall distribute information to boaters and marinas informing them of what action should be taken when discovering and reporting an oil spill.
- Marina operators and boaters should be given a copy of the “Hazardous Materials First Responders Checklist” which is produced by the U.S. Coast Guard.

**To report an oil spill or hazardous substance release, call the  
National Response Center  
1-800-424-8802**

**Hurricane Hazard**

**GOAL 5: Develop a long-term hurricane preparedness plan before a storm is imminent; the plan may include removing boats from docks or lowering harbor density.**

Policy

The City shall make provisions that:

- Assess the type and degrees of risk that harbor and shoreline users face from natural hazards;
- Develop strategies that prepare for, respond to, and recover from natural disasters;
- Identify long-term mitigation projects that will reduce damage from natural disasters, and

- Describe specific steps for coordinated implementation.

#### Recommended Actions

- The City, integrate hurricane preparedness into its harbor management practices by following the guidelines of Hazard Mitigation for Rhode Island Recreational Harbor Communities, prepared by the University of Rhode Island's Coastal Resources Center for the CRMC.
- The City, implement the Hurricane Preparedness Plan that has been developed for and is contained within this Harbor Management Plan.

**GOAL 6: Develop a hurricane response plan that includes immediate emergency action and utilizes all resources including staff, volunteers and equipment.**

#### Policy

The City will coordinate hurricane response plans consistently with state and federal emergency personnel.

#### Recommended Actions

- The City, assess the type and degree of risk that harbor and shoreline users face from natural hazards.
- The City, develop strategies that prepare for, respond to, and recover from natural disasters.
- Identify long-term mitigation projects that will reduce damage from natural disasters.
- Outline specific steps for coordinated implementation.
- Update hurricane preparedness plans regularly.
- Study possible locations for boat storage during a hurricane evacuation.

**GOAL 7: Enforce existing regulations and inspection procedures for mooring systems, dock construction and maintenance.**

#### Policy

The City shall commit resources necessary to ensure that proper maintenance and inspection safety procedures are followed.

#### Recommended Actions

The Maritime Department should integrate the Hurricane Preparedness Plan into its current safety and inspection procedures.

**GOAL 8: Educate boaters, marine facility operators and the Maritime Department to prepare and respond to storms and hurricanes.**

#### Policy

The City will promote the hurricane preparedness education of boaters and marina operators, and make available the Hurricane Preparedness Plan that is contained within this Harbor Management Plan.

#### Recommended Actions

- Registered mooring holders should be supplied with a hurricane preparation checklist upon renewal of mooring registration.
- Mooring holders should file a hurricane preparedness plan with the Maritime Department, including plans for vessel preparation and alternate people to contact in case the owner or captain is unavailable.
- The City will investigate pre-arranging contracts and agreements with service companies prior to hurricane emergencies so that immediate action can be taken prior to a storm.

#### **GOAL 9: Implement flood hazard mitigation techniques through comprehensive planning.**

#### Policy

- The City shall strive to minimize danger to people and property due to flood hazards by implementing flood hazard mitigation techniques.
- The City shall utilize methods to reduce damage and costs incurred from repetitive flood damage through proper community planning.

#### Recommended Actions

- Implement Acquisition/Relocation and Acquisition/Demolition projects for areas that experience severe, repetitive flooding.
- Plan so that wastewater treatment plants and other potential environmental hazards are not developed in flood plain areas to limit dispersal of toxins during a flood event.
- Utilize elevation and flood proofing methods for structures in areas prone to moderate, intermittent flooding.
- Study possible storm drain improvements such as properly sized culverts, stream channels and keeping drains clear of debris.
- Explore options in which the City works with local conservancies to purchase flood-prone properties or conservation easements.

#### **GOAL 10: Prepare a fire hazard plan for fires aboard boats in Newport waters.**

#### Policy

- The City shall work with of the Maritime Department and the City Fire Department to determine their roles while fighting a fire on-board a vessel in Newport waters.
- Newport Maritime Department and the Newport Fire Department will fully cooperate with the U.S. Coast Guard during a fire hazard aboard a vessel in Newport waters.

#### Recommended Actions

- Determine the role of the Maritime Department and the City Fire Department while fighting a fire on-board a vessel in Newport waters.
- Develop a plan that outlines the jurisdiction, functions and responsibility of the Maritime Department and Fire Department in conjunction with the NETC Fire Department and the U.S. Coast Guard.
- In the event that fire fighters or rescue workers need to be transported to the distressed vessel by the Maritime Department, pre-determined, easy access pick-up points along the waterfront can be established to eliminate confusion and expedite the rescue.
- Determine in advance a chain of communication in the event that the Maritime Department must transport fire fighters or rescue workers to a vessel.

## **F. FACILITIES Element**

### **1. INTRODUCTION**

Proper management of waterfront and harbor facilities is an integral part of comprehensive harbor management. In order to support the goals and policies contained within this plan, waterfront facilities must receive proper attention and management from the City. This section addresses the need for proper facilities management by providing a comprehensive inventory of marine-related facilities along Newport's shoreline and waterfront. By studying this inventory, the committee was able to see the strengths and weaknesses of waterfront facilities and determine what facilities require City attention.

Prosperity, safety, and availability of service facilities to support commercial and recreational activities require direction and assistance from the government in terms of infrastructure. Since Newport is primarily a tourist destination, prosperity and recreation are connected. At the same time, commercial fishing, boatyards and business conventions are needed to bring diversity in our economy. Appropriate zoning in the private sector and reasonable development of city property can be made to work together to improve prosperity and the quality of life along our shoreline. Material in this section is consistent with the Newport CLUP (see Land Use Element – Policies F, O, Q, Natural and Cultural Resources Element – Goals 2A, 2B, 4B, Open Space and Recreational Element – Goals 2A, 2B, 3A, 5A, 5B, Circulation Element – Goals 1D, 3B.)

### **2. BACKGROUND**

#### **2a. Inventory**

##### **2a. 1. Harbor Structures**

###### *Shipyards/Boatyards*

Within and near Newport Harbor there are a number of Shipyards capable of construction, repair, hauling and storage of a wide range of vessels from dinghies to yachts/ships of 150+ ft.

- American Shipyard
- Casey's Marina/Waterline Systems
- IYRS
- Hoyt's Boat Shop
- Narragansett Shipwrights

###### *Marinas*

There are numerous marinas in Newport Harbor. These facilities accommodate a wide size range of vessels. These marinas are currently capable of accommodating the demand for slips, with surplus space in all sizes. Some of these marinas are associated with condominium developments or hotels.

- Goat Island Marina
- Bannisters Wharf Marina

- Brown and Howard Wharf Marina
- Newport Harbor Hotel and Marina
- Newport Marina
- Newport Yachting Center
- West Wind Marina
- Newport Onshore
- Wellington Marina
- Coddington Wharf Marina

#### *Yacht Clubs and Sailing Centers*

There are about a half dozen private yacht clubs in and around Newport Harbor. These establishments typically provide benefits to their membership and guests such as launch service, competitive events, sailing lessons, dock facilities, and social gatherings.

- Goat Island Yacht Club
- Ida Lewis Yacht Club
- Newport Yacht Club
- New York Yacht Club
- Sail Newport
- Coasters Harbor Island Yacht Club

#### *City Docks/Piers*

The City of Newport owns several docks and piers

- Ann Street Pier
- The North and South sides of Goat Island causeway, adjoining Washington St.
- Storer Park Pier
- Elm Street
- Long Wharf
- Stone Pier at King Park
- Perrotti Park
- Van Zandt Pier

#### *Commercial Fishing Facilities*

Newport Harbor supports a significant and diverse commercial fishing industry. Vessels operating out of Newport Harbor range from small lobster and recreational charter boats to large offshore trawlers.

- State Pier – state pier hosts the majority of the larger commercial fishing vessels. The pier is owned by the Rhode Island Department of Environmental Management which has designated that this pier be used exclusively for commercial fishing.
- Several other piers/wharves in the harbor host commercial fishing activities.
- Fish traps along Newport’s shoreline operate seasonally. They are regulated by the state D.E.M.

- Long Wharf, between Newport Yacht Club and America’s Cup Avenue. This is mostly inshore lobster boats because the water is too shallow for other uses.

2a. 2. Public Access Facilities

*New Building at Perrotti Park*

*Dinghy Docks*

- Stone Pier at King Park
- Ann St. Pier
- Goat Island
- Bowen’s Ferry Landing
- Sail Newport
- Elm Street
- American Shipyard
- West Extension Street
- Alofsin South Pier
- Inn on Long Wharf

*Launch Ramps*

- \* Elm Street
- \* King Park (east and west)
- \* Fort Adams State Park
- \* King’s Beach on Ocean Ave.
- \* Price’s Neck Cove on Ocean Ave

*Port of Clearance*

Newport Harbor is an official Port of Clearance. The local customs office is currently located in the Post Office building that is near the harbor. A seasonal location for the customs office is being established within a historical prison building at Fort Adams State Park. Quarantine moorings will be located in the waters adjacent to the park.

2a. 3. Designated Areas

*Shellfishing*

The waters in which shellfishing is allowed is controlled by the Rhode Island Department of Environmental Management. There is no shellfishing allowed in the inner harbor.

*Sea Plane landing*

While seaplanes may land in any federal channel, they are discouraged from landing/taking off within the crowded and busy inner harbor. Seaplanes are encouraged to land/take off West of Goat Island and North of Goat Island Causeway.

*Cruise Ship Anchorage*

- West of Goat Island

*Cruise Ship launch landing*

- Marine Transit Center at Perrotti Park
- Alofsin Piers at Fort Adams State Park
- Piers at Goat Island Marina

*Scuba Diving Areas*

While scuba diving is popular in the waters both inside and outside the harbor, there are no specifically designated diving areas.

*Water Skiing*

Water skiing is not currently allowed within the inner Harbor. There are no designated water skiing areas outside the harbor.

*Kayaking*

The launch ramp behind the Wellington “micro-strainer” and numerous access points along Ocean Drive are used for kayak launching. No designated kayak areas exist at present.

2a. 4. Harbor Services

*Pump-out Services*

- Goat Island Marina
  - Newport Yachting Center
  - Pumpout Boats (privately operated)
  - Ida Lewis Yacht Club (members & guests)
  - Newport Ship Yard
- Newport Yacht Club
  - New York Yacht Club (members)
  - Bowen’s Wharf Ferry Landing
  - Westwind Marina
  - Casey’s Marine

*Launch/Ferry Services*

- Oldport Launch Service
- Jamestown and Newport Ferry Company
- RIPTA Newport/Portsmouth/Providence

*Fuel Docks*

- Bannisters Wharf
- Casey’s Marina
- Goat Island Marina
- Newport Yachting Center

**2b. Statutory Authority** (Not Applicable to Facilities Sub-section)

3. ISSUES AND NEEDS ANALYSIS

In order for Newport to maintain its status as world-class cruising port and tourist destination, the city must offer safe, clean and useful facilities around the waterfront that are inviting to visitors.

A critical issue related to waterfront facilities is access. People must be able to access the water from land and boaters must be able to access the land from the water. The public access section has thoroughly addressed accessing the water from the land, and the need for more dinghy docks has been addressed in the public access and mooring management sections. Obviously the issue of increased dinghy dock facilities crosses over into multiple interests, which underscores its importance for Newport.

The Newport Waterfront Commission undertook a thorough review of the importance of shipyards to Newport in the fall of 1999. It compared the value of a community shipyard where large vessels can be hauled, dry docked, built, repaired or modified against the potentially negative effects of noise airborne paint spray and toxic waste on the surrounding environment.

The commission also considered what affect such a facility would have on the ability of Newport to host large motor and sailing vessels. The outcome of the review was a recognized need for shipyard facilities to support the recreational and commercial activities in and around Newport Harbor. This finding must be balanced by acknowledgment of the limited capacity of the harbor to accommodate growth in any industry or activity.

In recognizing that the harbor does have limited space and resources, the committee determined that it would be wise to consider new ways to moor vessels that use space more efficiently. Another better use of harbor space would be using water taxis for transportation around the waterfront to alleviate traffic on City streets.

Many of the city piers have fallen into disrepair and have become hazardous. The city should immediately inspect Ann St., Elm St., and Van Zandt piers for safety issues. Development of City building standards for City piers should be studied.

Finally, the fishing industry, which contributes immensely to Newport's character, is being squeezed out of the waterfront. Fishing is a water-dependent use, and should be given a higher priority on the waterfront than water-enhanced uses, such as hotels, condominiums and restaurants. The "City by the Sea" must support a visible, working waterfront in order to maintain its maritime heritage and charm. Waterfront facilities traditionally used for fishing and close to pedestrian traffic, such as Long Wharf bulkhead, should continue to support fishing, especially the small scale business fisherman.

#### 4. GOALS, POLICIES AND RECOMMENDATIONS

- GOAL 1:** To ensure sufficient service facilities exist in an around the harbor to support commercial and recreational activities.
- GOAL 2:** To ensure structural facilities in and around the harbor are safe, functional and well maintained.
- GOAL 3:** To ensure that facilities enabling public access to and through the harbor are adequate.
- GOAL 4:** To ensure fishing facilities are preserved along the waterfront and shoreline.

Goal 1: To ensure sufficient service facilities exist in an around the harbor to support commercial and recreational activities.

*Goal 1a. Encourage the presence of shipyards and maritime service facilities in Newport Harbor*

## **Policy**

**The City of Newport shall support the existence of maritime service facilities in and around Newport Harbor in order to promote and sustain traditional commercial and recreational maritime activities.**

### Recommended Actions

Shipyards and boatyards are to be encouraged by favorable zoning. Environmentally friendly operations and methods of work should be considered, and possibly given tax incentives.

#### *Goal 1b. Study the use of Med-style moorings in Newport Harbor*

The use of med-style moorings (stern to the pier, bow tied to mooring) may provide a more efficient method for berthing vessels in the main harbor.

### Recommended actions

Study the feasibility of using med-style moorings in Newport harbor.

Possible locations are: Kings Park stone pier, Storer Park, Elm St and North of Goat Island Causeway.

#### *Goal 1c. Encourage Water Taxis*

### Recommended actions

A public water taxi service around the perimeter of the harbor is to be encouraged, to relieve congestion of road traffic and provide an attractive harbor tour. Stops should include Fort Adams, the stone pier at King Park, Ann St. Pier, Perrotti Park Pier, and Goat Island. The point (Elm St. or Van Zandt piers) should be considered.

#### *Goal 1d. Development of plan for boat ramp at east end of Kings Park beach*

### Recommended actions

- Study development of a plan for dedicated use of the ramp for non-trailerred boats (car-top).
- Provide proper signage

Study creating a permitted parking system

#### *Goal 1e. Extend King Park Pier*

A new floating dinghy dock was added to the pier in 1999. The launching ramp adjacent to the pier was rebuilt in 1999 and new signage has been added to the parking area. Any improvements or further development should be in keeping with the quiet neighborhood atmosphere of the area.

### Recommended Actions

- Extend Kings Pier into deeper water to accommodate large vessels. A stone based structure would be beneficial because of the minimal maintenance required.

- Investigate possible use of Med-Style moorings (bow anchored, stern to dock) in order to accommodate larger yachts on a short-term basis.
- Study improvements to the stone pier structure
- Improve lighting for evening strollers
- Change car barrier to allow easier pedestrian access
- Encourage facilities for small boats

Goal 1f. DELETED

-DELETED  
 -DELETED  
 -DELETED

Recommended Actions

-DELETED  
 -DELETED

**GOAL 2: To ensure structural facilities in and around the harbor are safe, functional and well maintained.**

Policy

It is the policy of the City of Newport to ensure that public structural facilities within its jurisdiction are safe and well maintained.

*Goal 2.a. Investigate developing City building standards for docks, piers and waterfront structures*

Recommended Actions

- The Maritime Department should pursue the development of City building standards or codes for waterfront structures by investigating the existence of similar standards within other municipalities, state or federal regulations.

*Goal 2b. Repair Van Zandt St. Pier and maintenance of other piers and ramps in the city.*

Recommended Actions

- The piers should be regularly maintained. See harbor management section.

*Goal 2.c. Repair Ann St. Pier to improve safety*

The Ann St. Pier is currently dangerous to boater and pedestrians

Recommended Actions

- The city should repair and improve the Ann St. Pier immediately

*Goal 2d. Identify waterfront facility for customs and clearance activities.*

Newport is a port of clearance. A convenient shore-side facility for yachts clearing customs in Newport would encourage international voyagers to visit, repair and provision here.

Recommended Actions

- City should support establishment of seasonal customs office and moorings at Ft Adams.

*Goal 2e. Proper Utilization of Long Wharf Bulkhead.*

An overriding theme of this harbor management plan is to preserve traditional maritime uses in Newport Harbor. In order for Newport's waterfront to retain its charm and character, there must be areas for people to access a genuine working waterfront. The wharf is currently occupied by small lobster boats because of the shallow water, and it is the only easily accessible working waterfront location in the harbor where visitors can view working fishing boats.

Recommended Actions

- Continue its use as a berth for working fishing vessels.
- Study multi-use of Long Wharf during short-term maritime functions

*Goal 2f. Keep navigational channels clear of structures interfering with navigation, anchoring and moorings.*

Recommended Actions

Study waterfront structures in the harbor that may interfere with normal navigation or impinge on the navigation channels and consider solutions.

*Goal 2g. Policies concerning coastal structures outside of harbor.*

The southern coastline of the city has very few coastal structures, especially when compared to the main harbor and north to the Naval complex. Consequently, this area contains beautiful natural coastal resources that must remain undisturbed. Therefore, the development of coastal structures outside of the main harbor should be considered with respect to the impact on the environment, water quality and esthetic value of the City's shoreline.

Recommended Actions

Development of coastal structures that could adversely impact the natural resources of the shoreline be strongly discouraged.

Designate the southern shoreline a conservation area

*Goal 2h. Explore the possibility of installing a ladder at piers throughout the city*

A ladder secured to piers would aid in situations when people fall in the water accidentally.

Recommended Actions

- The Maritime Department to study the feasibility of installing a ladder at piers throughout the city.

**GOAL 3: To ensure that facilities enabling public access to and through the harbor are adequate.**

Policy

The City of Newport shall ensure that facilities enabling public access to and through the harbor are adequate in order to support and promote maritime activities.

*Goal 3a. Increase public dinghy landing areas in the harbor*

It is current practice for the Waterfront Commission to review all applications to CRMC and pass their opinions to the common council before the council forwards their final recommendations to the CRMC. Current policy of the Waterfront Commission is to increase free public access to the waterfront by dinghies at commercial sites. In the past two years several hundred linear feet of dinghy dock space has been added and there is no reason to assume that this policy will change. The following are additional public dinghy dock sites anticipated in the near future:

- Sail Newport
- American Shipyard
- Extension Street
- Waites Wharf

Recommended Actions

Maintain policy of increasing public dinghy access dock space at commercial and public sites.

*Goal 3b. Use of Armory and Ann St. Pier as yachting center that will provide landing point and facilities to visiting yachters.*

This facility would allow accommodation for more transient yachting access to the shore. Location is ideal for boaters staying in main harbor mooring and anchorage areas. Further, this would be consistent with needs identified in commercial mooring survey and encourage long-term visits by yachters.

Recommended Actions

Recommend that the armory building and Ann St. Pier be retained by the city and at least part of it used as facilities for visiting boaters, as well as local users. Such facilities may be coin operated laundry, and showers, postal services, trash disposal, storage lockers and concessions. Perhaps only the lower (basement) level would be used for this purpose, while the second floor might be made available, from time to time, for hosting yachting events. This would leave the street level available for generating rental revenue for the city.

*Goal 3c. Improve facilities for Cliff Walk*

Recommended Actions

- The Cliff Walk Commission should remain active
- Promote better and safer facilities
- Actively seek outside funding for improvements

*Goal 3d. Support the dual use pier plan at American Shipyard*

A plan is currently under development that will allow dual-use of the pier at the north end of American Shipyard. This dual-use is an excellent example of a waterfront business partnering with the city to increase public access. The shore-side end of the pier will be used by the shipyard for business, while the public will have access to the end of the pier, which will have a public dinghy dock and a gazebo-like viewing platform.

Recommended Actions

- Support the dual-use pier plan at American Shipyard
- Encourage partnerships with other waterfront business to increase public access

*Goal 3e. Address the proper management of driftways in the city*

User conflicts have arisen at the driftways around the harbor and in the Point section of town. Issues such as dinghy storage, encroachment on public access point and parking in the driftways require attention.

Recommended Actions

- Study user conflicts occurring at the driftways
- Consider a registration system for dinghy storage at driftways

**Goal 4: To ensure fishing facilities are preserved along the waterfront and shoreline.**

Policy

There is a growing concern regarding the availability of adequate access and facilities for commercial and recreational fishermen in Newport. Water dependent activities such as commercial fishing must always be given consideration over water-enhanced uses in decisions of waterfront projects and development

*Goal 4a. Allow fishing at public right-of-ways to the waterfront*

Recommended Actions

- Continue system of issuing permits for fishing on Cliff Walk.

*Goal 4b. Support facilities for small scale commercial fishermen*

Recommended Actions

- The City shall encourage a working waterfront
- State Pier steering committee consider providing facilities for small fishermen.

*Goal 4c. Preserve facilities and berthing areas traditionally used for commercial fishing*

Recommended Actions

- Preserve the working waterfront of Long Wharf and ensure that small-scale commercial fishers always have adequate facilities to conduct their business.



## **APPENDIX B – Issues raised at initial public meeting**

The following is a list of issues that were raised at the Harbor Management Plan Public Hearing held February 5<sup>th</sup>, 1997 at the Doubletree Hotel. During the meeting, any issue that was addressed on the floor was written on a poster-sized piece of paper during the meeting to facilitate the organization and recording of thoughts and issues. Every issue that was written on the posters during that meeting was typed into the following list.

The Harbor Management Committee went to great lengths to address every harbor or ocean front issue in this list. The issues were divided and assigned to the proper harbor management sub-committee for detailed consideration. Each sub-committee addressed the issues in their specialty and used them as a basis for their Issues and Needs Analysis, along with other issues uncovered by the sub-committee.

1. Long range planning, i.e. come up with a plan that may take 10-15 years to implement, and publicize those details
2. Harbor Walk, using available land as well as building out over the water
3. More transient moorings
4. Harbor traffic control at Ft. Adams/Castle Hill/Rose Island
5. Rafting limitations
6. Realignment of mooring field
7. Explore tax incentives/development of dockage for holding big Regattas, etc.
8. Clean up and repair of State Pier, wooden ladders in to water, trash removal, etc.
9. Elm St. Pier repair, maintenance of other piers and ramps in the City
10. Waterfront usage – clearer zoning definitions of actual businesses that should be allowed
11. Shipyards – importance/services available
12. Block of public access by Bad Bob's/get rid of it
13. Lack of launching areas
14. Parking areas/times allotted for visitors/tourists to stop and view scenic water areas (Ruggles Ave./Bridge, etc.)
15. Revenues from harbor should go back in to the waterfront/clean up/not in to city coffers
16. How to bring in additional revenues/regulations for businesses that use city waters to enhance their businesses/dock taxes
17. Bike trail to extend in to Newport and Ocean Drive
18. Repairs to Cliff Walk
19. Castle Hill access to water
20. Pollution/oil controls
21. Access to walkways
22. Secure dinghy landing area (public access)
23. Designated public access areas on the waterfront with proper signage
24. Access to land based facilities for visiting yachts
25. Need to combine efforts with URI/environmental agencies on issues
26. Expansion of water taxi services
27. Dock space for larger yachts, over 90'
28. Water taxi stations – perhaps combine these with harbor observation areas

29. Commercial traffic – possible to use west passage to ease congestion off Newport, Jamestown Bridge is high enough
30. Encourage cruise ships to dock away from Newport/not to interfere with sailing activities
31. Extend King’s Park Pier, possibly rebuilding wooden pier extension
32. Ft. Adams – recreational fitness area, needs improvement here
33. Safe place for children to learn to sail
34. Putting sand in beach at Ft. Adams is silting up Brenton Cove
35. Need more information about public waterfront access at Gateway Center
36. Correct litter and untidiness at waterfront public access areas, including dog litter
37. West side of Goat Island should be kept for recreational sailing
38. RIDOT – keep in touch about marine terminals
39. Need to open up view of harbor for public access
40. Noise pollution – preserve current enjoyable level of noise
41. Strong zoning to give access for public to entire Newport coastline
42. Identify and correct pollution sources in Newport
43. Define boundaries between commercial and residential land use
44. Need for a city or public dock
45. Permanent access to waterfront, not something that can be changed or given away later
46. Waterfront to be for water dependent use
47. Public launching access at low cost
48. City not to give away public waterfront land or streets
49. Keep URI informed about seaweed/algae/water quality problems
50. Improve King’s Park
51. More access to the beach at low cost for Newport residents
52. Important antique shipwrecks in Newport waters of historical interest. Need language in plan to preserve these and other underwater resources
53. Recognize diving as a water use and provide appropriate access
54. Towing and salvage – legislation to prevent abuse by commercial tow operators – possible rotation or designated areas to operators w/parameters /no salvage in harbor
55. Encourage school ships/sail training vessels to use Newport Tall Ships moorings
56. Prohibit gambling boats
57. Identity public rights of way and keep a publicly accessible list
58. Clean up sewage discharge in to Brenton Cove area
59. Improve Ft. Adams piers for use by small shuttle boats
60. Get information how other ports i.e., Annapolis, San Diego, handle harbor management
61. Fort Adams
62. Trash disposal
63. Public image of the harbor
64. Role, mission and authority of Waterfront Commission
65. Mooring inspection requirements
66. Harbor management operations
67. Marine and wildlife conservation
68. Major yachting event facilitation
69. Capital needs for Harbor
70. Global Warming
71. Aquaculture

**APPENDIX C –Visitors to Newport Harbor Survey Summary**

Q#	Questionnaire Categories	# Responses by Category	Category Fields	# Responses by Field	% Responses in Category	% of Overall responses	Notes
	<b>Total responses =</b>	<b>75</b>					
<b>A: Individual Completing Survey</b>							
1	Survey completed by:	74	Owner	63	85%	84%	
			Professional Crew	9	12%	12%	
			Charterer	0	0	0%	
			Guest	2	3%	3%	
2	Years of Cruising Experience	73	Years Cruising experience	73	100%	97%	
2-A	Type of Cruising Experience		Pleasure Local	16	20%	21%	
		73	Regional Coastal	42	52%	56%	
			Offshore & World	15	30%	20%	
3	Home Port	71	Listing attached	71	100%	95%	
<b>B: About your Vessel and Visit</b>							
1	Type	74	Power	26	35%	35%	
			Sail	48	65%	64%	
2	Length	73	(Avg=47' Median=40')	73	100%	97%	
3	Persons on Board	73	(Avg=3.7 Median=2)	73	100%	97%	
4	Unique Characteristics	31	Listing attached	31	100%	41%	
5	Reason for Visit		Pleasure	65	87%	87%	
			Race	4	5%	5%	
			Boat Show	4	5%	5%	(Note:
		72	Charterer	5	7%	7%	26 multiple
			Seasonal	8	11%	11%	entries)
			Home Port	13	17%	17%	
			Service	1	1%	1%	
6	Typical number of Days Stay	71	(Avg=32 Median=4)	71	100%	95%	
7	Periods of Current Visit		May	4	5%	5%	8 Boats-150 + days; 5 Boats-90 days 1; 5 Boats-1+month; 11 Boats-1+ Week; 41 Boats-avg 3 days;
			June	6	8%	8%	
			July	21	28%	28%	
		71	August	26	35%	35%	
			September	10	13%	13%	
			Week ends	16	21%	21%	
			Season	6	8%	8%	
<b>C: Berthing</b>							

1	Your Vessel Kept at:	73	Marina slip	30	40%	40%	(Note:12 multiple entries)
			Commercial mooring	20	27%	27%	
		73	Anchor	15	20%	20%	
			Other	24	32%	32%	
2	Means of getting ashore	72	Commercial Launch	6	8%	8%	
			Yacht Club Launch	1	1%	1%	
			Tender	3	4%	4%	
			Combination of above	64	85%	85%	
3	During visit	65	Stay aboard	16	25%	21%	
			Stay ashore	46	71%	61%	

Q #	Questionnaire Categories	# Responses in Category	Rating of Category	# Responses by Rating	% Responses in Category	% of Overall responses	Notes
	<b>Total responses =</b>	<b>75</b>					
<b>D: Rate Newport Facilities and Services A= Adequate I = Inadequate</b>							
<b>Harbormaster Department</b>							
	Personnel accessibility	47	A	41	87%	55%	
			I	6	13%	8%	
	Knowledgeable Staff	50	A	40	80%	53%	
			I	10	20%	13%	
	Presentation to Visitors	48	A	30	63%	40%	
			I	18	38%	24%	
	Access to harbor rules	45	A	33	73%	44%	
			I	12	27%	16%	
<b>Information Availability for:</b>							
	Land Transportation	55	A	39	71%	52%	
			I	15	27%	20%	
	Re-supplying & Repairs	53	A	45	85%	60%	
			I	8	15%	11%	
	Sightseeing & entertainment	49	A	38	78%	51%	
			I	10	20%	13%	
	Health & Emergency Services	21	A	11	51%	15%	
			I	10	49%	13%	
<b>Facilities &amp; Services</b>							
	No. and size of Commercial Moorings	29	A	24	83%	32%	
			I	4	14%	5%	

<b>D: Con't: Rate Newport Facilities and Services    A= Adequate    I = Inadequate</b>						
Fee for Commercial Mooring	20	Range is \$15 to \$35    Average is \$30				
Commercial Mooring Fee rating	37	A	20	54%	27%	
		I	17	46%	23%	
No. of Marina Slips	26	A	22	85%	29%	
		I	4	15%	5%	
Marina Slip Fees	12	Range is \$1.75 to \$2.25 per foot				
Marina Slip Fee Rating	34	A	5	15%	7%	
		I	27	79%	36%	
Dinghy Landings	38	A	6	16%	8%	
		I	32	84%	43%	
Dinghy Landing Fees	30	A	24	80%	32%	
		I	2	7%	3%	
Free Dinghy Landings Availability	14	A	6	43%	8%	
		I	8	57%	11%	
Commercial Launch Service Fees	24	Average fee is \$2				
Commercial Launch Service fee rating	35	A	24	69%	32%	
		I	9	26%	12%	
Waste Pump-out Fees	7	Average fee is \$5				
Waste Pump-out Fee Rating	33	A	24	73%	32%	
		I	9	27%	12%	
Laundry Fees Rating	25	A	19	76%	25%	
		I	6	24%	8%	
Public Transport Fees	6	Average fee is \$1				
Public Transport Fee Rating	36	A	15	42%	20%	
		I	21	58%	28%	
Anchorage Area available	52	A	32	62%	43%	
		I	20	38%	27%	
Trash & Recycle Bin availability	51	A	35	69%	47%	
		I	16	31%	21%	
Drinking Water availability	51	A	25	49%	33%	
		I	26	51%	35%	

<b>Respondent's Written Comments</b>	Note: Numbers in parentheses show the number of duplicate responses

<p style="text-align: center;"><b>Harbormaster Department</b></p> <p>No contact with harbormaster (9)  Positive harbormaster dept. Comments (9)  Concern about un-enforced harbor rules (5)  Speeding tenders (1)  Vessel wakes due to speed (4)  Information (3)  Packets should be available from harbormaster (1)  Harbormaster uninformed about slip/mooring availability (1)  Receiving harbor info packet from marina (1)  Public dinghy landings (2)  Must have more free landings (1)  Charging \$6 for dinghy landing ridiculous (1)  Negative harbormaster dept comment  Can't find harbormaster dept. Base  Concern about vessels under sail in the harbor</p> <p style="text-align: center;"><b>Newport's facilities and services</b></p> <p>Positive marina comments (10)  Mariners need basic services-showers, ice, trash, launch,  Dinghy landings (4)  Especially inadequate restroom/shower facilities (4)  Need more public showers (4)  No info on public restroom locations (2)  Need public laundry facilities for transient boaters (2)  Dinghy landings should be free and more accessible (2)  Need more long-term car parking (2)  Small anchorage area full (2)  All services normal and good (2)  Need clean restrooms  Need potable water outlets at dinghy docks  Water dock convenient but poorly maintained  Need water and waste floats  Need convenient recycling bins  Need pump-out boat service like block island  Improve stone pier dinghy landing *  Had to ask about 10-ticket launch fee  Launch wake and passing distance a problem  Tour boats use excessive speed in anchorage  Oldport kudos  Vessels sailing in mooring fields dangerous  Anchorage too far away  Moorings and harbor rules are good  Ensure "improvements" do not destroy harbor beauty  Need good food stores near harbor  Pathetic signage</p>	<p style="text-align: center;"><b>Information availability</b></p> <p>Good info from visitor center (books and maps)  Very good all- around- town services  Good info from launch/launch base  No info made available (commercial mooring)  No info on services available from harbormaster  No transport info except for tours  Information available in boating guidebooks  Marina staff helpful with info  "just have to figure it out for ourselves"  No info on dinghy docks, trash, pump-outs, showers  Directory board at dinghy dock would help  Visitor center should have a harbor booth  Need local public transportation  Cab service inadequate in high season  How do I get to/from the supermarket?</p> <p style="text-align: center;"><b>Describe problems experienced</b></p> <p>Inadequate public dinghy docks (15)  Parking (6)  Vessels under sail in mooring fields and restricted channels (5)  Lack of public restrooms (4)  Lack of public showers (4)  Terrible city traffic (4)  Harbormaster dept complaint (3)  Crowded mooring field, indifference by officials  Speeding commercial fishermen in harbor  Gives no information  Tight mooring spacing (2)  Launch service complaint (2)  No boating visitor harbor information flier available (2)  Harbor noise level (2)  No public trash drop-off dock/station (2)  Marina-specific complaint (2)  Crowds of people (2)  Excessive meter operating hours (2)  No potable water faucets at dinghy landings  Water difficult to obtain  Water dock non-functioning in early season  Broken pumpout stations at fuel docks  Fuel and oil costs too high  Trash dumpster discontinued  Poor/no facilities for boating visitors on a mooring  Unused Brenton cove moorings  No public laundry facilities  Navigation channel access  6-passenger charter boats have no visitor center support</p>
--	--

<p>We spent a lot during our stay  Non-resident private mooring fee complaint  <b>Problems experienced (cont)</b>  Boat wakes  Anchorage area inadequate  Cannot reserve rental moorings  Encourage use of holding tanks with a good pumpout boat service  Too many boats in the harbor  Prices high</p> <p><b>What's being done right in Newport  And should it be continued or improved</b>  Harbor activity and atmosphere (6)  Harbormaster activity applauded (6)  Continuous (tourist) functions (4)  Marina-specific comments (4)  Great destination harbor (3)  Newport is a great tourist town (3)  Great restaurants (3)  Good police protection (3)  Water dock (3)  Restoration/preservation activity (3)  Concerts and festivals (3)  Visitor's center (2)  Knowledgeable marine professional services (2)  Mansions (2)  Race and sailing events (2)  Good retail stores (2)  Cleanup (2)  Continue what is being done (2)  Dumpster at king park  Stone pier landing  User friendly destination  Excellent launch service  Dinghy dock improvements  Kind immigration officer  Yacht clubs  Maintenance of (rental) moorings  Sailing in bay  This survey  Recycling  Greeting visitors and encourage them to return  Modernization of downtown areas excellent  Transportation system  Trash receptacles  Movie theaters  IYRS  Boat show  Promotion for a national boating destination  Accessibility of attractions  Controlled development  Nothing and everything  Continue to pursue a skateboard facility  Cruise ships are welcome</p>	<p>Grocery store far from marina facilities  Deployed outriggers on commercial fishing boats  <b>Other suggestions or comments</b>  Positive marina comments (12)  A fine harbor to visit and enjoy what the town offers (4) (4)  Need more dinghy landings at various harbor locations (3)  Return July 4<sup>th</sup> fireworks to the harbor (2)  Provide basic services and boaters will come  A boater's guide supported by local advertising?  Waterproof info box at dinghy/water dock?  Harbormaster dept to distribute info packets to anchorage visitors?  Welcoming of visitors is getting better  Keep on encouraging recycling  Mooring rental should include services ( trash, newspaper, info )  Oldport should include one free round trip with mooring rental  Provide free pumpout to encourage holding tank use  No overboard discharging  Stop town sewage outfall discharge near anchorage  Need crewing opportunities in local races  Need a boat washing service  Foul seawater at several harbor side marinas  Need short low-cost lectures on local topics  Harbormaster should control mooring field speeders  Make sense of the mooring numbering system  Need better traffic control  Need more dumpsters  Need a youth hostel to accommodate young tourists  Need more heavy rental moorings  Cleanup the waterfront  Improve access to the harbor from land  Retain the free anchorage  Don't forget your (seaport) origin  Need better design review of buildings on the waterfront  Repair damaged sidewalks  Improve parking  Need better availability of NY newspapers  Avoid harbor overcrowding  Keep doing the survey to measure improvements</p> <p><b>Other harbors have / Newport needs</b>  Better dinghy landings (accessible, free, large, water available)  Better public restrooms  Mobile services to moored and anchored boats (ice, water, trash, etc)  Easy access to public showers</p>
---	---

<p>Public transport shuttle to attractions, shopping</p> <p>Town dockage</p> <p>More reasonable dockage</p> <p>Town moorings to compete with mooring</p> <p>Bike paths throughout the city</p> <p>Harbor planning</p> <p>Politeness</p> <p>Dockage area for day-charter boats</p> <p>More marinas with personalized service</p> <p>Voluntary (boating visitor) landing fee companies</p> <p>One-stop pumpout, ice, water, trash facility</p> <p>Sign at harbor entrance with VHF channels for services</p> <p>Sign at harbor entrance "welcome to Newport</p>	<p>More open anchorage</p> <p>Floating (dock) or mobile (boat) pumpout station</p> <p>Easy access to provisioning</p> <p>Table 2. keep it clean"</p> <p>Trash (in water) skimmer</p> <p>Cuttyhunk town moorings very efficient</p> <p>Competing launch services</p> <p>Maine harbors offer two hour free tie-up for shopping</p> <p>Harbormaster office at harbor entrance</p> <p>Allow rafting on rental moorings for a reduced total fee</p> <p>Need a wave break north of the Goat Island.</p> <p>Causeway</p> <p>Marinas with improved facilities and services e.g.</p> <p>Cable TV</p> <p>Fewer tour boats</p>
---	---

Home Ports		Unique Characteristics
Annapolis, MD	Barrington, RI	14 crew
Basel, Switzerland	Boston, MA	1918 charter/pvt yacht
Bridgeport, CT	Cape Lookout, NC / Guilford, CT	3 crew, 1924 fife ketch
Delaware	CT	7'4" draft
Essex, CT	E. Hampton, NY	90 yr old classic
Ft Lauderdale, FL / Newport, RI	Ft Lauderdale, FL	Charter boat
Greenwich Bay, RI	Greenport, LI(2)	Classic
Hamilton, Bermuda	Hamburg, Germany	Classic (1930)
Islamorada, FL	Hingham, MA (2)	Comfortable
Jamestown, RI	Jacksonville, FL	Cpmy
Montauk, NY	Manhasset Bay, NY	Custom aluminum
N. Kingstown, RI	Mystic, CT	Custom cutter
Narragansett, RI	Nantucket, MA	Cutter (3)
New London, CT	New Canaan, CT	Cutter/ketch
Newport Beach, CA	Newbury, NH	Dbl ended cutter
Noank, CT (2)	Newport, RI (12)	Fast
Old Saybrook, CT	Newport, RI / Marion, MA	Hammock aboard
Palma, Malorca, Spain	Padanarum, MA	Ketch (2)
Portland Oregon	Poole, UK	Lots of charters
Portsmouth, RI (2)	Portsmouth, England	None
St Thomas, USVI	Pt Stanley, Ontario, Canada	Offshore cruiser
Warwick, RI (6)	Stonington, CT (3)	Sloop
Westport, CT (2)	Westport Pt, MA	Sports Fisherman (2)
Warwick, RI (6)	Wickford, RI	Traditional
Westport, CT (2)	Westport Pt, MA	Trawler (3)
	Wickford, RI	

**APPENDIX D –Mooring Lessee Surveys Summaries**

**1. PRIVATE MOORING HOLDER SURVEY SUMMARY**

	Questionnaire Categories	# Responses by Category	Category Fields	# Responses by Field	% of Field responses to Category Responses	% of Field responses to Total Responses	Notes
<b>A</b>	<b>Mooring and Boat</b>						
1	Mooring Classification	298	Resident	171	57%	58%	
			Non-Resident	127	43%	43%	
2	Mooring Location	293	Brenton Cove	106	35%	36%	
			Main Harbor	52	17%	18%	
			Spindle	22	7%	7%	
			Ida Lewis	45	15%	15%	
			Point Area	74	25%	25%	
3	Mooring Field Preference	293	Brenton Cove	17	6%	6%	
			Main Harbor	9	3%	3%	
			Spindle	3	1%	1%	
			Ida Lewis	6	2%	2%	
			Point Area	1	0%	0%	
			Happy as is	257	88%	87%	
3-A	On Relocate list?	29	Yes	16	55%	5%	
			No, because	13	45%	4%	
4	Boat Size	290	Boat size (12' – 77')	290	98%	98%	Median = 28'
5	Mooring Field Density	285	Crowded	63	22%	21%	
			Room for more	10	4%	3%	
			Fine as is	212	74%	71%	
6	Boat Kept in Newport?	295	Yes	255	86%	86%	
			No	40	14%	13%	
			Boat kept at:	42		14%	
6-A	Boat Kept On Mooring?	253	Yes	209	83%	70%	
			No	44	17%	15%	
			Kept at:	39		13%	

6-B	Months of Mooring Seasonal Use	220	Season Start	220		74%	Mostly May
			Season End	218		73%	Mostly October
7	Stay Overnight?	291	Yes	170	58%	57%	
			No	121	42%	41%	
<b>B</b>	<b>Access</b>						
8	Access to Boat on Mooring	296	Dinghy	133	45%	45%	
			Club Launch	101	34%	34%	
			Commercial Launch	62	21%	21%	
8-A	Shore-side Dinghy storage	126	Location:	126		42%	
9	Willing to pay for reserved. Dinghy space?	257	Yes	83	32%	28%	
			No	174	68%	59%	
			Comment	25		8%	
10	Car Parking: where?	237	Comment	237		80%	
10-A	Guest Parking: Where?	239	Same as me	183		62%	
			Other	56		19%	
			Comment	43		14%	
11	City Lot Parking privileges?	274	Yes	174	64%	59%	
			No	100	36%	34%	
12	Shore access if mooring use is infrequent?	161	Dinghy	51	32%	17%	
			Club Launch	48	30%	16%	
			Commercial Launch	52	32%	18%	
			Don't Go Ashore	6	4%	2%	
12-A	If by Dinghy, land where?	49	Location	49		16%	
<b>G</b>	<b>Harbor Rules &amp; Regulations</b>						
13	Familiar with Rules & Regulations?	288	Yes	240	83%	81%	
			No	48	17%	16%	
			Because	16		5%	
13-A	Copy of regulations on hand?	289	Yes	172	60%	58%	
			No	117	40%	39%	
14	Familiar with mooring Inspection Requirement?	299	Yes	292	98%	98%	
			No	7	2%	2%	

15	Familiar with Guest Use Rules?	294	Yes	180	61%	61%	
			No	114	39%	38%	
16	Unauthorized Use of Mooring?	281	Yes, it's ok	75	27%	25%	
			Yes, it's Not ok	88	31%	30%	
			No	118	42%	40%	
			Comments	22		7%	
17	Raft Boats?	296	Yes	103	35%	35%	
			No	193	65%	65%	
			If so, How Many	94		32%	
			How Often, times/year	87		29%	
			For how long	91		31%	
18	Is Mooring used for storms?	287	Yes	208	72%	70%	
			No	79	28%	27%	
			Comment	41		14%	
19	Storm Preparations Made:	250+	Remove Sails	165		56%	
			Remove loose gear, Canvas	211		71%	
			Rig Storm Pennant	190		64%	
			Check, Add Chafe Gear	223		75%	
			Other Preps:	76		26%	
20	Prep work is done if owner is absent	249	Yes	204	82%	69%	
			No	45	18%	15%	
			Comment	33	28%	11%	
<b>D</b>	<b>Environmental Issues</b>						
21	Enforce no-discharge rules?	284	Yes	212	75%	71%	
			No	72	25%	24%	
			Comment	45		15%	
22	Know of Pump-out sites?	292	Yes	211	72%	71%	
			No	81	28%	27%	
23	Favor recycling on-board?	284	Yes	256	90%	86%	
			No	28	10%	9%	
			Comment	34		11%	
24	Noise a Problem?	299	Yes, boats	30	10%	10%	
			Yes, shore	50	17%	17%	
			No problem	219	84%	74%	

25	Enforce Noise ordinance on water?	261	Yes	165	63%	56%	
			No	96	37%	32%	
			Comment	62		21%	
26	Other environmental issues?	48	Comment:	48		16%	
<b>E</b>	<b>Miscellaneous Issues</b>						
27	Encourage Tall Ships?	294	Yes	285	97%	96%	
			No	9	3%	3%	
27-A	Offer Tall Ship Incentives?	272	Yes	221	79%	74%	
			No	51	18%	17%	
28	<b>Harbormaster Department Perceptions</b>						
28-A	Harbormaster Office Accessible?	264	Yes	245	93%	82%	
			No	19	7%	6%	
			Comment	21		7%	
28-B	Harbormaster Office Knowledgeable?	264	Yes	255	97%	86%	
			No	9	3%	3%	
			Comment	5		2%	
28-C	Harbormaster Office Approachable?	258	Yes	245	95%	82%	
			No	13	5%	4%	
			Comment	6		2%	
28-D	Harbormaster Office Courteous?	259	Yes	247	95%	83%	
			No	12	5%	4%	
			Comment	13		4%	
29	Implement Enterprise Fund for harbor?	264	Yes	238	90%	80%	
			No	26	10%	9%	
			Comment	37		12%	
30	Seminars of Interest?	125+	Storm preps	125	36%	42%	
			Liability issues	121	35%	41%	
			Salvage issues	92	26%	31%	
			Other	10	3%	3%	
31	Staffed City Dock?	282	Yes	231	82%	78%	
			No	51	18%	17%	
			Comment	69		23%	

32	How to Pay for improved Services?	279	User Fees	235	84%	79%	
			Increase Mooring fees	6	2%	2%	
			Combination of fees	38	14%	13%	
33	<b>Public Services needing improvement</b>						
33-A	Improve landing & loading docks	206	Make free	168	79%	57%	
			Charge fee	38	18%	13%	
33-B	Fresh Water availability	214	Make Free	133	60%	45%	
			Charge fee	81	39%	27%	
33-C	Public Dinghy Docks	223	Make free	142	64%	48%	
			Charge fee	81	37%	27%	
33-D	Restrooms	217	Make free	180	81%	61%	
			Charge fee	37	17%	12%	
33-E	Trash/Recycling Bins	219	Make free	183	84%	62%	
			Charge fee	36	16%	12%	
33-F	Showers	211	Make free	28	13%	9%	
			Charge fee	183	87%	62%	
33-G	Pump-Out Station	205	Make Free	76	37%	26%	
			Charge Fee	129	63%	43%	
33-H	Seasonal Dinghy Storage	199	Make free	19	10%	6%	
			Charge fee	180	93%	61%	
33-I	Waste Oil Disposal	193	Make free	51	26%	17%	
			Charge fee	142	71%	48%	
33-J	Other Services	9	(specify) free	7		2%	
			(specify) fee	9		0%	
	Survey signed			203			
	Additional Comments added			11			
NOTE: Data entered in Shaded areas is <b>not</b> included in # responses by Category field or % of responses in Category field							

### Private Mooring Lessee Survey: Comments by Category and Field

Note: Numbers in parentheses show the number of duplicate responses

Boat not kept primarily in Newport: Locations	Shoreside dinghy storage locations	Pay for reserved dinghy space?
At marina Barrington (4) Bristol (3)	Battery park (2) Beechbound (2) Blue rocks	A good idea Definitely!! Depends on cost (4)

<p>Bullock's Cove  East Greenwich (2)  EGYC (6)  Harbor Light, Warwick  Kickemuit River  Little Harbor  Maine</p> <p><b>Boat not kept primarily in Newport: Locations</b></p> <p>New London  Pawtuxet Cove  Portsmouth (3)  Swansea Marina  Tiverton (2)  Unspecified (2)  Various locations  Warren  Wickford (6)</p> <p><b>Boats not kept primarily on moorings: Locations</b></p> <p>Dock  EPYC  G I Marina (3)  Goat Is. (2)  Ida Lewis YC (2)  Long Wharf dock  Marina  Marina  NETC Marina  Newport Marina  Newport Yes – comment (15)  Sail Newport  Slip (3)  Trailer  Unspecified (5)</p> <p><b>Mooring list no, because</b></p> <p>Wants to be closer to NYYC  Takes too long (3)  Unaware there was one (5)  Unfair to tie up \$\$\$ that long</p> <p><b>If on Mooring, How Park?</b></p> <p>Resident Sticker  A problem  As available  Bicycle (3)  Bonniecrist  Bus or YC  City street  Commercial lot  Difficult (2)  Drop off (3)  EPYC/IDYC  Friend's house or G.I.  Ft Adams (25)  Get tickets  Goat Island (2)  Hard to find  Home (8)</p>	<p>Bonniecrist dock (3)  Bowen's dock  Cherry St. driftway  Chestnut driftway  City dock, inn on hbr  Dinghy dock  Driftway (7)</p> <p><b>Shoreside dinghy storage locations</b></p> <p>Driftway or home  Elm St. driftway  Friends dock (3)  Ft Adams (3)  Garage  Goat is  Home (22)  Ida Lewis YC (10)  King park (3)  Local marina  Long wharf marina  Not specified (5)  Not stored ashore  NYC (12)  Pine St Driftway  Point driftways  Poplar St Driftway (2)  Private dock (3)  Public access slip  Public landing  Pvt prop nr elm st  Sail Newport (8)  Spring wharf  Stone pier (6)  Store on boat  Street/shoreside point section  Truck  Walnut St. Driftway (6)  Willow St Driftway (7)  Yard of friend  YC</p> <p><b>If on mooring, how guests park?</b></p> <p>Guest pass  Brenton Park  Car pool  Depends (2)  Difficult (2)  Ft Adams (4)  Home, public parking  I drive (11)  If non-resident  Lot near NYC  Most difficult  No guests  Non-resident  On their own (2)  Pay lot (2)  Problem area  Race crew  Sticker problem</p>	<p>Depends on location (2)  Don't understand  Fear theft!  Good idea  If near mooring, safe  If necessary  If not a Ida Lewis YC member</p> <p><b>Pay for reserved dinghy space?</b></p> <p>In point area  No need (3)  Possibly (2)  Stone pier  Unsure  Would pay to repair ramp</p> <p><b>Where do you land your dinghy?</b></p> <p>Ann St pier (2)  Battery park  Beechbound  Bowens  Coddington landing.  Destination place  Different areas  Elm St  Ft Adams (6)  Gi/sci  Goat is marina  Home  Ida Lewis YC (3)  King park (3)  Mule barn, Ft Adams  Newport marina  Newport YC (7)  Point driftways (2)  Sail Newport (3)  Stone pier  Town dock or Ft Adams  Various (5)  Walnut St. Driftway (3)  YC or Ann St</p> <p><b>Unauthorized use of moorings</b></p> <p>ILYC uses  No answer  Has happened, but not recently  If sized ok  Must leave when asked  Needs enforcement  !!!!  Don't know  As long as they yield  If attended  Several times  Not major issue  Don't know  Unknown  Hospitality issue</p>
--	--	---

<p>Ida Lewis YC (19) King Park (5) Local street Mary St or home (2) No problem Newport YC (25) New York YC (8)</p> <p><b>If on Mooring, How Park</b></p> <p>Off street Ok On street Pay Lot (2) Pissed about parking Point Streets Poorly Private lot (2) Public lot (4) Resident sticker (6) Sail Newport / Ft Adams Search Street (22) Walk (28) Washington St Wellington Ave (11) With difficulty (2) Yacht Club (28)</p> <p><b>Other Storm Preparations</b></p> <p>3<sup>rd</sup> pennant Anchor set Another harbor Backup bridle Backup chain Check chain Haul out (8) Remove boom (4) Remove gear (2) Remove outboard Remove sails (2) Remove spars Remove valuables Secure anchor Secure helm Secure sails, boom Set anchor Set anchors Set fenders Stay aboard Stow dinghy</p> <p><b>Preparations if you are away?</b></p> <p>Relative/friends A needed capability Always Always around (6) At home port But I will Could if needed Dave Stewart (2) Do it myself prior</p>	<p>Street/lots They accompany me Tight Very difficult Walk or I drive Walk/park near NYC</p> <p><b>Newport Harbor rules?</b></p> <p>Never heard of it Send new one out to all Sent to me Copy on boat Never heard of it 30 yrs mooring, never rec'd one Given with application Have not read Never received Mail me one Not seen in many years ???</p> <p>No copy Never got one</p> <p><b>Enforce no-discharge rule</b></p> <p>How done? A must! Are pumpouts available? Beyond fed regs But need 2 yr warning City overflow does more damage Correct industrial polluters Cost Definitely Depends Develop better on-board systems Enforce seagulls first! Enhances swimming Fix city discharges first Harbor flushes Have lectrasan Insufficient pumpouts No Gestapo tactics No head aboard Not a police action Not a problem (3) Not enough pump outs Not needed Not partic. (good tidal flow) Only if pumpout avail (2) Other sources worse Promote friendliness Pumpout boat needed Real problem Status quo ok Unenforceable Very important Voluntary compliance effective</p> <p><b>Harbormaster Office accessible?</b></p> <p>Belongs at king park stone pier</p>	<p><b>Use mooring for storm?</b></p> <p>2000lb Barrington better Bristol mooring closer Depends on severity (2) Docked at bullock's cove</p> <p><b>Use mooring for storm?</b></p> <p>Elsewhere EPYC (2) Exposed Fear collisions Friend uses it Haul out (10) Have a better spot Hide elsewhere If I don't haul out May in future NW exposure Safer at marina Slip at EPYC Slip in EG Too exposed (3) Too rough Trailer store Trailerable Unsafe area Until hurricane season Wickford cove</p> <p><b>Favor recycling on-board?</b></p> <p>More bins Already do (12) Bins avail goat is Bring all home Done now at Ida Lewis YC Need public access Not worth the effort NYC already does Recycle a part of life Required some harbors Space a problem (6) Take it home Very little trash (2) Wish Ft Adams had them</p> <p><b>Enforce noise law on water</b></p> <p>Absolutely!!! After 2300 (2) Bars, Fatulli's, boats Bonniecrist Christies (3) Cigarette &amp; muscle boats (7) Common sense rule Costs \$\$ to do Don't mind (9) Doubletree Downtown establishments Enforce downtown first Goat island (2) Harbor tour boats (2) If a problem</p>
---	---	---

<p>Except hurricanes Family or service (2) Haven't had to Ida Lewis YC Steward Jamestown Boat yd King Marine Never had to</p> <p><b>Preparations if you are away?</b></p> <p>Never occurred NMS Not an issue Newport YC Steward Paid hand aboard Watch weather</p> <p><b>Environment Issues</b></p> <p>Advertise more to keep harbor free of litter Ban Jet Boats! (2) Better access to heads and showers Better treatment of city sewage Boats anchored in channel during events Bottom paint contamination City needs a pumpout boat City of Prov effluent! Clean driftways, trash receptacles (3) Clean up debris from wharf areas Comm. Mooring op's relocating moorings Dog waste, plastic litter Eliminate lobster buoys in moorage/channels Elm St Pier vandals boarding boats Enforce Harbor speed limit Forbid boat washing, bilge pumping Harbor cleanup, esp. King beach Have complained about bar noise (music) for 16 yrs Jet skis from stone pier speeding Litter, public urination, dog feces Lobster buoy plastic litter Local dumpsters Long wharf area like a dump Maintain anchorage space No anchors in eel grass or known wrecks No discharge of waste, plastic, garbage (2) Waterfront establishment noise is obnoxious Public trash bins for boaters, toilet facilities Pumpout boat Jet skis the worst offenders Sewage overflow Speeding, all boats (4) Stop shore discharges of sewage Tour boat operators a bother (2)</p>	<p>But not always But not particularly helpful Closed most of the time Depends on person Difficult off season Excellent!! (2) In season</p> <p><b>Harbormaster Office accessible?</b></p> <p>Needs a better consumer profile Never at office Never did Never there No need Not always Office seldom open Sometimes difficult Very busy</p> <p><b>Harbormaster Office knowledgeable?</b></p> <p>But not particularly helpful Depends on person Should uphold a good image</p> <p><b>Harbormaster Office approachable?</b></p> <p>But not particularly helpful Concerns Depends on person Depends who on duty Needs a polished image Not always</p> <p><b>Harbormaster Office courteous?</b></p> <p>30 yrs fine service But not particularly helpful Depends on person Gruff Helpful &amp; professional Lose the attitude Not always Only one on staff friendly Sometimes Terrific! Very courteous Very helpful Yes!</p> <p><b>Staffed city dock?</b></p> <p>NVCB-run visitor welcome station Armory, Ann St or Stone pier Avail at Marinas Commercial &amp; clubs adequate Cut costs &amp; taxes Depends on where it is Dinghy landing sufficient (2) Fee to users For visitors (2)</p>	<p>Jet skis (3) Kids on point piers Local entertainment loud Loud amplifiers (2) Motorcycles!!!! Needed</p> <p><b>Enforce noise law on water</b></p> <p>No one listens No opinion (3) Not needed (3) Not overly offensive On land Practical???</p> <p>Resource better spent Sailing events Sometimes Treat harbor same as city Unenforced on land (2)</p> <p><b>Implement enterprise fund for harbor?</b></p> <p>Source of \$\$\$? Another tax But would they???</p> <p>City said they would do this Definitely!! (2) Depends on sources of funds Don't understand (2) Excellent idea Funds from std source Harbor a treasure Harbor a valuable resource for Npt. Harbor not a cash cow for city If no new fees Mooring fee???</p> <p>More \$\$ other sources Need more info (2) No idea No strong opinion Not if fees increase Not sure (5) Present fees should be used for this Provided not the sole source Suspect boaters would pay Tell me more Unsupportable Use taxes to benefit the source</p>
---	--	---

<p>Trash, garbage in water (2)  Upper bay pollution  Water Balloons at Jazz festival NG  Why don't motorcycles have mufflers?</p> <p><b>Additional Comments</b></p> <p>Kudos harbormaster  No new services if already commercially available  Driftway ramps poor condition, dinghy access in main harbor, guest parking  Harbormaster kudos, relocation list for a better spot in a given area  Need dinghy landing IDA/Spindle  Loss of access to Admiral's dock for loading, repairs  Volunteer to help, happy to see harbor interest  Wants larger boat in same mooring spot....  Trash bin shortage at Ft Adams, showers, heads, pump-out boats, kudos</p>	<p>Ft Adams?  Good pr needed  Great idea (2)  Great value  Harbor most important asset  Have NYC provide  How different from com. Marinas  <b>Staffed city dock?</b>  How funded? (4)  I would use this  Like or the vineyard  Load/unload guests  Long overdue  Most cities have this (6)  Most needed  Most important  My dream!  Need access to shore  Need free dinghy dock  No mooring fee increase (7)  Not an issue for me (3)  Not necessary  Npt needs this  Npt now offers little to visiting boaters  Or floating trash dock like Marion ma  Plenty of pvt facilities  Pvt service more efficient  Self-supporting (3)  Small boats only  Tie into Ft Adams?  Transients especially need this  Try dock contribution box  Under harbormaster  Unsure  Use present fees properly  Use stone pier  User fee paid for  Utilize Ann St pier  We have nothing now  Yes yes!!</p>	
---	--	--

## 2. COMMERCIAL MOORING HOLDER SURVEY SUMMARY

Q #	Questionnaire Categories	# Responses by Category	Category Fields	# Responses by Field	% responses in Category	% of Overall responses	Notes
<b>A: MOORING &amp; BOAT</b>							
1	Survey Completed by:	87	Moorings Owner	36	41%	42%	
			Agent	1	1%	1%	
			Season Renter	50	57%	58%	
2	Who uses the mooring?	87	Owner	15	17%	17%	
			Agent	1	1%	1%	
			Season renter	67	77%	78%	
			Transient renter	4	5%	5%	
2-A	How Many Transient Moorings?	12	# transient moorings	12	100%	14%	
3	Mooring Location	83	Brenton	30	36%	35%	
			Main Hbr	34	41%	40%	
			Spindle	4	5%	5%	
			Ida Lewis	9	11%	10%	
			Point Area	6	7%	7%	
4	Boat Size	84	boat length	84	35' avg	98%	22' to 65'
5	Mooring Field Preference	82	Brenton	3	4%	3%	
			Main Hbr	2	2%	2%	
			Spindle	0	0%	0%	
			Ida Lewis	3	4%	3%	
			Point Area	0	0%	0%	
			Fine as is	74	90%	86%	
6	Mooring area density	82	Crowded	13	16%	15%	
			Room for more	2	2%	2%	
			Fine as is	67	82%	78%	
7	Boat kept in Newport?	79	Yes	70	89%	81%	
			No	9	11%	10%	
			Boat kept at:	11		13%	
7-A	Boat Kept On Mooring	70	Yes	66	94%	77%	
			No	4	6%	5%	
			Kept at:	5		6%	
7-B	Seasonal Use	69	Season Start	69		80%	May
			Season End	68		79%	October

Q #	Questionnaire Categories	# Responses by Category	Category Fields	# Responses by Field	% responses in Category	% of Overall responses	Notes
8	Stay Overnight?	75	Yes	53	71%	62%	
			No	22	29%	26%	
<b>B: ACCESS</b>							
9	Access to Boat on Mooring	89	Dinghy	25	28%	29%	
			YC Launch	33	37%	38%	
			Com. Launch	31	35%	36%	
9-A	Shore-side Dinghy storage		Location:	27		31%	
10	Will Pay for Dinghy Space	73	Yes	30	41%	35%	
			No	43	59%	50%	
11	Car Parking, Where?		Comment	71		83%	
11-A	Guest Parking	70	Same as me	54	77%	63%	
			Other	16	23%	19%	
			Comment	16		19%	
12	City Lot Special Parking?	67	Yes	50	75%	58%	
			No	17	25%	20%	
13	Shore access from mooring	32	Dinghy	11	34%	13%	
			YC Launch	8	25%	9%	
			Com. Launch	12	38%	14%	
			Don't Go Ashore	1	3%	1%	
13-A	If Dinghy, where landed?	13	Location	13		15%	
<b>C: HARBOR RULES &amp; REGULATIONS</b>							
14	Familiar with Rules & Regs?	87	Yes	61	70%	71%	
			No	26	30%	30%	
			No Because	12		14%	
14-A	Have Copy of Rules	86	Yes	30	35%	35%	
			No	56	65%	65%	
15	Aware of Mooring Inspection Requirement?	81	Yes	70	86%	81%	
			No	11	14%	13%	
16	Owner provides other Services?	33	Yes	4	12%	5%	
			Specify Services	4		5%	
			No	29	88%	34%	
17	Unauthorized Use of Mooring	78	Yes, it's ok	11	14%	13%	
			Yes, it's Not ok	31	40%	36%	
			No	36	46%	42%	

Q #	Questionnaire Categories	# Responses by Category	Category Fields	# Responses by Field	% responses in Category	% of Overall responses	Notes
18	Raft Boats?	82	Yes	22	27%	26%	
			No	60	73%	70%	
18-A	If Boats are Rafted:	22	How Many	21		24%	
			How Often	19		22%	
			For how long	18		21%	
19	Mooring used for storms	79	Yes	60	76%	70%	
			No	19	24%	22%	
			No, Because	7		8%	
20	Storm Preparations Made	68	Remove Sails	55	81%	64%	
			Remove gear, Canvas	68	100%	79%	
			Rig Storm Pennant	48	71%	56%	
			Check Chafe Gear	61	90%	71%	
			Other Preps:	26	38%	30%	
21	Prep work done if owner absent	70	Yes	65	93%	76%	
			No	5	7%	6%	
			Comment	10	14%	12%	
<b>D: ENVIRONMENTAL ISSUES</b>							
22	Enforce No Discharge Regs.?	85	Yes	66	78%	77%	
			No	19	22%	22%	
			Comment	16	19%	19%	
23	Know location of Pumpouts?	84	Yes	64	76%	74%	
			No	20	24%	23%	
24	Favor recycling aboard?	84	Yes	77	92%	90%	
			No	7	8%	8%	
			Comment	16	19%	19%	
25	Noise a Problem on mooring?	86	Yes, boats	13	15%	15%	
			Yes, shore	16	19%	19%	
			No problem	57	66%	66%	
26	Enforce Noise ordinance on Water?	74	Yes	57	77%	66%	
			No	17	23%	20%	
			Comment	24	32%	28%	
27	Other Environmental issues?	15	Comment	15		17%	
<b>E: MISCELLANEOUS ISSUES</b>							
28	City to Encourage Tall Ships?	83	Yes	82	99%	95%	
			No	1	1%	1%	

28-A	Offer Incentives?	79	Yes	58	73%	67%	
			No	21	27%	24%	
<b>Q #</b>	<b>Questionnaire Categories</b>		<b># Responses by Category</b>	<b>Category Fields</b>	<b># Responses by Field</b>	<b>% responses in Category</b>	<b>% of Overall responses</b>
29	Harbormaster Office interaction findings						
29-A	H-master Office Accessible?	57	Yes	54	95%	63%	
			No	3	5%	3%	
			Comment	10		12%	
29-B	H-master Office Knowledgeable?	59	Yes	57	97%	66%	
			No	2	3%	2%	
			Comment	7		8%	
29-C	H-master Office Approachable?	58	Yes	56	97%	65%	
			No	2	3%	2%	
			Comment	9		10%	
29-D	Harbormaster Office Courteous?	60	Yes	57	95%	66%	
			No	3	5%	3%	
			Comment	9		10%	
30	Implement Enterprise Fund?	69	Yes	62	90%	72%	
			No	7	10%	8%	
			Comment	20		23%	
31	Seminar Interest?	66	Storm preps	28	42%	33%	
			Liability issues	20	30%	23%	
			Salvage issues	17	26%	20%	
			Other	1	2%	1%	
32	Staffed City Dock?	83	Yes	67	81%	78%	
			No	16	19%	19%	
			Comment	23		27%	
33	Revenues for improved Services?	73	User Fees	57	78%	66%	
			Increase Mooring fees	1	1%	1%	
			Combination fees	15	21%	17%	
34	Public Service Improvement Needs						
34-A	Improve landing/loading dock(s)	59	Make free	44	75%	51%	
			Charge fee	15	25%	17%	
34-B	Fresh Water availability	56	Make Free	41	73%	48%	
			Charge fee	15	27%	17%	
34-C	Public Dinghy Docks	60	Make free	37	62%	43%	
			Charge fee	23	38%	27%	

34-D	Restrooms	58	Make Free	46	79%	53%	
			Charge fee	12	21%	14%	
<b>Q #</b>	<b>Questionnaire Categories</b>	<b># Responses by Category</b>	<b>Category Fields</b>	<b># Responses by Field</b>	<b>% responses in Category</b>	<b>% of Overall responses</b>	<b>Notes</b>
34-E	Trash & recycling bins	56	Make free	41	73%	48%	
			Charge fee	15	27%	17%	
34-F	Showers	55	Make free	6	11%	7%	
			Charge fee	49	89%	57%	
34-G	Pump-out Station	61	Make free	22	36%	26%	
			Charge fee	39	64%	45%	
34-H	Seasonal dinghy storage	54	Make free	2	4%	2%	
			Charge fee	52	96%	60%	
34-I	Waste oil disposal	53	Make free	12	23%	14%	
			Charge fee	41	77%	48%	
34-J	Other Services	3	(specify) Free	2	67%	2%	
			(specify) Fee	1	33%	1%	
	Signature appended?	55	Yes	55	100%	64%	
	Additional Comments added?	24	Yes	24	100%	28%	
Note: Data entered in Shaded areas is not included in # Responses by Category or % Responses in Category calculations							

### COMMERCIAL MOORING Holder Survey – Written Comments

7: Boat Kept Newport?	18-A: Rafting-how many?	26: Noise Ordinance enforce on water
50% NPT,50% Rye, NY	1 (8)	bothered at times
Bend Boat Basin (EPYC)	2 (7)	Christies (7)
E.Greenwich	3 (2)	Cig Boats
Florida	3 days (3)	disco boats
Greenwich Cove	4 hrs (2)	Don't know enough about it.
MA and ME	8 hrs	Generators/muscle boats/trucks
Portsmouth	day	Landings
Rockport MA	few days	Less Regs. better
<b>7-A Boat on Mooring?</b>	overnight (4)	need more info
NYC/pvt mooring	weekends (2)	

shipyard/repair facility	<b>19: Mooring used in Storm</b>	no opinion
LHM	<b>No, Because</b>	Not a problem (4)
ILYC	easy to haul	not sure
dockside	for 30'ketch	Npt. night life
<b>9-A Dinghy Storage</b>	harbor not safe	outdoor bands & singers
ANN St PIER (2)	move boat	Tour & party boats
Bannister's whf(2)	not smart	Tour Boats
Bowen's landing	too open to NW	Yes, Yes, Yes
Bowen's whf	too small	<b>29-A: HMstr Accessible</b>
car trunk	<b>20: Storm Prep</b>	<b>Comment</b>
Casey's	always prep boat before leaving	always
Chestnut driftway	anchors (4)	Bad Location
Coddington Landing	backup bridle	busy when I need them
home (5)	chain to mooring (2)	can't always get on vhf
ILYC	haul boat (6)	does a great Job
Newport Yacht Ctr	Install storm pennants	outstanding (3)
NYC	lash sails (2)	<b>29-B HMstr Knowledgeable</b>
NYYC (3)	leave harbor (2)	always
place needed	marina preps	does a great Job
Poplar St driftway	owner permission required	outstanding (3)
Sail Newport	pray!	<b>29-C: HMstr approachable</b>
shore	Stay aboard	always
<b>11: Car Parking Where?</b>	stay aboard, check neighboring boats	busy when I need them
Catch as catch can!	surround with fenders	does a great Job
City street/goat Island pay lot	take it to Taunton	outstanding (3)
difficult	<b>21: Prep Work – owner absent</b>	<b>29-D: HMstr Courteous</b>
difficult (3)	if away unaware of wx	does a great Job
drop off at launch/Ft Adams/GI	in tune with weather	always
Ft Adams		outstanding (3)

Ft Adams (6)	Island Marine svc	sort of
Goat Is	never away	usually, rarely-no
Goat Is. Resident	no occurrence yet (2)	<b>31: Seminar interest</b>
home (7)	Oldport (2)	enviro impact issues
ILYC (8)		
<b>11: Car Parking Where?(cont)</b>	<b>22: No Discharge enforcement</b>	<b>30: Implement Enterprise fund</b>
leased space	100%. Lets clean Harbor up	depends on source of \$\$
NYC (5)	absolutely	don't fill potholes with harbor \$\$\$
NYYC(10)	clean up city storm drain first	don't know about it (3)
King's Park	feels boat sewage does no harm	if zone includes shoreside facilities
rented space	no more regulations please	need more details (7)
resident (sticker)	not a problem in my part of the harbor	not by taxes (2)
street (3)	not sure	only if no fee increase
walk(4)	on-board treatment better	the only way to maintain
Yachting CTR	Phase in gradually (3)	want more capital spent on harbor
YC(3)	thought it was law (3)	
pay lot (8)	treated discharge should be OK	<b>32: Staffed City Dock</b>
<b>11-A Guest Parking</b>	unaware it's a problem	Add transport. & propane
<b>Comment</b>	<b>24: Recycling Aboard</b>	best left to pvt operators (6)
around town	Ann St has them	City should have better facilities
Bonniecrist	carry home	clean showers would be great
city pay lots (2)	do it at Oldport	I have YC
difficult	do it now (5)	if near affordable 24 hr parking
Hotels or NYC	no space (3)	if no increase in fees
if they can	NYYC does now	if there was a convenient spot
more parking needed	sometimes	long overdue
difficult for all-day	transients unlikely	
Pay Lot (5)	Unless I have to	
pickup by me	<b>27: Other issues</b>	
	BAN JET-SKIS INSIDE FT ADAMS (3)	

rent space <b>13-A : Dinghy lands ?</b> Ann St (3) Bannister's (2) Beechbound Casey's Ft Adams Ft Adams/Bannister's it's a fight NNYC NYC (2) Point docks <b>14: Know Rules?</b> Did not know existed (6) do not have a copy I Don't have one Never Given to me rules read but not memorized some what familiar transients largely unfamiliar	Dredge Spindle, oil spills, trash on shoreline eliminate storm overflows of sewage, urban runoff Enforce 5 knot no-wake Regs. Free pumpout everywhere fuel leakage from boats Harbor trash, dead fish keep harbor beautiful seagull overpopulation stop household wastes into inland waters stop shell fishing in cove unused main harbor moorings should be removed very strict controls on jet skis, muscle boats	<b>Needed/overdue!!</b> Npt. has little public facilities for boaters only at a very reasonable cost pumpout <b>MUST</b> be free should be a free svc area Stone Pier @ king Park <b>34-J: Other services</b> <b>(specify) Free</b> launch svc parking <b>34-J: Other services</b> parking
<b>Additional Comments</b>		
a good questionnaire! Better access via dinghy docks. Mooring list moving? Dinghy docks free to residents		

enforce speed and noise Regs.

floating sign at harbor entrance directing visitors,

good survey {NB Owner will seasonally rent if possible to do so}

Good survey. Harbormaster helpful in moving moored boat that was too close

harbor seems well policed and tended

Has 3 seasonal rentals, treated as three responses (a,b,c)

Harbor is a small town in season-needs improved services/facilities for boaters.

Keep a sailing channel open off Ft Adams during concert and rendezvous events

keep harbor open so yachts can drop sails within

lack of a free dinghy dock a disgrace, fine harbor rules violators

land/load dock per mooring field, wash down area for moored boats needed (fee)

Marine businesses in Npt. should have moorings before outsiders.

Mooring field unspecified

mooring field maxed out, harbormaster kudos

NYYC jumped waiting list? 30-40% more boats with a grid system? One-way traffic on weekends.

Oldport kudos, parking a problem

Public service signage on both water and shore-side

Public services, better mooring spacing. Overpriced services

Pumpout must be easy & cheap. Monday morning pumpout boat service.

Rented for 18 yrs. Resents deposit for mooring waiting list. Wants access to mooring.

Renumber moorings for sensible location by launch drivers

Town doesn't do enough to make visitors welcome or comfortable

transit of mooring area by tour boats should be stopped

Try fee for unsorted trash, free for sorted. Harbour Court

two-mooring person, logged as such

Welcome boaters, esp. transients. Kudos Oldport & harbormaster

**APPENDIX E – Reserved for Future Use**

(Reserved for Future Use)

(Reserved for Future Use)

(Reserved for Future Use)

(Reserved for Future Use)

## **APPENDIX F – Inventory of Public Access to the Water**

“LW” is Mean Low Water

“HW” is Mean High Water, 3.5 ft above LW

### **NPT.1: CYPRESS STREET**



- Access through: CRMC Right of Way Designation: Z-6; city street to the water; public highway
- Legal Location:
- Access type: visual, pedestrian, water
- History: City Street to the water line and colonial public access to the waterfront wharves and shore line.
- Description: The road turns south along water about 70 yds. giving a harbor view (north of Newport bridge) over a 3 ft chain link fence. (this part was probably Washington St. before the bridge was built). There is a 6 ft wide concrete stairway down about 8 ft to HW level at the north end. The rest of the 70 yds. (in fact all the way to the bridge – another 20 yds. of bushes after the road ends) is concrete bulkhead. At low tide a gravel beach extends out 60 ft all along here. South of Newport Bridge the 8 ft bulkhead and fence continues past Van Zandt pier and John Martins Park to Battery St. driftway, with 30 ft gravel beach at LW.

### **NPT.2 and NPT.2A: VAN ZANDT STREET AND PIER AREA**

- Access through: CRMC Right of Way Designation: Z-7; city street to the water; public highway
- Legal Location:
- Access type: visual, pedestrian, water, fishing, swimming (no lifeguard)
- History: City Street to the water line, colonial public access to the waterfront wharves and shore line, city-owned recreational pier used for fishing, swimming, and land-bound activities and city-owned waterfront ranging from John Martins Park to the Newport Bridge.
- Description: Extends 250 ft west 5 ft above HW level. An 18 ft wide wood deck on concrete supports goes out to a concrete cross pier 180 – 220 ft out 50 ft across. A boat could tie up to end of pier (on pilings 10 ft depth at LW). 4 ft wood rail all round. Land end has steps to HW level on N side, giving access to beach out about 30 ft at LW. Cross piece has steps to

the LW level at NW corner. Currently used for fishing and swimming, but the city doesn't allow use as dingy dock.

**NPT. 2B: JOHN MARTINS PARK**

- Access through: Newport owned city park, runs along water
- Legal Location:
- Access type: Visual
- History:
- Description: Eight ft concrete bulkhead with 3 ft chain link fence. View of mooring area and Goat Island.

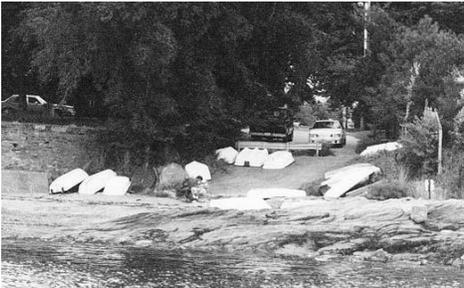
**NPT.3: BATTERY STREET DRIFTWAY**

- Access through: CRMC Right of Way Designation: Z-8; city street to the water, public highway
- Legal Location:
- Access type: visual, pedestrian, water, swimming (no lifeguard)
- History: City street to the water line, colonial public access to the waterfront wharves and shore line.
- Description: Steep grass slope, partly blocked by a tree and a bush at top. Ends at concrete bulkhead about 5 ft above HW level. Really too steep to use as a boat ramp. Has flat setback at top about 25 ft so could be regarded. Rocky beach extends out 30 ft at LW.

**NPT.4: BATTERY PARK**

- Access through: Newport city owned public park
- Legal Location:
- Access type: visual, pedestrian, park environment
- History: Colonial historic site used to defend Newport from attack through use of a battery of canons. City property. Blue Rocks on shore line is used as a swimming site.
- Description: Semicircular concrete bulkhead about 10 ft above HW level, with a 3 ft chain link fence on it. Bulkhead curves from top of Battery St. driftway to top of Pine St. driftway, about 240 ft straight along the road. 10 benches, view of harbor (point) and N end of Goat Island.

**NPT.5: PINE STREET DRIFTWAY**



- Access through: CRMC Right of Way Designation: Z-9; city street to the water; public highway

- Legal Location:
- Access type: visual, pedestrian, water, small boating
- History: City street to the water line, colonial public access to the waterfront wharves and shore line.
- Description: Blacktop gentle grade, 20 ft wide down 90 ft to barrier, then steeper blacktop grade 6 ft wide around end of barrier then full width to small beach (40 ft water front at HW) with large rocks, 14 boats on site, typically 8 to 10 ft long, with square bows. At LW beach extends out 40 ft more but is obstructed by rocks; boat launching is still easily done.

**NPT.6: CHERRY STREET DRIFTWAY**

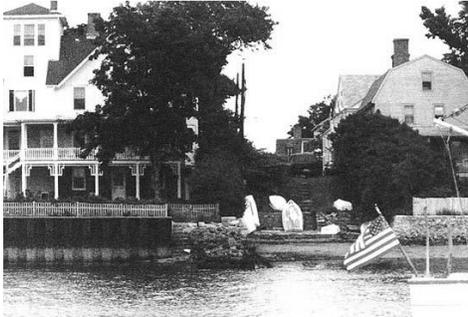


- Access through: CRMC Right of Way Designation: Z-10; city street to the water; public highway
- Legal Location:
- Access type: visual, pedestrian, water, small boating
- History: City street to the water line, colonial public access to the waterfront wharves and shore line.
- Description: Blacktop moderate grade 10 ft wide down 100 ft to barrier. Narrow (3 ft wide) stone steps down 6 ft to HW level and gravel beach at low tide. Steps partly overgrown.

**NPT.7: CHESTNUT STREET DRIFTWAY**

- Access through: CRMC Right of Way Designation: Z-11, city street to the water; public highway
- Legal Location:
- Access type: visual, pedestrian, water, small boating
- History: City street to the water line, colonial public access to the waterfront wharves and shore line.
- Description: Grass 30 ft wide, flat for 30 ft, then gentle grade for 50 ft. Stone sidewalk on south side. Then stone steps 4 ft wide down 5 ft to beach at HW 30 ft waterfront and 10 ft out. At LW goes out 50 ft, still with 30 ft waterfront. Eight boats are stored on the beach above HW.

**NPT.8: WALNUT STREET DRIFTWAY**



- Access through: CRMC Right of Way Designation: Z-12; city street to the water; public highway
- Legal Location:
- Access type: visual, pedestrian, water, small boating
- History: City street, colonial public access to the waterfront wharves and shore line.
- Description: Flat dirt 35 ft wide, 45 ft from road then 4 ft wide stone steps (overgrown at sides) down 12 ft to beach very similar to Chestnut St., except at LW extends south behind adjacent house. The house beyond it has a bulkhead 20 ft beyond LW and a 50 ft pier (wood deck on pilings) maybe 5 ft wide. (Villa Marina, 72 Washington).

**NPT.9: WILLOW STREET DRIFTWAY**

- Access through: CRMC Right of Way Designation: Z-13; city street to the water; public highway
- Legal Location:
- Access type: visual, pedestrian, water, small boating
- History: City street to the water line, colonial public access to the waterfront wharves and shore line.
- Description: Blacktop gentle even grade 30 ft wide extends 150 ft to HW level. Below that broken concrete with steel mesh and some remains of blacktop extend 35 ft more to LW level. Below that appears to be gravel with some lumps of concrete and steel mesh. 21 boats stored mainly on south side of blacktop and space for more.

**NPT.10: POPLAR STREET DRIFTWAY**



- Access through: CRMC Right of Way Designation: Z-14; city street to the water; public highway
- Legal Location:
- Access type: visual, pedestrian, water, small boating
- History: City street to the water, colonial public access to the waterfront wharves and shore line.
- Description: Blacktop 30 ft wide similar to Willow St. extends 180 ft almost to LW, with a large pothole and an out fall pipe taking up half of it between HW and LW. Pothole shows steel mesh and concrete below blacktop. Mesh and lumps of concrete below LW as Willow St. N & S adjacent lots have bulkhead at LW line and each has a pier, about 50 ft x 5 ft, wood deck on pilings. 18 boats on N side of blacktop and space for more.

#### **NPT.11: ELM STREET DRIFTWAY**



- Access through: CRMC Right of Way Designation: Z-15; city street to the water; public highway
- Legal Location:
- Access type: visual, pedestrian, water, small boating
- History: City street to the water, colonial public access to the waterfront wharves and shore line.
- Description: Blacktop 25 ft wide, very gentle grade, extends 180 ft to a couple ft above HW mark. On the south side there is a sidewalk 5 ft wide (visible on the right in the photo) that stays level to the pier. The blacktop becomes a moderate grade 50 ft to LW mark. The center 6 ft continues smoothly 10 ft below LW mark. There are some potholes between HW and LW where the blacktop (about 4" thick) has washed away but the concrete is still there. You could launch directly from a trailer at HW with 4 ft or so of water. Concrete wall to north goes below HW mark but has unimproved beach to its north.

#### **NPT.12: ELM STREET PIER**

- Access through: city owned recreational pier, city street to the water, public highway
- Legal Location:
- Access type: visual, pedestrian, swimming, fishing
- History: Not a listed dingy dock.
- Description: A 15 ft wide wooden deck, 3 ft above HW on pilings out from bulkhead at LW level extends 320 ft. 4 ft. high wooden rail, ladders down to LW near ends. Last 40 ft is 25 ft wide. Could tie boats to end but there are projecting bolts. Sides have supporting timber

ends projecting about a foot which would make docking difficult. 6 ft wide path along bulkhead behind Hunter House (Preservation Society) to Storer Park.

**NPT.13: STORER PARK**

- Access through: Newport city-owned public park
- Legal Location:
- Access type: visual, pedestrian, water, fishing, basketball,
- History: City-owned waterfront recreational park.
- Description: Bulkhead, 5 ft above HW, 100 yds. water front. A concrete and stone pier 70 ft wide extends 250 ft from bulkhead. Some is collapsing at land end but 40 ft width is useable. A few pilings at south side and western end allow dockage. To south, along Goat Island Causeway, stone and concrete pier 3 ft above HW extends 450 ft west. 30 ft wide at land end, about 6 ft at west end. There is a parking lane next to the causeway along most of it. Popular for fishing. It looks as though the causeway was built on an existing pier but did not use the full width. On the south side a 20 ft wide strip has 8 ft high chain link fence making it part of American Shipyard.

**NPT.14: GOAT ISLAND CAUSEWAY/GOAT ISLAND CONNECTOR ROAD**

- Access through: CRMC Right of Way Designation: Z-16 and Z-17; city owned bridge; public highway
- Legal Location:
- Access type: visual, pedestrian, fishing
- History: City-owned bridge used for fishing, and adjacent to Storer Park.
- Description: (All of Goat Island, with the exception of Green Light lighthouse, is privately owned, including the roads). Bridge rises to 17 ft. above HW. Unusual side protection: 2 ft high concrete wall with a 4 "diameter aluminum tube mounted 1 ft above the wall. This is comfortable for fishermen to lean on.

**NPT.15: HYATT HOTEL ON GOAT ISLAND**



**Comment [k2]:** OK –strikethrough text replaced by underlined text per Appendix K (cross reference: hit F5 key, enter page number 253)

- Access through: Public access allowed to public areas at privately-owned waterfront hotel and resort.
- Legal Location:
- Access type: visual, pedestrian, fishing
- History:
- Description: West side concrete wall 3 ft high, 2 ½ ft thick. Road 5 ft above HW. South end lawn/bushes/lighthouse. Sign, "Caution, uneven surfaces for your safety please keep off"

on stone pier 4 ft above HW, about 50 ft square which is subsiding in the N.E. part. Lighthouse is on this pier, east side lawn 7 ft above HW and uneven concrete roped off walkway with similar "caution" notice to south. Wooden dock and locked gate and wall further south. This is outside "Windward Restaurant" dining area. The locked gate leads to parking lot for "Auld Mug Lounge". The general impression is that the lawn etc., on the east side is part of the view from the adjoining hotel rooms and not a walking area.

**NPT.16: GOAT ISLAND MARINA**

- Access through: public access for restaurant and shore of marina, as well as special functions, allowed by owners
- Legal Location:
- Access type: visual, pedestrian
- History:
- Description: West side road becomes gravel but continues south (with concrete wall) to fence at Condo boundary. On east side parking available, very good access on foot to bulkhead (up to condo fence). Public dinghy dock, grocery and liquor store.

**NPT.17: AMERICAN SHIPYARD**

- Access through: Public access sometimes allowed at privately-owned shipyard.
- Access type: visual, pedestrian
- History:
- Description: Shipyard for commercial and military vessels, some yacht work. 8 ft chain link fence, 24 hour security guards.

**NPT.18: STATE PIER**

- Access through: State-owned fishing pier allows public access as long as it doesn't interfere with the commercial fishing activities.
- Legal Location:
- Access type: visual, pedestrian
- History:
- Description: D.E.M. has a small office. 3 piers (wood on pilings) to the south, the middle one falling down. Used for storage and repair of gear, unloading fish and docking boats.

**NPT.19: WASHINGTON STREET/LONG WHARF CORNER**

- Access through: City street to water. Washington St. Pier was granted public access to walk over it "forever" by the CRMC when it permitted the pier to be rebuilt in the mid 1980's.
- Legal Location:
- Access type: visual, pedestrian
- History: Washington St., a public street, runs to the water and as such has city and public riparian rights extended from its shore boundaries.
- \* Description: Six ft wide walkway along west bulkhead leads to a 12 ft wide wood pier on pilings. It extends 100 ft from the bulkhead with floating docks both sides.

**NPT.20: GRAVELY POINT PIER**

- Access through: Newport Yacht Club.
- Legal Location:
- Access type: visual, pedestrian
- History:

- Description: Six ft chain link fence, with vehicle gates. Currently leased every year to Newport Yacht Club and administered as part of NYC.

**NPT.21: NEWPORT YACHT CLUB**

- Access through: city owned land leased to Newport Yacht Club with public access assured
- Legal Location:
- Access type: visual, pedestrian
- History: Originally a city work area currently leased to the Newport Yacht Club which allows pedestrian access to waterfront parking area so that people can see the waterfront from this perspective.
- Description: City land except south bulkhead is part of the gravelly point property. Sign "Public Access Walkway" to waterfront. Dockage for Yacht Club members. 2 ton crane, no dry storage. Crane used with trailers. Marina.

**NPT.22: LONG WHARF**

- Access through: city street along water, public highway
- Legal Location:
- Access type: visual, pedestrian
- History: City owned Colonial wharf area deeded in the early 1700s for public uses.
- Description: Concrete bulkhead 6 ft. above HW, steel rail 3 ft high.

**NPT.23: PERROTTI PARK**

- Access through: Newport city-owned public waterfront park, deeded to the city for park use.
- Legal Location:
- Access type: visual, pedestrian
- History:
- Description: Concrete bulkhead 6 ft above HW. Trees, bushes and landscaping obstruct harbor view from sidewalk, but reduce traffic noise in the park itself. Landscaping happens to provide good skateboarding/rollerblading terrain. Both are banned by city law in this park. The new Harbormaster office is located on this site.

**NPT.24: NEWPORT HARBOR HOTEL**

- Access through: along waterfront in question.
- Legal Location:
- Access type:
- History: Access along front of hotel is in question and depends on the resurrection of the documents and conditions set up by the Development Commission in the Mid 70s which set out public access on this site.
- Description: 8 ft wide walkway, becoming 3 ft wide, 4 ft above HW, 4 ft wooden rail. At south end deck raised 5 ft above bulkhead with 6 ft wood fence and locked gate to north end of parking lot. Parking lot has 3 ft picket fence at Perrotti Park line. Marina.

**NPT.25: MARKET SQUARE**



- Access through: city-owned street to the water, end of the Jamestown Newport Ferry line and old Rt. 138 ... no record of release of public access by City and State
- Legal Location:
- Access type: visual, pedestrian, dingy dock
- History: For over a century this was the landing site for the Newport to Jamestown Ferry and was a state road.
- Description: Marked dinghy dock with trash barrels. Good access on foot to bulkheads. Seaman's Institute has public (pay) showers/laundry but there are no signs to inform visitors of this. The institute also has free public rest rooms (no signs).

**NPT.26: BOWEN'S WHARF/ AQUIDNECK LOBSTER COMPANY**

- Access through: commercial development dependent on public participation
- Legal Location:
- Access type: visual, pedestrian, excursion boating
- History:
- Description: Marina, waterfront, restaurants combined with Lobster boat dockage and lobster/fish landing. Access to dock is good. There is a lot of commercial activity during the day, and many public and commercial customers to the fish/lobster company.

**NPT.27: BANNISTERS WHARF/ WEST PELHAM STREET**

- Access through: commercial development dependent on public participation
- Legal Location:
- Access type: visual, pedestrian, marina
- History:
- Description: Bulkhead mostly built up with stores and restaurants, small parking lot has limited view. Small open area at west end of wharf (where the pier begins) has good access on foot. Small crane currently used only for servicing the company's own floating docks. 250 ft x 6 ft wood pier/pilings. Marina.

**NPT.28: SAYERS WHARF/ OLDPORT LAUNCH SERVICE (WATER TAXI)**

- Access through: commercial development dependent on public participation
- Legal Location:
- Access type: visual, pedestrian, boat taxi landing area
- History:

- Description: Access on foot to bulkhead in pay parking lot. Dock for public launch service.

**NPT.29: SCOTT'S WHARF AND THE MOORING**

- Access through: city-owned street connects to S. Commercial Wharf, public highway
- Legal Location:
- Access type: visual, pedestrian
- History: Scott's Wharf is a city street that joins with North Commercial Wharf to go to the waterfront. It runs aside of the Mooring Restaurant.
- Description:

**NPT. 30: NORTH COMMERCIAL WHARF AND THE NEWPORT YACHTING CENTER**

- Access through: city street, public highway
- Legal Location:
- Access type: visual, pedestrian
- History:
- Description: N. Commercial Wharf has two storage sheds and a pet run blocking the view from the road. These are in the road, on the north side, has 5 ft. chain link fence to north and 8 ft chain link elsewhere. Connector runs north to Scott's Wharf

**NPT. 30A: THE NEWPORT YACHTING CENTER**

- Access through: commercial development dependent on public participation
- Legal Location:
- Access type: visual, pedestrian
- History:
- Description: 8 ft. chain link fence, 2 vehicle gates in day time. One 24 hr. pedestrian gate. No access on Perry Mill Wharf Line. Bulkheads accessible on foot (when inside fence) with 3 ft high wire along pilings. Facility has launching ramp that accepts hydraulic trailers. Public rest rooms in daytime. Marina. On land storage in winter. Haul out by ramp or crane for storage.

**NPT. 31: SOUTH COMMERCIAL WHARF AND THE NEWPORT YACHTING CENTER**

- Access through: city street, public highway
- Legal Location:
- Access type: visual, pedestrian
- History:
- Description: bounded by 8 ft. chain link fence

**NPT.32: PERRY MILL WHARF/ PARASCONDOLO FISH COMPANY**

- Access through: private property
- Legal Location:
- Access type: limited to invitees
- History:
- Description: 6 ft high chain link fence. Vehicle gate open during the day. Busy commercial fishing wharfs not suitable for public access. Perry Mill Wharf is blocked by the fence and gate. Perhaps the city street ends there.

**NPT.33: CHRISTIE'S LANDING/ HAMMETT'S WHARF**

- Access through: commercial development dependent on public participation
- Legal Location:

- Access type: visual, pedestrian, marina
- History:
- Description: Access on foot to bulkhead good in parking lot, 4 ft wood rail. Towards the harbor tables restrict access in summer. The pier has a marina reached through a bar with seasonal outside tables. Behind the main restaurant building (along the west bulkhead) is an 8 ft walkway with 2 ½ ft metal railing. There is no access to Perry Mill wharf – 8 ft wood fence. Wood steps in the SE corner up to the Inn on the Harbor boardwalk are blocked off although they are useable. This may be to encourage foot traffic to pass the fronts of the stores.

**NPT.34: INN ON THE HARBOR**

- Access through: across front of building by CRMC assent
- Legal Location:
- Access type: visual, pedestrian
- History:
- Description: 8 ft boardwalk, 5 ft above HW connects Christie's to Ann St. pier. 3 ft wire railing.

**NPT.35: ANN STREET PIER**

- Access through: city owned recreational pier used as dingy dock, end of city street, public highway
- Legal Location:
- Access type: visual, pedestrian
- History:
- Description: 8 ft wood pier/pilings. City owned, leased to a marina operator. The pier itself is accessible on foot.

**NPT.36: THE ARMORY BUILDING**



- Access through: city-owned waterfront property, public use along the beach 100+ years
- Legal Location:
- Access type: visual, pedestrian
- History:
- Description: Sandy/gravel beach (moderate grade) with a blacktop road down from Thames Street could be used as a launch ramp. Along Ann St. Pier the water is shallow, but the Newport Onshore side is deeper. Beach provides access on foot to Newport Onshore bulkhead.

**NPT.37: NEWPORT ONSHORE**

- Access through: CRMC assent and development agreements
- Legal Location:
- Access type: visual, pedestrian
- History:
- Description: Bulkhead accessible on foot. 3-ft. high chain does not in itself restrict the view. However, the view is dominated by a 40-ft. high condo building on the SW corner. This building is also clearly visible to visiting boats in the harbor. 6-ft wooden fence along the Brown & Howard line. One gate about 100 yds. Inland from the bulkhead is nailed shut. Marina.

**NPT.38: BROWN & HOWARD WHARF**

- Access through: CRMC Right of Way Designation: Z-6; city street to water; public highway
- Legal Location:
- Access type: visual, pedestrian
- History:
- Description: Parking along north side. Full access to bulkheads by vehicle or on foot. View to north restricted by condo buildings, one 10 ft from the property line, 40 ft high, extends within 10 ft of the bulkhead. 7 ft chain link fence with vehicle gate (which is sometimes kept open in the day time) restrict access to Lee's wharf. Marina. Winter storage on land.

**NPT.39: LEE'S WHARF**

- Access through: CRMC Right of Way Designation: Z-19, city street to water, public highway
- Legal Location:
- Access type: visual, pedestrian
- History:
- Description: Stand pipes, possibly connected with a sewer pipe, block vehicles from the last 60 ft, which is grass. Access on foot to stone bulkhead with 3 ft stone wall. Beach below bulkhead extends from HW line at bottom of bulkhead out 50 ft at LW. There is a 4 ft chain link fence about 10 ft out. Bulkheads past LW mark on both sides. Chain link fence to the south and the stone wall prevent access to walkway along bulkhead to Newport Marina.

**NPT.40: HOWARD WHARF**

- Access through: CRMC Right of Way Designation: Z-20; city street to water; public highway
- Legal Location:
- Access type: visual, pedestrian
- History:
- Description: The western 75 ft is used by the Pier Restaurant for tables in the summer. There is a 6 ft wide blacktop walk along the bulkhead, with a 4 ft wood rail. This has a sign, "Private Authorized Persons Only" which is new. The North end is now blocked by the chain link fence along the old Williams & Manchester property.

**NPT.41: IYRS**

- Access through: commercial non-profit development dependent on public participation
- Legal Location:
- Access type: visual, pedestrian, educational
- History:

- Description: 6 ft chain link fence is open in the day on Spring Wharf side. The building is open to the public free of charge during the day. This is not public property but the school generally allows access to the bulkheads and floating docks during the day.

**NPT.42: SPRING WHARF**

- Access through: CRMC Right of Way Designation: Z-23, privately maintained street to the water that qualifies as a public right of way, public highway
- Legal Location:
- Access type: visual, pedestrian
- History:
- Description: Bulkhead topped by a 3 ft "Cable" sign facing the harbor. Rocky beach extends 60 ft at LW, 20 ft at HW. Bulkhead both sides to LW line.

**NPT.43: CASEY'S MARINA**

- Access through: CRMC assent agreement that the public can walk along the perimeter of the marina
- Legal Location:
- Access type: visual, pedestrian
- History:
- Description: The old Tallman & Mack fish landing building takes up most of the west end of the wharf. It is possible to walk around it, using a wooden deck to the north and west and the bulkhead only 4 ft from the SE corner of the building. Marina and boatyard, with crane, hydraulic trailers and launch ramp. Storage on land for yard work or winter.

**NPT.44: WEST EXTENSION ST. /SISSON'S WHARF**



- Access through: CRMC Right of Way Designation: Z-21, city street to the water, public highway
- Legal Location:
- Access type: visual, pedestrian
- History:
- Description: Ends at concrete bulkhead 3 ft above HW, 20 ft gravel beach at LW. Could be made into a launch ramp (although there is an outfall pipe). Bulkhead both sides past LW line. There is a poorly maintained dirt road from the end of W. Extension across to Waites Wharf.

**NPT.45: WEST WIND MARINA**



- Access through: CRMC assent condition that the public will be able to walk across the front perimeter of the property
- Legal Location:
- Access type: visual, pedestrian
- History:
- Description: North of Waites Wharf is a parking lot, with access on foot to the North bulkhead, (occupied by SS Newport) and a boardwalk, wood, 10 ft wide, on pilings 6 ft above HW, around the water side of the Shore Dinner Hall. This has a wrought iron type gate on the Waites Wharf end and leads to the Marina. No rail, just lots of pilings.

**NPT.46: WAITES WHARF**

- Access through: CRMC Right of Way Designation: Z-22, City street to the water, and CRMC assents that the public will be allowed to walk across the water side of the waterfront building.
- Legal Location:
- Access type: visual, pedestrian
- History:
- Description: Ends at the Shore Dinner Hall boardwalk/West wind Marina. To the south is a 6 ft wide deck on the bulkhead 4 ft above HW with a 4 ft high wood rail. This leads to the southern west wind pier and on to a locked pedestrian gate in the 6 ft high wood fence on the Coddington Landing property line.

**NPT. 47: CODDINGTON LANDING**

- Access through: private property by invitation only
- Legal Location:
- Access type:
- History:
- Description: No access to waterfront. 6 ft high wood fence. 50 ft high condominium building, Marina.

**NPT.48: CODDINGTON WHARF**



- Access through: city street to water, public highway
- Legal Location:
- Access type: visual, pedestrian
- History:
- Description: Last 50 yds. grass, wooden barricades, trees and grass ends at stone bulkhead 2 ft above HW. 3 ft diameter outfall pipe. 10 ft gravel/mud beach at LW. Bulkheads both sides. To north is a double fence – chain link and wood, 1 ft back from bulkhead to allow narrow walkway. To south no fence. (Yellow tape 3 ft back). Construction to the south was restarted and active in 2000.

**NPT.49: WELLINGTON MARINA AND RIGHT OF WAY**



- Access through: Right of way deeding a 15-ft. right of way on the bulkhead for public walk
- Legal Location:
- Access type: visual, pedestrian
- History:
- Description: Access through abandoned construction site (construction was progressing again in 2000). There are rocks 5 x 4 x 3 and concrete blocks piled up near the bulkhead but a vehicle could be brought up to it. Bulkhead stone 3 ft above HW, 1 ft depth at LW, no fence. Walkway 15 ft wide, gravel and grass accessible from construction site or over uneven ground from Coddington Wharf. This walkway leads 300 yds. south to the city property on Wellington Ave. becoming 6 ft wide adjoining the launching ramp to the end of the bulkhead, about 40 ft along city property. Here there is a white plastic picket fence 4 ft high. The 15 ft walkway is not clearly defined. At the south end it is gravel but there is then about 20 ft of grass. Where construction is incomplete it could be taken as 40 ft wide except for the rocks etc., at the north end.

**NPT.50: WELLINGTON AVENUE SEWAGE PUMPING STATION**

- Access through: Newport city owned land across the waterfront, used by the public 100+ years
- Legal Location:
- Access type: visual, pedestrian, small boat ramp usable at high tide only.
- History:
- Description: Launch ramp behind station alongside Wellington condos bulkhead. Accessible by dirt round around station with parking area. Ramp has gentle grade, concrete and blacktop to gravel below HW. Sand and gravel, flotsam and seaweed get washed in here. Shallow water in this corner of the harbor limits possible use. From here a concrete bulkhead 4 ft above HW extends west. The land behind it is about 1 ft below the top of the concrete. Concrete is about 2 ft thick.

**NPT.51: KING PARK**

- Access through: Newport city owned public park, Deeded as a gift to the city for the use of the public as a park
- Legal Location:
- Access type: visual, pedestrian, swimming, small boat ramp, playground, little league baseball diamonds, bandstand,
- History:

- Description: Bulkhead continues from pump station. At HW no beach. At LW gravel and rocks out 30 ft. Dirt road becomes grass west of baseball field (between Clinton and Houston Ave.). Then concrete barbecue area behind bulkhead, with sand beach out 20 ft at HW, 50 ft at LW. (This opposite Roseneath Ave.) Beach water frontage about 100 yds. North of beach bulkhead drops to 2 ft above HW, level with the land. This area floods to the road at extra high tides. Bulkhead ends after monument to Rochambeau. Then sand and gravel beach extends out 20 ft at HW 50 ft at LW water frontage 150 yds. to concrete ramp opposite Chastellux Ave. Public ramp, water here still shallow. Parking for trailers.

**NPT.52 : ROCHAMBEAU PIER (STONE PIER)**

- Access through: Newport city property and part of King Park
- Legal Location:
- Access type: visual, pedestrian, fishing, small boating,
- History:
- Description: Stone bulkhead, 2 ft above HW, blacktop 40 ft wide extends north 180 yds. depth at end 6 ft LW. Floating dinghy dock on east side near north end. Subsiding all around edges. No fence or rail.

**NPT.53: IDA LEWIS YACHT CLUB**

- Access through: private yacht club open to public/private events
- Legal Location:
- Access type: by invitation
- History:
- Description: Private club on Ida Lewis Rock. Joined to Wellington Ave. by 10 ft wide wood pier on pilings 3 ft above HW. The road is next to the stone bulkhead 3 ft above HW beach extending 30 ft out at LW.

**NPT.54: HARBOR COURT/NEW YORK YACHT CLUB**

- Access through: private yacht club open to public/private events
- Legal Location:
- Access type: by invitation
- History:
- Description: Private club. Wooden pier on pilings with floating docks.

**NPT.55: FORT ADAMS STATE PARK (SOUTH END, NEAR THE ENTRANCE)**

- Access through: R.I. State Park
- Legal Location:
- Access type: visual, pedestrian, athletic fields, fishing, historical site, sailing museum, boating, picnicking, boat ramp, swimming
- History:
- Description: Picnic Area has a great view of the entire harbor from the highest point. Below this on the south end of Brenton Cove is a blacktop parking lot for boat trailers and a concrete block public launch ramp 15 ft wide moderate grade. Sandy beach 75 yds. frontage extends out 80 ft at HW; 130 ft at LW. Sand is reported to have arrived by truck. From here north is stone riprap, 3 ft above HW with blacktop. The section immediately north, between the water and the Sail Newport boat storage area, is blocked off with concrete barrier. There are concrete pillars 3 ft high, 6 ft apart, with heavy steel chain (5/8 approx. short link) hanging between them, from here to the north end of the parking lot by the two Ft. Adams Piers. Second Launch Ramp adjacent to Sail Newport facility, concrete, moderate

grade, well maintained concrete, floating dock on north side. This is probably administered by Sail Newport.

**NPT.56: FORT ADAMS, ADMIRAL'S DOCK (SAIL NEWPORT PIER)**

- Access through: R.I. State Park, public non-profit sailing operation
- Legal Location:
- Access type: visual, pedestrian, rental of sailboats and sailing instruction, dry dock storage, boat cranes.
- History:
- Description: 50 ft wide, concrete, 160 ft long, 2 cranes, 3 ton and 2 ton, available to public for a fee. Good vehicle access, parking. Floating docks, sailing school, boat rentals.

**NPT.57: FORT ADAMS (ALOFSIN NORTH AND SOUTH PIERS)**

- Access through: R.I. State Park
- Legal Location:
- Access type: special sailing events, ferries to Block Island, etc.
- History:
- Description: 240 ft long, 25 ft wide, 3 ft above HW wood on pilings. Administered jointly by Museum of Yachting, Sail Newport and DEM. Suitable for docking a wide variety of events. Floating docks. Under used.

**NPT.58: FORT ADAMS, AT THE FORT ITSELF (NORTHERN END OF THE PARK)**



- Access through: R.I. State Park
- Legal Location:
- Access type: visual, pedestrian, music festivals, sailing events, sailing museum, museum events, water taxi, fishing
- History:
- Description: Water Taxi Dock nearby building has rest rooms and DEM office. North of parking lot no railing (except on pier) for about 100 yds. Concrete pier 10 ft wide extends 25 ft, 3 ft iron railing. Floating docks and ramps used for launch/water taxi service. North of water taxi dock is riprap 4 ft. above HW with some concrete wall 3 ft high topped by wood rail 2 ft high. The road is for "Authorized Vehicles Only." Parking is very limited from here on.  
Boat Basin at North end of Ft. Adams peninsular, protected by sea walls. Used by Museum of Yachting for display of boats at floating docks inside ... could be used as a marina. The sea walls are not in deep enough water to tie up to directly. There is a gravel/mud beach that could be used as a launching ramp. To the east are concrete pilings that once supported a pier. The north wall is popular with fishermen.

West Side There is a blacktop road 5-10 ft above HW. This is blocked for vehicle circulation by a locked gate at south end of the fort itself. The gate can be easily passed on foot and vehicles can reach the gate from either side. South of the gate blacktop continues 5-20 ft above HAW. There are 3 gravel/rock beaches, each 50 to 100 yd frontage, in this rocky coastline. The road swings inland at the private property line, past the Eisenhower House entrance. In this area the grassy slope above the road is public land with a good view of the water across to Ft. Wetherill. The old cemetery includes the grave of William Brenton, Governor of Rhode Island 1666-1669.

**NPT.59: OCEANCLIFF HOTEL/RESTAURANT/CONDOS**

- Access through: commercial development dependent on public participation
- Legal Location:
- Access type: visual, pedestrian, auto
- History:
- Description: Private property. The restaurant, deck and lawn area have a good view of the entrance to Castle Hill cove and the water across to Mackerel Cove on Jamestown Island.

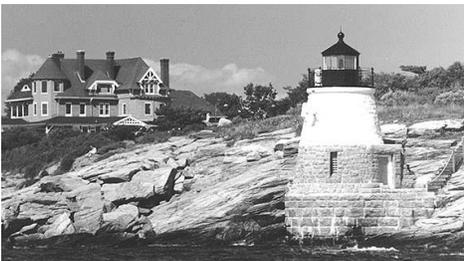
**NPT.60: CASTLE HILL COVE (USCG BASE)**

- Access through: road to Castle Hill Hotel
- Legal Location:
- Access type: visual, pedestrian
- History:
- Description: No access along road by USCG station. Road marked "US Property, no trespassing" and "all visitors must report to O.O.D". This leads to a pier and boathouse with floating docks used by the coast guard.

**NPT.61: CASTLE HILL HOTEL/RESTAURANT**

- Access through: commercial development dependent on public participation
- Legal Location:
- Access type: visual, pedestrian, auto
- History:
- Description: Private Property. Private Beach (Agassy Beach). Marina on north side of Castle Hill Cove. Operated by Castle Hill Hotel. Bulkhead 3 ft above HW with floating docks. Hotel/restaurant and grounds have commanding view of the water to Jamestown from the Dumplings to Beavertail. Castle Hill lighthouse is adjacent this property.

**NPT.62: CASTLE HILL LIGHTHOUSE**



- Access through: path over hill from the Castle Cove parking lot.

- Legal Location:
- Access type: visual, pedestrian
- History:
- Description:

**NPT.63: BRENTON POINT STATE PARK**

- Access through: R.I. state park
- Legal Location:
- Access type: visual, pedestrian, auto, fishing, kiting, picnicking,
- History:
- Description: State owned coastline from the Castle Hill hotel entrance to Kings Beach. (1 ½ miles) Parking at Brenton Point State Park and a fishing pier. Public wetlands between Harrison Ave and Prices Neck Ave.

**NPT.64: KINGS BEACH**

- Access through: R.I. state park
- Legal Location:
- Access type: visual, fishing, diving, pedestrian, auto
- History:
- Description: CRMC calls this "Prices Neck Rd". Gravel 60 ft out at LW, 20 ft at HW. 150 yds. frontage, not very attractive. Supposedly a city beach.

**NPT.65: KINGS BEACH FISHING AREA**

- Access through: R.I. State Park
- Legal Location:
- Access type:
- History:
- Description: RI Division of Fish and Wildlife. Bad dirt road. Parking. Fishing would be from rocks. Old launching ramp partly blocked off by boulders Concrete railroad ties from launching ramp have broken and moved and become a hazard below LW. The boat ramp is on a gently sloping gravel beach 20 yd water frontage, extends 150 ft straight between rocks at LW. Used to train scuba divers.

**NPT.66: GREEN BRIDGE**

- Access through:
- Legal Location:
- Access type:
- History:
- Description: Beach/boat ramp south of road, 20 ft wide gravel, moderate grade, extends 100 ft at LW, 50 ft at HW. Parking, suitable for trailers, to north of road. Goose Neck Cove to north of road is tidal (through Green Bridge).

**NPT.67: HAZARDS BEACH**

- Access through:
- Legal Location:
- Access type:
- History:
- Description: Private

**NPT.68: GOOSEBERRY BEACH**

- Access through:
- Legal Location:
- Access type:
- History:
- Description: Accessible for a fee. Closed for the season at time of inventory (Oct. 1997)

**NPT.69: BAILEY'S BEACH**

- Access through:
- Legal Location:
- Access type:
- History:
- Description: Private

**NPT.70: BAILEY'S BEACH EAST (REJECTS' BEACH)**

- Access through: Public Beach, End of Bellevue Ave. city street, public highway
- Legal Location:
- Access type:
- History:
- Description: 100 yds. water frontage, extends 150 ft at LW, 70 ft at HW. Fine sand beach. No parking, access on foot only. This is one end of Cliff Walk.

**NPT.71: CLIFF WALK**





- Access through:
- Legal Location:
- Access type:
- History:
- Description: A foot path along the coast, 5 – 150 ft above HW. Public right of way, mostly over private property. 3 ½ miles long.

**CLIFF WALK ACCESS POINTS (NPT.72 THROUGH NPT.81):**

**NPT.72: BELLEVUE AVENUE/BAILEY'S BEACH EAST (REJECT BEACH)**



- Access through: city street to water, public highway
- Legal Location:
- Access type:
- History:
- Description: Junction of Coggeshall Ave. and the extreme south end of Bellevue Ave. after it turns west. The Cliff Walk runs east of Rejects Beach. No parking.

**NPT.73: LEDGE ROAD (Southern End)**



- Access through: CRMC Right of Way Designation: Z-3; city street to water, public highway
- Legal Location:
- Access type:
- History:
- Description: Cliff Walk access is at the south end of Ledge Rd. Limited parking with fishermen's permit at night or Newport resident sticker in daytime.

**NPT.74: MARINE AVENUE (Eastern End)**



- Access through: city street to water, public highway
- Legal Location:
- Access type:
- History:
- Description: Marine Ave. is a dirt gravel road running from Bellevue Ave. to the water where there is access to the Cliff Walk. Parking is available on Wetmore Ave.

**NPT.75: RUGGLES AVENUE (Eastern End)**



- Access through: CRMC Right of Way Designation: Z -4, city street to water, public highway
- Legal Location:
- Access type:
- History:
- Description: The paved road runs into a turn around where people can be dropped off and access the Cliff Walk. The Breakers is to the north or left of the above picture.

**NPT.76: SHEPPARD AVENUE (Eastern End)**

- Access through: city street to water, public highway
- Legal Location:
- Access type:
- History:
- Description: Wide black topped road ends directly on Cliff Walk. Parking midnight to 6 am for vehicles with fishing permit. City and Salve Regina dispute on status of street as either private or public. Historical use by both the Breakers and Salve indicates that public use is correct.

**NPT.77: WEBSTER STREET (Eastern End)**

- Access through: CRMC Right of Way Designation: Z-1, city street to water, public highway
- Legal Location:
- Access type:
- History:
- Description: Parking except midnight – 6 am.



- **NPT.78: NARRAGANSETT AVENUE (Eastern End)**

- Access through: CRMC Right of Way Designation: Z-2; city street to water, public highway
- Legal Location:
- Access type:
- History:
- Description: This is the “center “of Cliff Walk and there are 40 granite steps leading down to a stone and cement observation deck and then to rocks about 6 ft above HW.

**NPT.79: SEAVIEW AVENUE (Eastern End)**



- Access through: CRMC Right of Way Designation: Z-5; city street to water, public highway
- Legal Location:
- Access type:
- History:

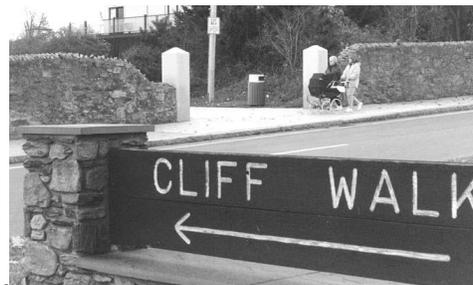
- Description: (off Cliff Ave). No parking on Seaview Ave. Resident sticker required on Cliff Ave 6 am – 6 pm. Note: Seaview Ave and Cliff Terrace are 200 yds. apart and almost connect together near the eastern end. There is a parcel of private property between them

**NPT.80: CLIFF TERRACE (Eastern End)**



- Access through: city street to water, public highway
- Legal Location:
- Access type:
- History:
- Description: (off Cliff Ave.). Resident sticker required in daytime. Note: Seaview Ave and Cliff Terrace are 200 yds. apart and almost connect together near the eastern end. There is a parcel of private property between them

**NPT.81: MEMORIAL BOULEVARD CLIFF WALK ENTRANCE**



- Access through: City street at West end of Eastern Beach.

- Legal Location:
- Access type:
- History:
- Description: Cliff Walk starts here at Memorial Blvd. Parking meters are available along Memorial Blvd. starting 200 yds. from Cliff Walk. Additional parking is available at the beach.

**NPT.82: EASTON'S BEACH (FIRST BEACH)**

- Access through: Newport city owned beach
- Legal Location:
- Access type:
- History:
- Description: City Beach, lifeguards. Pay parking. Changing rooms by the season. Fine sand beach extends 30 ft at LW, 100 ft at HW. Water frontage ¾ mile to Middletown line continues 300 yds. into Middletown.

**NPT.83: ROSE ISLAND**



- Access through: Rose Island lighthouse on city property at southern end of island under lease to Rose Island Lighthouse Foundation. Most of island now under rezoning effort as Historical District
- Legal Location:
- Access type:
- History:
- Description:

**NPT.84: NAVY BASE**

- Access through:
- Legal Location:
- Access type:
- History:
- Description:

**APPENDIX G – Rough Draft of a Proposed Ordinance for Coastal Waters  
and Harbor Areas**

**Note to reader:** This ordinance section is provided to support the drafting of a new city ordinance for the management and regulation of the waterfront and harbor areas of the City of Newport. The mooring and transient-visitors sub-committee believes the current city ordinances to be inadequate and recommend that they be reviewed in accordance with the contents of this appendix. This section follows the ordinance format included in the CRMC guidance on writing of harbor management plans.

City of Newport, Rhode Island

**AN ORDINANCE FOR THE CITY OF NEWPORT  
COASTAL WATERS AND HARBOR AREAS**

- ARTICLE 1. GOALS OF THE ORDINANCE
- ARTICLE 2. DEFINITIONS
- ARTICLE 3. JURISDICTION AND AUTHORITY
- ARTICLE 4. HARBOR REGULATIONS
- ARTICLE 5. MOORING REGULATIONS
- ARTICLE 6. FEES AND PENALTIES
- ARTICLE 7. HARBOR MANAGEMENT FUND
- ARTICLE 8. LIABILITY
- ARTICLE 9. SEVERABILITY
- ARTICLE 10. EFFECTIVE DATE

**ARTICLE 1. GOALS OF THE ORDINANCE**

Section 1. Manage the coastal waters and harbor areas of the City of Newport, as described herein and hereafter referred to as the City, by establishing regulations that balance and manage the diverse uses of the waters, harbor areas, and waterfront and to minimize user conflicts.

Section 2. Provide a mechanism to ensure the administration and operational costs of this ordinance and the Harbor Management Plan are shared by the City of Newport, private and commercial mooring lessees, and other groups or individuals as may be identified by the Maritime Commission, described herein.

Section 3. Maintain, improve, and develop public access opportunities to the coastal waters of the City of Newport for the benefit of all user groups.

Section 4. Remain consistent with the goals and regulation of the Rhode Island Coastal resources Management Council, the Rhode Island Department of Environmental Management, the State Guide Plan, and the United States Army Corps of Engineers.

Section 5. Maintain compliance with the City of Newport Comprehensive Land Use Plan.

## ARTICLE 2. DEFINITIONS

See Appendix A – Glossary of Terms

## ARTICLE 3. JURISDICTION AND AUTHORITY

Section 1. Jurisdiction. The coastal waters and harbor areas of the City of Newport included under the jurisdiction and authority of this ordinance are those coastal waters and harbor areas within the jurisdiction of the corporate boundaries of the City of Newport as they pertain to Narragansett Bay and Rhode Island Sound.

Section 2. The Maritime Commission. The Maritime Commission shall be the local regulatory body authorized to regulate the coastal waters and harbor areas of the City of Newport through the implementation of the Harbor Management Plan and subsequent ordinances. The Maritime Commission shall enforce the provisions and ordinances of the Harbor Management Plan as well as adopt additional policies, rules and regulations for the implementation of the Harbor Management Plan and subsequent ordinances and perform all acts necessary and consistent with the Harbor Management Plan and such ordinances, subject the approval of the City Council and the Coastal Resources Management Council.

A. Composition. The Commission shall exist of nine qualified members, residents of the city, to be appointed by the mayor of the city with the consent of the city council. Members shall be appointed for a three-year term and shall be eligible for two consecutive appointments, unless the appointment is to fill the unexpired term of a previous appointee. Any appointment to an unexpired term of at least two years shall be considered a full term. Members of the Commission shall have a demonstrated interest in waterfront issues, be willing to invest time and effort outside of meeting requirements and must fit criteria of membership.

B. Appointment: The city council, when appointing members to the Maritime Commission, shall to the extent practicable, include:

- Marina operator
- Commercial fisherperson
- Recreational fisherperson
- Recreational boater or private mooring lessee
- Yacht club representative
- City/CRMC member if one exists
- Marine business person, land based
- Marine business person, (water based)
- Riparian owner
- Attorney
- Architect/planner

\*Note that any individual member may represent more than one type of representation

Harbormaster shall automatically serve as a consulting, non – voting member of the Maritime Commission but may not be a candidate for any chair position.

Meetings / attendance:

A. Meetings: The Maritime Commission shall meet monthly from September through March and bimonthly from April through August, or more frequently when necessary (due to the increased activity/responses needed at this time of the year). Election of officers will occur in the January meeting when necessary.

B. If any member has more than three unexplained absences during any twelve-month period, the chairperson of the Commission may advise the mayor of such poor attendance so that council may consider the removal of the member from the Commission. A new appointment may be made to fill the unexpired term of the individual being replaced.

C. Powers and duties

The Maritime Commission shall advise the city council in regard to the overall organization of the harbor and related marine affairs. More specifically, the commission shall:

1. Implement the Harbor Management Plan
2. Make suggestions, recommendations, and proposals as to the utilization, diversification and safety of the Newport Harbor and Waterfront
3. Prepare specific proposals or suggestions on harbor and marine matters
4. Advise council on marine related issues that would impact Newport Harbor and waterfront
5. Recommend areas to be designated for anchorages and moorings, and suggest rules and regulations governing placement and administration of mooring sites
6. Review all applications and advise applicants prior to submission to the City Council and CRMC as well as the Army Corp of Engineers for any permit to build or alter any waterfront property
7. Provide opinions and recommendations to the City Council
8. Encourage members of the general public to submit their concerns on any waterfront issues for discussion
9. Review all zoning applications involving marine related issues within the waterfront business district and the traditional maritime zoning district for compliance with the Harbor Management Plan. Provide opinions and recommendations to the planning board.
10. Establish its own procedures and organization to most effectively accomplish its tasks, subject to the approval of the Council

11. Actively promote one of its members when and if appropriate to a CRMC position
12. Request assistance, through the office of the city manager, from any city department in fulfilling its duties
13. Provide the skills, knowledge and experience to assist and advise the local government with regard to:
  - a) City owned waterfront property
  - b) Marine related litigation
  - c) Financial management of city owned marine related property
  - d) Marine related capital improvement
14. Submit an annual report as required by Chapter 2.56 Boards and Commissions generally detailing the activities of the Commission over the past year, as well as report on the operation and condition of the Harbor.

Conduct of business

- a) The chairperson shall preside over all commission meetings and shall have the right to vote
- b) The vice chairperson shall, in the case of absence or disability of the chairperson, perform the duties of the chairperson.
- c) The secretary shall keep a record of all resolutions, proceedings, findings of fact, decisions and actions and such record shall be kept in the department's files.
- d) All meetings of the Commission shall be open to the public.
- e) Any person or his duly constituted representative shall be entitled to request an opportunity to be heard on any matter before the Commission reaches its decision

**ARTICLE 4. HARBOR REGULATIONS**

**Section 1. Vessel Speed.** The operation of any vessel within the coastal waters and harbor areas of the City of Newport shall proceed in a manner that protects all persons and property from damage from waves, wake and operation. Operators of vessels within the coastal waters and harbor areas of the City of Newport shall comply with state regulations on vessel speeds and wake which establishes a maximum speed for vessels at five (5) miles per hour, no wake (GLRI 46-22-9)

**Section 2. Vessel Speed Zones.** The City hereby designates the following vessel speed zones, to be established and marked immediately by the City Council petition to the Rhode Island Department of Environmental Management Division of Boating Safety:

- a) **Federal Navigation Channels:** Vessel speed shall not exceed 5 miles per hour in any Federal Navigation Channel located within the area of jurisdiction of this ordinance.

- b) **Navigation Fairways:** Vessel speed shall not exceed five (5) miles per hour nor create wake in any navigation fairway as established and described herein.
- c) **Mooring Fields:** Vessel speed shall not exceed five (5) miles per hour nor create wake in any navigation fairway as established and described herein.

**Section 3. Vessel Operations.** Vessels used alone or in engaged activities including, but not limited to, water skiing, paragliding, and other like uses are not allowed within 200 feet of any swimming area, mooring area, shoreside facility, Rights-of-way ingress and egress point, launching ramp, federal navigation channel, nor navigation fairway. Vessels used in these manners are allowed within 200 feet of shoreside activities when the sole purpose is to begin or end such activity.

**Section 4. Navigation Fairways.** Navigation fairways are hereby designated within the following parameters, to be forwarded to the Coastal Resources Management Council for U.S. Coast Guard establishment. Navigation fairways are clearly defined in appendix A.

**Section 5. Obstruction of Channels, Fairways, and Berthing Space.** No vessel 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 City jurisdiction as detailed in ARTICLE 3 of this Ordinance.

**Section 6. Swimming.** Swimming is prohibited in all federal navigation channels, navigation fairways, mooring fields, and transient anchorage areas.

**Section 7. Fishing.** Fishing and shellfishing is prohibited in all federal navigation channels, navigation fairways, mooring fields.

**Section 8. Use of Vessels as Abodes.** In accordance with the RI Coastal Resources Management Program, Section 300.5, houseboats or floating businesses are prohibited from mooring or anchoring unless within the boundaries of a marina. Houseboats or floating businesses shall tie into pumpout facilities.

**Section 9. Boat Sewage Waste.** The disposal of untreated boat sewage wastes by any means into coastal waters of the City is prohibited.

**Section 10. Marine Debris.** The discharge of any waste, garbage, refuse, petroleum product or by-product, paint, varnish, dead animals, fish, bait, or any other debris is prohibited under this ordinance.

**Section 11. Towing and Moving of Vessels.** If any vessel berthed, moored, or anchored in the coastal waters of the City is found to be in violation of any provision of this ordinance, the Maritime Department is directed to move, relocate, or tow such vessel. In addition to any fines such violation may incur, a fee shall be collected from the vessel owner for such Maritime Department action. This fee shall be set by the City Council annually, upon recommendation from the Maritime Commission.

**Section 12. Rafting.** Vessels may raft on a single mooring 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.

**Section 13. Abandoned Vessels and Structures.**

- a) Upon determination of the Maritime Department, the Maritime Department may take custody and control of abandoned vessels and structures located in the coastal waters and harbor areas of the City 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 such removal, storage, or disposal shall be publicly advertised.
- b) The Maritime Department shall assume all of the duties and powers of the Commissioner of Wrecks and Shipwrecked Goods as detailed in the General Laws of Rhode Island, Title 46, Chapter 10, Sections 1 through 13.

**Section 14. Special Events.** The Maritime Commission, with approval from the City Council, may authorize in accordance with all appropriate state and federal guidelines, certain special events, such as swimming races, regattas, marine parades, or other marine or maritime activities that may from time to time be held on or in the coastal waters and harbor areas under the jurisdiction of the City.

**Section 15. Boat Standards.** Every vessel entering the coastal waters and harbor areas of the City of Newport shall be equipped as required by Title 46-22 of the General Laws of Rhode Island, as amended, and all similar federal laws, rules and regulations. Consistent with Title 46-22 of the General Laws of Rhode Island, as amended, the Maritime Department shall have the authority to enforce all provisions of Title 46-22.

**Section 16. 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 rights-of-way in the water as defined by the Coastal resources Management Council or the City of Newport.
- 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 City of Newport.
- c) Any person in violation of this section of the Ordinance shall be subject to a fine in accordance with ARTICLE 6 Section XXX of this Ordinance.

**Section 17. Transient Anchoring and Anchorages**

- a) A vessel may anchor on its own anchor in the coastal waters and harbor areas of the City except in federal navigation channels, navigation fairways, mooring fields, swimming areas, rights-of-way ingress and egress areas and launching ramp areas, for a period not to exceed a time limit set by the Maritime Department. Written consent of the Maritime Department is required for more extended visits. No vessel anchored under such conditions shall be left unattended. Owners and/or operators of such vessels may go

ashore, but must be available to tend the vessel in the event of heavy weather. It shall be the vessel owner and/or operator's responsibility to remain clear of all moored vessels, and other structures.

- b) **Transient Anchorages.** See appendix A for locations of transient anchorage areas.

## **ARTICLE 5. MOORING REGULATIONS**

### **Section 1. Permitting**

#### (a) Permitting.

No mooring shall be located in the coastal waters and harbor areas of the City of Newport until the Maritime Department has issued a permit for the use of such mooring. No mooring shall be located nor shall be maintained unless the mooring lessee has received a valid mooring permit issued by the Maritime Department for the mooring and that the mooring conforms to the specifications and standards set forth in this ordinance and permit.

#### (b) Request for a New Mooring Permit

All requests for new mooring permits shall be submitted to the Maritime Department on the application forms provided by the Maritime Department by January of each year. Mooring permit applications will be available at the Maritime Department office. An application shall be accompanied by the appropriate fee and shall be sent to the offices of the Maritime Department. The Maritime Department shall determine if a new mooring permit can be issued, when space is available, only after all provisions of the Harbor Management Plan and this ordinance is met. The Maritime Department shall send written approval or rejection of mooring permit applications within a reasonable time for processing.

#### I. Permit Renewals

The Maritime Department shall, during the month of January of each year, cause registration forms to be mailed to all persons who were registered permit holders at the end of the prior year, at the address then listed on their last registration or re-registration application. It is the burden of the permit holder to notify the Maritime Department of any change of address.

#### (d) Relocation of Existing Permitted Mooring

All requests for relocation of existing permitted moorings must be submitted to the Maritime Department. 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 reasons for a mooring relocation must also accompany the mooring request. Based upon availability of space, the requirements of the ordinance, and the type and size characteristics of the vessel, action will be taken on the request. Any requests received by the Maritime Department that is not complete shall be returned to the applicant and no action will be taken on the request.

#### (e) Failure to Renew an Existing Valid Mooring Permit

Failure to renew an existing valid mooring permit in accordance with the provisions of this ordinance by March 15 of any given year shall result in the permit holder's abandonment of all privileges and interests in the previously permitted mooring space.

(f) Forfeiture of Mooring Space

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

1. Removal of the tackle and notification to the Maritime Department that the space is available;
2. Failure to re-register for such space by March 15 of any season, or failure to replace any piece of mooring tackle not complying with the mooring tackle standards herein set forth;
3. Failure to re-surface or replace the mooring within 15 days after being advised by the Maritime Department that the mooring is down during the boating season, June 1<sup>st</sup> to December 15<sup>th</sup>. The permit holder may contact the Maritime Department within the fifteen-day period for an extension.
4. Failure to comply with any of the requirements of this ordinance.

All persons shall be notified by certified mail when they have forfeited their mooring spaces.

Waiting List

The Maritime Department shall maintain waiting lists of applications for private and commercial spaces. The waiting lists shall consist of the existing waiting lists plus all new applicants. The Maritime Department shall make the waiting list available for public review at all times.

(g) Occupancy of Mooring

No Vessel shall occupy a mooring other than the one for which it has been permitted. The Maritime Department 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.

The Maritime Department may permit the temporary use of a mooring by another vessel upon written request by the mooring permit holder.

**Section 2. Mooring Permit Application Requirements**

(a) The following requirements are set for applications for mooring permits:

(1) Private Moorings. Moorings shall be permitted only in approved mooring fields as designated in the harbor Ordinance. All applications for private mooring permits shall contain the following information:

- a. Name, Address and Telephone (work and home) number of Permit holder/applicant.
- b. Vessel Name, Registration Number, Length (ft), Width (ft), Draft (ft), Type, and Color;

- c. Number of Sleeping Berths, if any, and Type of Marine Sanitation Device (MSD), if any;
- d. Mooring Classification, Actual proposed Mooring tackle type and weight (lbs);
- e. Appropriate registration fee, as set forth in Harbor Ordinance
- f. Mooring field(s) where applicant would like to locate mooring, in order of preference

(2) Rental Moorings. Moorings shall only be permitted in approved mooring fields as designated in the Harbor Ordinance. All applications for Rental mooring permits shall contain the following information:

- a. Name of business, Owner's Name, Address and Business Telephone;
- b. Name, Address and Telephone of Business Manager, if different from applicant;
- c. Number of Moorings Requested; Proposed Mooring Classification and tackle type and weight (lbs); for each mooring;
- d. Mooring Fields in which applicant would like mooring(s) to be located.
- e. Additional Requirements for Rental Mooring Permits.

Each rental mooring permit holder must, on request from the Maritime Department, submit written reports on the usage of each licensed rental mooring including such information as the mooring identification number and size, date and length of stay of each vessel. Such information to be used in planning for harbor maintenance, safety and efficient utilization.

### **Section 3. Mooring Records**

(a) The Maritime Department shall keep a detailed record of all moorings, private, commercial and city. This record shall include the location, permit number, date the mooring was set, inspection sticker issue date, along with the permit holders name and the lessee's name for commercial and city moorings, the home and business address and telephone number of permit holder and or lessee and the name, length, type and registration number of boat to be moored.

*(b) Mooring records shall be maintained in a manner that allows a combined list of all moorings or separate lists of private, rental and city moorings to be produced on request.*

### **Section 4. Permit Ratios**

(a) There shall be a permit ratio for all Newport harbor moorings of twenty-five percent (25%) rental to seventy-five percent (75%) private.

(b) New moorings in Newport harbor shall be granted in a ratio of three (3) Newport residents to each non-resident. This ratio applies to both private and rental moorings.

(c) The number of permanent city owned moorings shall be limited a number determined by the City Council after receiving a recommendation from the Maritime Commission.

(d) There shall be a permit ratio for all Brenton Point, Ocean Drive moorings of ten percent (10%) rental and ninety percent (90%) private.

(e) New moorings in the Brenton Point, Ocean Drive area shall be granted to Newport residents only.

#### **Section 5. Moorings Associated with Residential Waterfront Properties on Ocean Drive**

(a) Moorings licensed by persons who own residential waterfront property on Ocean Drive are allowed to be placed in the coastal waters of the City in those waters immediately adjacent to their upland residential waterfront property. The mooring owner must comply with all mooring permit application requirements and receive a mooring permit from the City as described herein, and the mooring must meet all mooring tackle standards and inspections as described hereinafter, before such placement will be permitted. One (1) such mooring is allowed to be placed in these areas by each residential waterfront property owner.

#### **Section 6. Transfer of Moorings and Abandonment of Tackle**

(a) No mooring permit shall be transferable, except within the immediate family. Immediate family shall include siblings, children, parents and spouse.

(b) Abandonment of Tackle. Any registered mooring permit holder who owns his or her tackle and is abandoning his/her mooring space may offer to sell the tackle occupying said space to the next person assigned the same location. If said tackle is not sold or rented, the mooring permit holder shall remove it. Failure of the registered permit holder to remove said tackle shall constitute the abandonment thereof, and said tackle may be removed by the Maritime Department at the expense of registered permit holder in accordance with provisions contained in this ordinance.

#### **Section 7. Mooring Fields**

(a) No mooring shall be located or placed within the coastal waters and harbor areas of the Town of Newport without having a valid mooring permit issued by the Newport Recreation Department and without having the mooring inspected as detailed herein and approved by the Maritime Department. The Maritime Department must direct the placement of the mooring.

(b) No vessel so moored or anchored shall extend beyond the designated mooring field boundaries, as detailed herein.

I All designated mooring fields sited within the coastal waters and harbor areas of the Town shall be setback a minimum distance of:

1. 100 feet from the Mean High Water mark of the shore to accommodate the placements of moorings associated with residential waterfront property owners; and,
2. A distance three times the authorized project depth from all federal navigation projects
3. 50 feet navigation fairways, Right-of-Way fairways, shellfish management areas, and shoreside structures such as, but not limited to, docks and piers.
4. Mooring Field Designations. Certain water of the Town of Newport shall be designated as mooring fields. Those water herein designated are authorized for the placements of permitted moorings as detailed within this Ordinance. They are located in accordance with all policies of the City of Newport's *Harbor Management Plan*, and the policies and requirements of the Coastal Resources Management Council's *Guidelines for the Development of Municipal Harbor Management Plans*. Any revisions to the size, and/or location of these mooring field designations shall require City Council approval. Once City Council approval is obtained, approval for the revisions from the Coastal Resources Management Council shall also be obtained. Once approval has been obtained from the CRMC, the revisions may take place.

**The following mooring field designations are herein described and designated and are plotted on Map A1, A2, A3, Appendix A:**

**Main Harbor:** In Newport Harbor the Main Harbor Mooring area has been defined by State Plane Coordinates and GPS coordinates. Beginning at the SW corner of the mooring area the GPS coordinates are:

SW 41 28.936N/071 19.476W extending in an easterly direction  
41 28.930N/071 19.320W from this coordinate towards the NE  
41 28.940N/071 29.250W from this coordinate due N  
41 29.250N/071 19.112W from this coordinate NW  
41 29.260N/071 19.136W from this coordinate due W  
41 29.236N/071 19.360W from this coordinate SW  
41 29.200N/071 19.460W due S to the starting coordinate

**Main Harbor City Mooring:** In Newport Harbor the Main Harbor City Mooring area begins at C "5" extending northward to C "7" and bordered on the west by the shore of Goat Island

**Point Mooring:** In Newport Harbor the Point Mooring area begins north of the causeway connecting mainland Newport to Goat Island. This area has been defined by State Plane Coordinates and GPS coordinates. The GPS positions in a clockwise rotation starting at:

41 29.525N/071 19.510W at the S then in a NE direction  
41 29.530N/071 19.377W from this coordinate in a NNE direction  
41 29.835N/071 19.355W from this coordinate due W  
41 29.795N/071 19.520W from this coordinate due W

41 29.760N/071 19.550W due S to the starting coordinate

**Spindle Mooring:** In Newport Harbor the Spindle Mooring area begins on the easterly side of Lyme Rock extending to the daymark known as Spindle Rock, from this point it parallels the Newport Harbor front along its' easterly border and the Kings Park region along its southerly border.

**Brenton Cove Mooring:** In Newport Harbor, the Brenton Cove Mooring area begins on the westerly side of Lyme Rock and extends in a NW direction towards N "2" at Fort Adams. From this point the mooring area parallels the shoreline of Newport at Fort Adams State Park in a southerly direction towards the state boat ramp located just south of the last structure along the shore and returns in a NE direction back to Lyme Rock. Thus forming a triangular mooring area.

**Section 8. Mooring Tackle**

(a) Specifications

(1) All tackle must meet the following MINIMUM:

Registered Boat Length (ft)	Mushroom Anchor (lbs.)	Bottom Chain (in.)	Top Chain (in.)	Pennant (Nylon Line) (in.)
Under 16	75	1/2	3/8	1/2
16-19	150	1/2	3/8	1/2
20-22	200	1/2	3/8	5/8
23-25	250	1/2	3/8	3/4
26-30	300	5/8	3/8	3/4
31-35	400	5/8	3/8	3/4
36-40	500	3/4	1/2	7/8
41-50	600	3/4	1/2	1
51-65	750	1	1/2	1 1/4
66-75	1000	1	1/2	1 1/4

Vessels over 75 feet shall comply with the Maritime Department's directions.

(2) The maximum length of the pennant should be two and one-half times the distance the distance from the bow chock to the water plus the distance from the bow chock to the mooring cleat or post. Bridle pennants are recommended for private moorings and are required for commercial moorings.

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

(4) A second pennant shall be kept on board, made of line or cable or chain, and shall be fastened between the vessel and the top of the mooring in the case of heavy weather.

(5) The pennant attachment shall be at the top of the buoy. All pennants shall be shackled into the top chain so that the mooring ball does not carry the load.

(6) The total scope of the chain should be at least two and one half times the depth of the water at high tide. The bottom and top chains shall each consist of approximately fifty percent of the scope.

(7) All shackles, swivels, and other hardware used in the mooring setup shall be proportionally one size larger than the smaller adjacent chain. A swivel, if used, shall be positioned between the pennant and the top chain.

(8) All pins on shackles, swivels and other hardware shall be properly seized.

(9) Only mushroom anchors will be acceptable on permanent moorings, unless specifically approved by the Maritime authority.

(b) Markings

(1) Each mooring located in Newport Harbor and in Newport's coastal waters, once permitted, shall be assigned a number by the Maritime Department.

(2) Mooring balls shall be white with a blue horizontal stripe (Federal Regulation). The city mooring number shall be displayed in at least two locations on opposite sides of the ball. Numerals shall be a minimum of three inches high. Private mooring balls shall have black numbers and blue bottom paint. Commercial mooring balls shall have red numbers and red bottom paint.

(3) Mooring inspection stickers shall be current and located at the top of the ball.

(4) All mushrooms shall be tagged with the City mooring number.

(5) The Maritime Department must approve variances to mooring tackle specification, except for increasing of minimum standards. A request for variation from minimum standards shall be reviewed on the specific circumstances presented to justify such a request. If approved, the Maritime Department must file such variance(s) with the Maritime Commission.

(c) Violations

(1) All pre-existing moorings that are in violation of any of the above specifications have twelve months to comply from the date of adoption.

(2) Any mooring not displaying a Newport mooring number and inspection sticker will be considered a not permitted mooring. Not permitted moorings and any vessels attached thereto will be removed in accordance with provisions contained in this ordinance.

(d) Abandonment of mooring tackle

(1) All permit holders must renew their annual permit and pay all appropriate fees and fines by April 15<sup>th</sup> of the current year, failure to do any combination of, constitutes the termination of his /her permit and the forfeiture of the mooring space.

(2) Upon forfeiture of the mooring space the ex-permit holder shall remove his/her mooring tackle from the harbor within thirty days. Failure to remove said tackle constitutes abandonment of the tackle by the ex-lessee.

(3) Abandoned tackle may be removed at the Maritime Department's direction, but at the expense of the ex-permit holder. Failure to pay removal expenses within thirty days of invoicing constitutes agreement of the ex-permit holder to surrender his/her tackle complete as payment in full for invoiced removal expense.

#### **Section 10. Inspection**

(a) All moorings in the coastal waters and harbor areas of the City of Newport must have the chain, tackle, shackles, seizings, and anchors inspected by the Maritime Department prior to setting the mooring.

(b) Every permit holder shall be required to maintain his mooring in safe condition. Any chain, shackle, swivel, or other tackle, which has become warped or worn by one third of 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 ordinance. The Maritime Department or his designee may inspect any moorings at any time to determine compliance with this section.

(c) All mooring pennants, top chains, shackles, and seizings shall be inspected at least once a year. The bottom chain, anchor, anchor eye and anchor shaft shall be inspected every three years. The resulting inspection shall be reported and filed with the Harbor Department. The inspection shall be made by either raising the mooring or by underwater inspection. Such inspection shall determine compliance with the mooring and mooring tackle standards of this ordinance. Any mooring or component of a mooring reported not in compliance with this ordinance shall be replaced within thirty (30) days of such notice. The Maritime Department shall inspect any mooring washed ashore during a storm before it is reset. All costs of any mooring inspection required under the provisions of this ordinance shall be the responsibility of the mooring lessee.

(d) Within forty-five (45) days after a mooring and/or a mooring tackle has been reported to violate any requirements of this ordinance, a second mooring inspection must be completed to determine if the violation has been corrected and meets the standards detailed in this ordinance. The results of such a second mooring inspection must be reported to the Maritime Commission. Failure to correct the violation shall cause the mooring to be deemed not safe and shall be cause for the revocation of the mooring permit, a violation of the ordinance, and subject to the removal of the mooring from the coastal waters and harbor areas of the city in accordance with any provision of this ordinance at the risk and expense of the mooring owner. Moorings that do not meet minimum safety standards shall be marked as unsafe by means of appropriate signage until

such time as the lessee has made repairs or until the Maritime Department has removed the mooring.

(e) Qualified Inspectors

- 1) The Maritime Commission shall develop and set standards for the requirements and qualifications of mooring inspectors. The Maritime Commission may designate as many inspectors as it feels are necessary. Minimum requirements for mooring inspectors the Commission shall consider are that an inspector must hold a certificate as a certified SCUBA diver, an inspector must carry appropriate insurance or bonding, and all mooring inspectors shall be familiar with the mooring carrying loads and mooring tackle specifications of this Ordinance.
- 2) The Maritime Commission shall make available an application form for which potential mooring inspectors may complete to be considered a designated mooring inspector. The application shall be filed with the Maritime Commission with the appropriate fee. The Maritime Commission shall determine if applicants meet the requirements to be a qualified mooring inspector for the City and shall so designate the applicant as a qualified mooring inspector able to carry the certain provisions of this ordinance for which such activity is allowable. Qualified mooring inspectors must reapply by January 11 of each year.
- 3) The Maritime Commission shall keep a list of all qualified mooring inspectors and shall make this list available to all mooring permit holders.
- 4) The Harbormaster shall be required to have the same qualifications as a Qualified Inspector.

## **ARTICLE 6. FEES AND PENALTIES**

### **Section 1. Mooring Permit Fees**

(a) All applications for mooring permits shall be accompanied by the appropriate fee. All such fees shall be non-refundable. *These fees shall be set annually by the Maritime Commission and shall be approved as part of the Commission's budget submittal to the Town Council.* The Maritime Department shall establish specific fee formulas for each of the following mooring categories:

- Resident/Private
- Non-resident/ Private
- Resident/ Rental
- Non-resident/Rental

(b) The mooring permit fee and application must be postmarked by March 15<sup>th</sup>.

Table 2. I. All applications for qualified mooring inspectors shall be accompanied by a fifty (\$50) dollar fee.

### **Section 2. Mooring Permit Penalties**

If the mooring permit fee and application have not been postmarked by March 15<sup>th</sup>, within one week after March 15<sup>th</sup> a second notice shall be sent by U.S. mail to the address provided on the previous year's registration, with a late fee penalty of \$100. Submission of the application and the \$100 penalty fee must be postmarked by April 15<sup>th</sup>. After April 15<sup>th</sup>, persons who have not responded shall receive by certified mail a forfeiture notice. Persons wishing to have a show of cause hearing may do so at the May meeting of the Maritime Commission. April 30<sup>th</sup> shall be the deadline by which to appeal mooring loss. After April 30<sup>th</sup>, the Maritime Department may pull mooring tackle and the mooring permit holder shall lose all right to his or her former mooring space.

### **Section 3. Other Penalties**

Pursuant to the powers granted in the enabling legislation, Section 46-4-6.9 of the General Laws of Rhode Island, anyone found in violation of this ordinance, or any violation of the City of Newport Harbor Management Plan, shall be punishable by a fine not to exceed \$100 or imprisonment not exceeding 10 days. Or, any persons violating the provisions of these rules and regulations shall be subject to the jurisdiction of the Newport municipal court and the maximum fine herein. Each day the violation exists shall be deemed a new violation. Violation of this ordinance may result in the loss of boating and/or mooring privileges for a period to be determined by the City Council on recommendation from the Maritime Commission.

The Maritime Department shall have the ability to issue Notices of Violation to anyone who fails to comply with the provisions of this ordinance. The Police Department shall assist in the enforcement of this ordinance upon the request of the Maritime Department.

It shall be a misdemeanor punishable by a fine of not more \$100.00 for any person to refuse to move or stop on oral command or order of the Maritime Department exercising the duties lawfully assigned to him.

## **ARTICLE 7. HARBOR MANAGEMENT FUND**

### **Section 1. Creation**

A harbor management fund is hereby created to receive and expend monies for harbor-related purposes as determined by the Maritime Commission. All revenues generated by town boat launching fees, mooring permit fees, qualified mooring inspectors, other fees of this ordinance, and fines levied under the authority of this ordinance shall be deposited into this fund. Funds shall be dispersed for purposes directly associated with the management and implementation of the City of Newport Harbor Management Plan and this ordinance. Monies from this fund should be allocated to the Maritime Department for the purpose of enforcing the provisions of the city of Newport Harbor Management Plan and/or this ordinance. The harbor management fund shall be established, budgeted and administered in a manner consistent with the procedures of the City of Newport.

**ARTICLE 8. LIABILITY**

Persons using the coastal waters and harbor areas of the City of Newport shall assume all risk of personal injury and damage or loss of property. The City of Newport assumes no risk on account of accident, fire, theft, vandalism or acts of God.

**ARTICLE 9. SEVERABILITY**

If any provisions of this ordinance are held invalid or inoperative, the remainder shall continue in full force and effect as though such invalid or inoperative provisions had not been made.

**ARTICLE 10. EFFECTIVE DATE**

This ordinance shall take effect upon its passage

## **APPENDIX H – Acronyms and Glossary of Terms**

### **ACRONYMS**

ACE	Army Corps of Engineers
CLUP	City of Newport Comprehensive Land Use Plan
CRC	University of Rhode Island, Graduate School of Oceanography, Coastal Resources Center
CRMC	Rhode Island Coastal Resources Management Council
CRMP	Rhode Island Coastal Resources Management Plan
CSO	Combined Sewerage Outfall
RIDEM	Rhode Island Department of Environmental Management
EPA	United States Environmental Protection Agency
FEMA	Federal Emergency Management Agency
HMP	Harbor Management Plan
ISSC	International Shellfish Sanitation Conference
MLW	Mean Low Water
ROW	Right-of-Way
WWTF	Waste Water Treatment Facility

### **GLOSSARY OF TERMS**

**AQUACULTURE FACILITY-** A defined managed water area or facility for the maintenance or production of harvestable freshwater, estuarine or marine plants and/or animals. Defined managed water area as used in this definition, means the portions of the waters of the state within which the permittee or permit applicant confines and/or plans to confine the cultivated species, using a method or plan of operation (including but not limited to, physics confinement) which, on the basis of reliable scientific evidence, is expected to ensure that specific individual organisms comprising an aquaculture crop will enjoy increased growth and be harvestable within a defined geographical area.

**BEST MANAGEMENT PRACTICES (BMPS)** -Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of and impacts upon waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

**CLEAN WATER ACT (CWA)-** Refers to the Federal Water Pollution Control Act (33 U.S.C. § 1251) *g. seg.* And all amendments thereto.

**COMBINED SEWER OVERFLOW (CSO)-** Flow from a combined sewer that is discharged into a receiving water without going to a treatment works. A CSO is distinguished from bypasses which are diversions of waste streams from any portion of a treatment works.

**DEPURATION-** The artificial holding of shellfish for purification purposes.

**DESIGNATED USES** -Those uses specified in water quality standards for each waterbody or segment whether or not they are being attained. In no case shall assimilation or transport of pollutants be considered a designated use.

**DISCHARGE** - To cause or allow the addition or release of any pollutants to the waters of the State or placement of any pollutant where it is likely to enter the waters of the State and includes but is not limited to surface water runoff, spilling, depositing, placing, leaking, pumping, pouring, emitting, emptying, or dumping. This definition includes additions of pollutants into waters of the State from both point and non-point sources. This term does not include an addition of pollutants by an indirect discharge.

**HARBORMASTER**- Position authorized by the City to supervise and participate in the enforcement of all ordinances, rules and regulations governing the conduct of all individuals and vessels on the public waters within the jurisdiction of the City; and to do related work as required. See Harbor Management Section, Goal 1.d.

**HIGH QUALITY WATERS**- Include all Class A and SA surface waters as well as other surface waters whose quality exceeds the minimum water quality criteria for any State aquatic life and/or human health criteria or water quality standards assigned to them; or whose quality and characteristics make them critical to the propagation or survival of important living natural resources; or those waters constituting a Special Resource Protection Water or in Outstanding National Resource Water.

**INTERPRETIVE ACCESS** – The provision of signage, plaques, etc. or the use of innovative techniques that serve to educate the public about the historical, ecological, or cultural significance of a site or the industrial/commercial utilization of public trust resources. Interpretive access may also include other methods that impart a sense of public ownership and understanding of public trust resources.

**LAUNCHING RAMP**- (also known as driftway/landing/ramp/pier/dinghy dock/bulkhead/sea wall/jetty/breezeway/boat ramp slipways) –An established facility/location where a vessel can be launched in to the water or retrieved out of the water. This also applies to a facility where a boat can be floated off a trailer and also removed from the water on to a trailer. This applies primarily to trailers attached to motor vehicles but also can apply to dinghies, kayaks, or other types of small boats. It also applies to facilities intended for this use, even if in disrepair or otherwise unsuitable.

**LEAD AGENCY** -Federal agency (or state agency operating pursuant to a contact or cooperative agreement executed pursuant to section 104(d)(1) of CERCLA) that provides the on-scene coordinator or the responsible official. In the case of a release of a hazardous substance, pollutant, or contaminant, where the release is on, or the sole source of the release is from, any facility or vessel under the jurisdiction, custody, or control of Department of Defense or Department of Energy, the DOD or DOE will be the lead agency. Where the release is on, or the sole source of the release is from, any facility or vessel under the jurisdiction, custody, or control of a federal agency other than EPA, the USCG, DOD or DOE, then that agency will be the lead agency for remedial actions and removal actions other than emergencies.

**MARINA**- a) A dock, pier, mooring, wharf, float or combination of such facilities that may accommodate five (5) or more recreational vessels as a commercial operation or in association with a club; or b) any dock, pier, mooring, wharf, float or combination of such facilities used as a commercial operation, aside from a) above, at which any vessel is serviced or maintained.

**MARITIME COMMISSION**- (formerly known as the Waterfront Commission) a body of resident volunteers appointed by the Mayor for a three-year term. The members shall possess considerable maritime knowledge in order to advise the city council in regard to the overall organization of the harbor and related marine affairs. See the Maritime Management section, Goal 2.c.

**MARITIME DEPARTMENT** -A new City department charged with managing the facilities and economic development of Newport Harbor and coastline. The Depart shall headed by the Harbormaster and the Maritime Director serving in their respective roles.

**MARITIME DIRECTOR**- A new city position, in which the occupant develops a long-range plan for the harbor and coastline, understands asset management, possesses expertise in supporting the city in any litigation, writes grants and sources additional funding, and in general, markets the harbor.

**MEAN HIGH WATER-** City of Newport accepts the definition of the National Oceanic and Atmospheric Administration (US Dept. of Commerce). As an update, the City accepts the definition established by the RI Supreme Court in the Ibbison case as follows: The mean high tide is the arithmetic average of high-water heights observed over an 18.6 year Metonic cycle. It is the line that is formed by the intersection of the tidal plane of mean high tide with the shore. This line is relied upon by the state as the proper boundary, and it is the line accepted by the District Court.

**MOORING** – A permanent anchoring system made up of mooring tackle and a municipal mooring license.

**MOORING LICENSE-** License granted by the municipality allowing a person, company or entity to maintain approved mooring tackle in an authorized location designated by the Harbormaster.

**MOORING TACKLE** -Hardware such as a mushroom anchor, chain, swivels, shackles, float, pickup whip, etc used to permanently moor a vessel.

**NATURAL RESOURCES-** As defined by section 101(16) of CERCLA, land, fish, wildlife, biota, air, water, ground water, drinking water supplies, and other such resources belonging to, managed by, held in trust by, appertaining to or otherwise controlled by the United States (including the resources of fishery conservation zones established by the Fishery Conservation and Management Act of 1976), any State or local government or any foreign government.

**NEWPORT HARBOR-** Consists of the following two definitions:

INNER HARBOR which is characterized by heavy recreational and commercial boating traffic in designated channels with controlled speed accessing densely populated mooring and anchorage fields, marinas and service facilities. In addition it is host to instructional sailing classes, lobstering and marine parades, to name a few.

OUTER HARBOR which is an open body of water that has unrestricted recreational and commercial boating traffic and speed and is host to activities such as sailboat racing, cruise ship anchoring, fishing and lobstering

**NO DISCHARGE AREA/ZONE-** An area of the surface waters of the state which has been requested by the Director of the Department of Environmental Management and declared by the United States Environmental Protection Agency, pursuant to Section 312 of the Clean Water Act, to be an area in which any discharge of sewerage from vessels is prohibited.

**NONPOINT SOURCE (NPS)** - Any discharge of pollutants that do not meet the definition of Point Source in section 502. (14). Of the Clean Water Act and these regulations. Such sources are diffuse, and often associated with land-use practices, and carry pollutants to the waters of the State, including but not limited to, non-channelized land runoff, drainage, or snowmelt; atmospheric deposition; precipitation; and seepage.

**NORTH SHORE-** Those waters extending from the eastern end of the Newport Bridge northward along the coastal shoreline to the Middletown town line in Coddington Cove.”

**ON-SCENE COORDINATOR-** The Federal official predesignated by the EPA or the USCG (or a State official acting pursuant to a contact or cooperative agreement executed pursuant to section 104(d) (1) of CERCLA) to coordinate and direct Federal responses under this Plan; provided, however, that with respect to releases from DOD facilities or vessels, the OSC shall be designated by DOD.

**POINT SOURCE** - Any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation or vessel, or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture,

**POLLUTANT** - Any dredged material, solid waste, incinerator residue, sewage, garbage, sewage sludge, sediment, filter backwash, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, industrial or municipal or agricultural waste or effluent, petroleum or petroleum products, including but not limited to oil; or any material which will likely alter the physical, chemical, biological or radiological characteristics and/or integrity of water.

**PRIMARY CONTACT RECREATIONAL ACTIVITIES-** Any recreational activities in which there is prolonged and intimate contact by the human body with the water, involving considerable risk of ingesting water, such as swimming, diving, water skiing and surfing.

**PRIVATE MOORING-** any mooring licensed to a person and used exclusively for the vessel named on the license. Further, no private mooring is to be used to generate any financial or other compensation to the license holder.

**RECREATIONAL BOATING FACILITY** – Boat centers that are private or publicly owned that facilitate

**PUBLIC VESSEL-** A vessel owned or bareboat chartered and operated by the U.S. or by a state or political subdivision thereof, or by foreign nation, except when such vessel is engaged in commerce. Recreational boating whether dockage is paid or not, such as non-profit and commercial marinas.

**RENTAL MOORING-** (formerly commercial mooring) - Any mooring which does not fall under the definition of “Private Mooring.”

**RIGHT OF WAY** – A right to travel along a specific piece of land without restriction such as, but not limited to:  
(1) Streets, roads and other public land owned by the City of Newport and State of Rhode Island  
(2) Access points defined by historical use over private land including for example, Cliff Walk  
(3) ROW boundaries set by the City and State government, or in the case of dispute, by the Courts

**RUNOFF-**Water that drains from an area as surface flow.

**SECONDARY CONTACT RECREATIONAL ACTIVITIES** -Any recreational activities in which there is minimal contact by the human body with the water, and the probability of ingestion of the water is minimal, such as boating and fishing.

**SEWAGE OR WASTEWATER** -Human waste, or wastes from toilets and other receptacles intended to receive or retain body waste, and any waste, including wastes from households, commercial establishments, and industries.

**SEWAGE FROM VESSELS-** Human body wastes and the wastes from toilets and other receptacles intended to receive or retain body wastes that are discharged from vessels, and regulated under Section 312 of the Clean Water Act or under Rhode Island law.

**SOUTH SHORE-** Those waters extending from the northern point at Fort Adams southward along the coastal shoreline to the Middletown town line at the east end of Easton Beach.”

**VESSEL-** Any boat or other watercraft whether moved by oars, paddles, sails or other power mechanism, inboard or outboard, or any other boat or structure floating upon the water whether or not capable of self-locomotion, including houseboats, floating businesses, barges and similar floating objects.

**VISUAL ACCESS** – The provision of unobstructed views of the coast and shoreline areas. Examples of visual access range from simple unimproved shoreline to viewing platforms, observatories, scenic drives, and innovative architectural designs that provide unobstructed views.

**WATER-DEPENDENT USE** -Uses which depend on the utilization of resources found in coastal waters (fishing facilities); Recreational activities which depend on access to coastal waters (swimming, fishing, boating, wildlife viewing); Facilities needed to store and service boats and ships (marinas, boat repair, boat construction yards); Scientific/educational activities which, by their nature, require access to coastal waters

**WATER-ENHANCED USE-** A use that has no critical dependence on obtaining a waterfront location, but the profitability of the use and/or the enjoyment level of the users would be increased significantly if the use were adjacent to, or had visual access to, the waterfront.

**WETLANDS** -Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. Coastal wetlands are determined by rules and regulations under the jurisdiction of the Coastal Resources Management Council.

## **APPENDIX I – Sources Consulted**

- Amaral, Mark and Virginia Lee. Coastal Resources Center. Environmental Guide for Marinas: Controlling Nonpoint Source and Storm Water Pollution in Rhode Island. Narragansett, R.I. Coastal Resources Center University of Rhode Island Graduate School of Oceanography, <http://seagrant/gso.uri.edu/riseagrant/BMP/>.
- Amaral, Mark and Virginia Lee. Coastal Resources Center. Hazard Mitigation for Rhode Island Recreational Harbor Communities. Narragansett, R.I. Coastal Resources Center University of Rhode Island Graduate School of Oceanography, March, 1995.
- Robadue, Donald D. Jr. And George Seavey. Coastal Resources Center. A Special Area Management Plan for Newport Harbor. Narragansett, R.I.: Coastal Resources Center University of Rhode Island Graduate School of Oceanography, March 24, 1987.
- City of Newport, Office of Planning, Zoning and Development. Newport Comprehensive Land Use Plan. Newport, R.I.: City of Newport, 1994.
- Coastal Resources Management Council. Guidelines for the Development of Municipal Harbor Management Plans. Wakefield, R.I.: State of Rhode Island, November 22, 1988.
- Coastal Resources Management Council. State of Rhode Island Coastal Resources Management Program. Providence, R.I.: State of Rhode Island, 1983.
- Commonwealth of Massachusetts. Massachusetts Coastal Zone Management. Harbor Planning Program. Harbor Planning Guidelines. Boston, MA: Harbor Planning Program, 1994.
- Federal Emergency Management Agency, Flood Insurance Rate Map, City of Newport, Newport County, Rhode Island, Community Panel Numbers 445403 0001D, 445403 0002F, 445403 0003E, June 16, 1992.
- Gavan, Terrence. The Complete Guide to Newport. Newport, R.I.: Pineapple Publications, 1986.
- Jefferys, C.P.B. Newport: A Short History. Newport, R.I.: Newport Historical Society, 1992.
- McNeilly, Frank J. “Integration of Natural Hazard Mitigation into Municipal Harbor Management Plans in the United States.” Masters Project. Department of Marine Affairs, University of Rhode Island, Kingston, RI 1996.
- Portsmouth Coastal Waters Management Planning Commission. Portsmouth Harbor and Coastal Waters Management Plan. Portsmouth, Rhode Island: Town of Portsmouth, 1993.
- Rhode Island Coastal Resources Management Council. An Ordinance for the Town of Salty Acres Coastal Waters and Harbor Areas. Rhode Island Coastal Resources Management Council.

Rhode Island Department of Environmental Management. "Water Quality Regulations for Water Pollution Control." Department of Environmental Management. Providence, R.I.: State of Rhode Island 1997.

Rhode Island Department of Environmental Management. "East Passage Shoreline Survey: 1994 Report." Department of Environmental Management Division of Water Resources. Providence, R.I.: State of Rhode Island 1994.

State of Connecticut. Department of Environmental Protection. Coastal Management Program. Model Municipal Harbor Management Plan. Hartford, CT: Coastal Area Management, 1985.

U.S. Coast Guard MSO Providence et al. "Rhode Island and S.E. Massachusetts Area Contingency Plan." U.S. Coast Guard MSO Providence. Providence, RI: U.S. Coast Guard, 1996.

U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Ocean Service: Nautical Chart 13221.

<http://www.uscgboating.org/pubs/12fire1.htm>

<http://www.epa.gov/oilspill/>

<http://seagrant.gos.uri.edu/riseagrant/BMP/BMP.html>

<http://www.fema.gov/MIT/>

## **APPENDIX J – Hurricane Preparedness Plan**

A brief discussion addressing the need for *hazard mitigation* in a harbor management plan is found in the Natural Hazard Mitigation sub-section within the Issues, Goals, Policies and Recommended Actions section. The following is a Hurricane Preparedness Plan for hurricane and large storm threats. This plan is largely based on a model supplied in the “Hazard Mitigation for Recreational Harbor Communities” document by the URI Coastal Resources Center for CRMC.

Primary authority for implementing this plan is vested in the harbormaster, who will work in cooperation with the maritime commission. However, successful execution of this plan requires the harbormaster to interact with other town departments including police and fire, public works and the City emergency management coordinator.

### ***Goals of the Natural Hazard Mitigation Plan***

To prevent the loss of life and property by:

1. Properly preparing harbor and shoreline areas for storm events
2. Having a completed and enforceable response and recovery plan
3. Working in cooperation with harbor and shoreline users to ensure that a coordinated approach is applied to hazard mitigation
4. Integrating hazard mitigation activities with other, ongoing, local hazard mitigation programs; and
5. Identifying and completing long-term actions to redirect, interact with, or avoid the hazard

### **RISK ASSESSMENT**

The bottom consistency of the main harbor is mostly mud which provides good holding for moorings. The bottom for Brenton Cove is mud and the bottom for the point section is primarily mud the main harbor opens westward, protected by Goat Island to the north and Fort Adams to the South. Conanicut Island to the west limits the wind fetch into the harbor to approximately two miles. There are approximately 850 moorings in the harbor and distributed as described in the Resources Inventory.

The North and east sides of the main harbor are highly developed, with closely grouped piers and wharves lining both sides. Goat Island borders the west side of the harbor, with a marina on the northern end just south of the causeway to Newport. The south end of the island on the harbor side consists of bulkhead and riprap with residences built right to the water’s edge. On the south side of the main harbor, looking east to west, Kings Park beach gives way to the rocky Ida Lewis Yacht club, then bulkhead along New York Yacht Club, and then into Brenton cove, which is a combination of rocky shore and marshlands.

Many marinas line the harbor, with three fueling stations, one on Goat Island and two along the east side.

High Hazard Areas

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

Areas that historically incur significant flood damage are: Wellington Ave., west side of Thames Street, west side of Americas Cup Avenue, Long Wharf, Washington Street area and Connell Highway rotary

Risk Assessment Table

Threat	Marine Interest	Effect	Result 1	Result 2
Flood/Surge	Moored Boats (Point)	Decreased Scope	Dragging	Threat to homes and Causeway Threat to businesses Threat to Marshlands Threat to Businesses
	Moored Boats (Main) Moored Boats (Cove) Marina Facilities  Private Residences Waterfront Businesses	Flooding Free Floating finger piers Flooding Flooding	Floating Debris Hazardous Spills Freed docks and boats Floating Debris/docks Floating Debris/docks	
Wind	Moored Boats	Windage	Dragging or tackle failure	Structural Damage Structural Damage Structural Damage
	Marina Facilities Private Residences Waterfront Businesses	airborne debris airborne debris airborne debris	Structural Damage Structural Damage Structural Damage	

**Harbor and Shoreline Users**

Marina Facilities

As part of the City’s Hurricane Preparedness Plan, all marina facilities, as defined by CRMC, will submit a hurricane preparedness plan to the harbormaster within 90 days of approval of this document. The facility’s plan will be updated annually, and any changes will be reported to the harbormaster by January 1 of each year.

Facility plans will include:

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

## Boaters

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

The individual boater preparedness plan will include the following information:

1. Preparedness
  - Action completed before hurricane season
  - Where the vessel will be moored/stored during the event
  - Actions completed within 48 hours of the predicted storm event
2. Post-storm event
  - Description of how vessel will be secured after storm event
3. First and second alternative captain's addresses and phone numbers

Both the first and second alternative captains should have the necessary information and experience to safeguard the vessel if the harbor master is unable to reach the owner.

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

- Improving the connection between the vessel and the mooring chain by using chafing gear and extra lines
- Reducing windage by removing dodgers
- Whenever possible, increasing scope
- Removing all sails (preferred) or lashing main sails with extra line and wrapping roller reefing jibs securely with extra line

Boat owners should also consider:

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

Boat owners are encouraged not to stay aboard during major storm events. The City'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 forwarded to Coast Guard station Castle Hill.

## Waterfront Business

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

### Shorefront Home Owners

All shorefront homeowners are expected to take the necessary precautions to protect their property.

### Special Hazards

#### *State Pier*

All vessels shall be clear of the State pier 12 hours prior to expected storm event

#### Transients

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

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

#### Commercial Vessels and Ferries

As deemed necessary by the harbormaster, local commercial vessels and ferries will submit individual plans to the harbormaster. These plans will include the same information as required for the individual boater plans.

#### *Inventory of longer-term projects*

1. Implement an annual education and training program conducted by the harbormaster for the public. The program should focus on storm preparedness for the boater. Other workshops should be conducted with the help of the building inspector and planning board to discuss shoreline construction standards and storm-proofing homes and businesses.
2. Compile a list of educational materials that can be shared with harbor and shorefront users.
3. Maintain an accurate inventory of principal harbor shoreline users, including:
  - Marinas
  - Waterfront Businesses
  - Neighboring Harbormasters
  - Coast Guard
  - Towing and Salvage companies
  - Environmental Response Teams
  - Commercial vessel operators (charters and ferries)
  - Fishing Cooperatives
4. At the beginning of each hurricane season (June 1):
  - 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 in harbormaster office to ensure that they are operational

Distribute a storm checklist to boaters

5. Conduct a disaster mitigation workshop for business and industry in cooperation with R.I. Emergency Management Agency. Propose activities that can be implemented to mitigate damage. Suggested actions for local coastal businesses may include:
  - Placing more essential equipment and functions on higher levels of the structure, above the anticipated flood level
  - Constructing berms around the facility
  - Installing or activating dewatering pumps
  - Providing emergency generators and potable water storage
  - Installing blowout plugs in floor slabs whose elevation is below anticipated flood elevation
  - Installing master shutoff valve controls for sewer, gas, and water above anticipated flood elevation
  - Reinforcing walls to carry hydrostatic and hydrodynamic loads
  - Installing flood proof electrical systems and utility cores in areas subject to flooding
  - Installing safety glass in windows
6. Assess the feasibility of a volunteer corps that can assist the harbormaster to secure vessels during the preparation phase or maintain security patrols after an event.

#### ***Coordination***

A memorandum of agreement shall be entered into with the department of public works to establish its working relationship with the harbormaster for preparing public waterfront property for a storm event and hauling and storing the harbormaster vessel.

The waterfront 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 City should:

1. Limit development and redevelopment in hazardous coastal areas to protect lives and property from coastal storms and hazards. Post storm development shall avoid extensive rebuilding and intensification of land uses in critical areas and encourage reductions in the amount and intensity of development in order to reduce exposure of lives and property to coastal hazards.
2. Attempt to minimize public expenditures and reduce risk to public infrastructure and facilities through redevelopment.
3. Encourage relocation of structures landward of critical areas. This can be done by influencing state policies, expenditures, and programs to reduce the amount and intensity of development and redevelopment.
4. Require shorefront area replacement of nonconforming uses and eliminate unsafe conditions and inappropriate uses as opportunities arise.

5. Identify shorefront areas that will be subject to post storm regulations and acquisition in order to reduce loss of life and damage to property.

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

1. Work with appropriate state agencies to ensure that post storm shoreline management options for shoreline areas shall be consistent, to the extent possible, with use, density, and other land use 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 land use plan.
3. Consider impacts to evacuation routes, as determined by emergency management officials, in post storm development options.
4. Maintain and/or adopt minimum parcel size configurations and requirements on the subdivision of critical shoreline features.
5. Discourage platting of shoreline properties and encourage replatting to accommodate landward post-storm relocation of structures.

## Strategies for Preparedness, Response and Recovery

### Preparedness

Level 3 (72 Hours)	Level 2 (48 Hours)	Level 1 (24 Hours)
1. If a hurricane threat exists, begin tracking and monitoring hourly weather reports.	1. Continue to perform activities in level 3 as required.	1. Continue to perform pertinent level 2 activities.
2. Contact any services under contract for after event to assess their readiness.	2. Contact those city mooring holders who are not complying with their preparedness plan.	2. Undertake final patrol of the harbor: inventory number of vessels and precautions taken by harbor and shoreline users. Clear public pier of vessels and equipment.
3. Manage harbor traffic as it increases during marina/boater preparation activities	3. Assist marina/waterfront businesses with special requests as identified in the facilities plan submitted to the harbormaster.	3. Log information on transient boats.
4. Ensure harbormaster vessel's fuel tanks are full and reserve batteries are charged.	4. Finalize emergency work schedule with assistant harbormasters.	4. Fuel harbormaster vessel.
5. Inventory and update first aid equipment and other onboard emergency tools.	5. Confirm arrangements to have harbormaster vessel hauled and stored.	5. Haul and store harbormaster vessel with assistance of the Department of Public works.
6. Maintain a radio watch.	6. Prepare City properties, in cooperation with Public Works, including: securing all items such as trash bins, benches etc. along shoreline completing necessary precautions for harbormaster office	6. Complete shoreline survey and final harbor check from shore.
7. Alert local port community, encouraging boat owners to seek safe refuge, remove boats from water, or take action to minimize damaging effects.	7. Establish liaison with Police and Public Works departments	7. Alert harbor community and MSO to any unsafe conditions in harbor.
8. Alert local marinas, marine interests, holders of mooring permits, and occupants of special anchorage areas to impending emergency.	8. Alert maritime community to unsafe conditions in the harbor as needed.	
9. Keep U.S. Coast Guard Marine Safety Office (MSO) Providence appraised of hazardous conditions in the harbor.	9. Curtail regular business activities.	
	10. Begin regular patrols of the harbor to ensure that necessary individual precautions are being taken.	
	11. Advise MSO Providence of the status of emergency preparedness in progress.	
	12. Alert local harbor community to any impending closure of anchorages or waterways.	
	13. Encourage local marinas to suspend fueling operations and to secure fueling piers sufficiently to minimize pollution threat.	

Response

The City’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 police chief or the town manager.

The harbormaster will remain on-site in the harbormaster’s office or police station to address any harbor-related issue. This will also allow the harbormaster immediate access to his vessel to begin operations at the conclusion of the storm.

Recovery

Immediately following the storm event, the City has three recovery priorities:

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

The following steps will be taken in accordance with the above priorities:

<b>Immediate</b>	<b>Mid-Term</b>	<b>Long-Term</b>
1. Assess readiness of the harbormaster department; correct deficiencies; reestablish radio communications.	1. Complete comprehensive inventory of damage using photographs and video if possible.	1. Analyze effects of storm on the harbor. Complete summary report for City manager within 30 days of storm event.
2. Complete rapid appraisal of damage.	2. Notify appropriate parties regarding damage (i.e., mooring holders)	2. Review mitigation list and select actions that could be implemented during the recovery phase.
3. Provide damage assessment information to the City manager and to MSO Providence.	3. Provide list of identified and unidentified boats to MSO Providence and DEM Enforcement.	3. Conduct an evaluation meeting for harbor and shoreline users to identify problems not properly addressed by this plan.
4. Initiate pre-established contract services (towing, salvage) if required.	4. Contact local harbor and shoreline users to assess their situation and identify requests for assistance.	4. Complete a survey of boat damage.
5. Institute security watches as necessary.	5. Provide MSO Providence with a daily harbor status.	5. Update hazard mitigation plan and identify new mitigation opportunities.
6. Alert maritime community to unsafe conditions in the harbor.	6. Begin to remove large pieces of floating debris from the harbor and bring to designated shoreline collection area.	6. Assist in emergency situations as appropriate.
7. Track beginning time and resource allocation of harbormaster department for possible state and federal reimbursement.	7. Assist City and state agencies with damage assessments and emergency permitting process.	7. Transfer collected harbor debris from collection site to City disposal area.

## **Appendix K**

### **Natural Resource Areas**

#### **Introduction**

This section address the important natural resource areas found in Newport Harbor. It includes a general description of the geographic features, aquatic life, traditional uses, and biological habitats. Newport Harbor is a natural basin that is located at the lower reaches of the East Passage to Narragansett Bay, one of the largest and most productive estuaries of New England. The Harbor is positioned close to the interface of the Bay and Rhode Island Sound. Salinities approach full seawater (30 PPT) and tidal currents provide excellent circulation throughout the harbor. The large diversity of marine life occurring in the harbor is a reflection of its proximity to both ocean and estuarine environments. The inner harbor (Appendix A, Map 1) consists of the natural basin and, with some exceptions, has a well-developed shoreline including seawalls, piers, pilings and floats. In addition, the inner harbor has extensive mooring fields and anchorages. The exceptions to its developed shoreline are along the southern boundary from the beach at Fort Adams to the ball fields on Wellington Avenue. Here the shoreline varies with a variety of intertidal zones. There is a small salt marsh inside Brenton Cove and the rest of the shoreline along the south consist of combinations of natural rock outcrop, sandy beach, and riprap. The outer harbor includes Rose Island, the west shore of Goat Island, and the Point Section. It is much less protected, and as a result has very little developed shoreline. The currents, depths, and wave action are greater in the outer harbor.

#### **Wildlife or Conservation Areas**

A preliminary review indicates that there are no official designated wildlife or conservation areas in either the inner or outer harbor.

#### **Recreational/Commercial Fish Areas**

Anadromous Fish Runs. There are no coastal streams emptying into Newport Harbor. Anadromous fish are only present in the harbor in juvenile and adult stages as they move to and from streams or runs in other parts of Narragansett Bay.

Spawning Areas. As a protected basin, the inner harbor functions as both spawning and nursery area for a number of species of important recreational and commercial finfish in Narragansett Bay, including winter flounder, scup, tautog, and mackerel. There is

no current survey data specific to Newport Harbor; however, The Rhode Island Department of Environmental Management (RI DEM) samples Narragansett Bay on a regular basis. Complete listings for the seasonal abundance and distribution of juvenile and adult species of finfish in Narragansett Bay can be found in the annual reports of these beach seine surveys and trawl surveys including stations adjacent to, and in, the outer harbor.

Shellfish Beds. Because of RI DEM water quality standards, the entire inner and outer harbor is listed as SB (see Appendix A, Map 4) and is close to the taking of shellfish. There are no regular shellfish surveys or inventories specific to Newport Harbor, however anecdotal and personnel information indicate that clams, quahogs, oysters, and mussels are all abundant in both the intertidal and subtidal areas along the southern boundary of the inner harbor. Shellfish are also abundant in the outer harbor including areas along the west shore of Goat Island, the shoreline of Rose Island, and the shoreline along the Point Section. The importance of these shellfish beds is in its capacity to provide a constant supply of spawn (pelagic early life stages) that continue to populate the adjacent cleaner waters (SA) supporting limited commercial and recreational shell fishing opportunities.

Traditional Commercial Fishing Grounds. Both the outer and inner harbor continues to support a limited commercial lobster fishery. An abundance of pelagic and benthic marine life, tidal currents, and bottom types make this area ideal for lobster habitat. Single pots and multi-pot trawls are set in the outer harbor between Rose and Goat Island and are tended by local lobsterman throughout the year. To a lesser degree, pots are set in the inner harbor. This occurs mostly on a seasonal basis when the mooring fields and the anchorages are not in use.

Recreational Fishing Opportunities. The seasonal occurrence of a number of species of recreationally important fish such as striped bass, bluefish, scup and tautog, in combination with managed public access areas, provide excellent opportunities for recreational fishing in Newport Harbor. The entire shore of Ft. Adams is open to the public and fishing from the seawall at the harbor entrance is popular through the months of May to November. The Aloffson Piers located between the Museum of Yachting and Sail Newport also provide access for fishing. In addition, these piers are handicap accessible. Fishing is permitted from the Goat Island Causeway and this is a popular spot to catch the common squid during the spring run. Shore fishing is also permitted from the beach at King's park and the stone pier. Striped bass frequent this area in the late spring in pursuit of clam worms that spawn in this area. There are several important recreational fishing areas in the outer harbor that are popular for anglers fishing from boats. Striped bass are frequently taken along the west shore of Goat Island just outside the eel grass beds and summer flounder are commonly found drifting on the bottom between Rose Island and Goat Island. In the late summer and fall, schools of bluefish are attracted to both the outer and inner harbor as they forage on schools of menhaden, squid, and other species of herring.

## **Biological Habitats**

Submerged Aquatic Vegetation. Appendix A, Map 2, shows the location of two important areas containing extensive beds of eel grass. Both are located in the outer harbor. The first is along the east shore of Rose Island and the second is a narrow strip along the entire west shore of Goat Island.

Intertidal Flats. No significant intertidal flats are present in Newport Harbor. The north end of Rose Island, which is on the west edge of the outer harbor has an exposed gravel and sand bar running north/south for approximately 300 yards. However, an inspection of NOAA chart 13223, "Narragansett Bay, Including Newport Harbor" does not designate it as an "Intertidal Flat".

Tidal Wetlands. The most significant area of tidal wetlands in Newport Harbor is located in the southwest corner of the Inner harbor where there is a small salt marsh (Spartina) at the upper end of Brenton Cove. The marsh is approximately 2 acres in size, and is fed by a freshwater runoff. It is protected on either side by rock outcrop.

APPENDIX L  
**Newport Waterfront Commission**  
 Additions/Subtractions/Corrections  
 To Draft Harbor Management Plan

<u>Page#</u>	<u>Old Language</u>	<u>New Language</u>
29	Request that CRMC address reference to “Harbor Lines”	
32	City to be able to utilize empty private moorings with the license holder’s agreement	City to be able to utilize empty private moorings with the license holder’s agreement
46	The harbor directly provides employment and profit to marinas, boatyards, yacht club employees, (the clubs themselves are mostly non-profit), launch services and marine services such as carpenters, sail makers, etc. Visiting boaters spend money in hotels, restaurants, retail stores and supermarkets. Indirectly, all businesses benefit from the attraction of the harbor, particularly waterfront hotels and restaurants.	The harbor directly provides employment and profit to marinas, boatyards, <b>commercial fishing</b> , yacht club employees, (the clubs themselves are mostly non-profit), launch services and marine services such as carpenters, sail makers, etc. Visiting boaters spend money in hotels, restaurants, retail stores and supermarkets. Indirectly, all businesses benefit from the attraction of the harbor, particularly waterfront hotels and restaurants.
46	<b>GOAL 2:</b> Create the Maritime Management Team	<b>GOAL 2:</b> Create the Maritime <i>Commission</i>

- |   |  |
|---|--|
| <p>48 • Director to be a voting member of the Maritime (formerly Waterfront) Commission</p>   | <p>• Director to be a <i>non</i>-voting member of the Maritime (formerly Waterfront) Commission</p>  |
| <p>48 Ability to prepare and manage a budget; knowledge of the rules and regulations governing waterway traffic and the use of terminal facilities; knowledge of preventative maintenance of navigational equipment and the ability to perform minor boat repairs; knowledge of community organization and resources; ability to enforce restrictions with tact and diplomacy; ability to read and understand navigational <del>maps</del> of the harbor; ability to establish and maintain effective....</p> | <p>Ability to prepare and manage a budget; knowledge of the rules and regulations governing waterway traffic and the use of terminal facilities; knowledge of preventative maintenance of navigational equipment and the ability to perform minor boat repairs; knowledge of community organization and resources; ability to enforce restrictions with tact and diplomacy; ability to read and understand navigational <i>charts</i> of the harbor; ability to establish and maintain effective....</p> |
| <p>49 <del>Valid license and Class 2 Rhode Island driver's license; attendance at Coast Guard Boating Safety School; obtain SCUBA diving certification as well as undergo police related training.</del></p>  | <p><i>All licenses necessary to perform Harbormaster duties.</i></p>   |
| <p>49 <del>exist</del></p> <p>49 Require the Harbormaster <del>or</del> Maritime Director to attend monthly Maritime Commission meetings</p>  | <p>Consist – typo correction 3/2/08</p> <p>Require the Harbormaster <i>and</i> Maritime Director to attend monthly Maritime Commission meetings</p>  |

- |   |  |
|---|--|
| <p><b>50</b> The Commission shall exist of nine qualified members, residents of the city, to be appointed by the <del>mayor of the city with the consent of the</del> city council. Members shall be appointed for staggered three-year terms and shall be eligible for two consecutive appointments, unless the appointment is to fill the un-expired term of a previous appointee. Any appointment to an un-expired term of at least two years shall be considered a full term.</p> | <p>The Commission shall exist of nine qualified members, residents of the city, to be appointed by the city council. Members shall be appointed for staggered three-year terms and shall be eligible for two consecutive appointments, unless the appointment is to fill the un-expired term of a previous appointee. Any appointment to an un-expired term of at least two years shall be considered a full term.</p> |
| <p><b>50</b> • CRMC member <del>representing City (if there is such a member)</del></p>   | <p>• CRMC member</p>   |
| <p><b>50</b> Meetings: The Maritime Commission shall meet monthly <del>from September through March and bimonthly from April through August</del>, or more frequently when necessary (due to the increased activity/responses needed at this time of the year). Election of officers will occur in the January meeting when necessary.</p>  | <p>Meetings: The Maritime Commission shall meet monthly or more frequently when necessary (due to the increased activity/responses needed at this time of the year). Election of officers will occur in the January meeting, <i>or</i> when necessary.</p>   |

- |   |   |
|---|---|
| <p><b>50</b> If any member has more than three unexplained absences during any twelve-month period, the chairperson of the Commission may advise the <del>mayor</del> of such poor attendance so that council may consider the removal of the member from the Commission. A new appointment may be made to fill the un-expired term of the individual being replaced.</p> | <p>If any member has more than three unexplained absences during any twelve-month period, the chairperson of the Commission may advise the <b>Council</b> of such poor attendance so that council may consider the removal of the member from the Commission. A new appointment may be made to fill the un-expired term of the individual being replaced.</p> |
| <p><b>51</b> 1. <del>Implement</del> the Harbor Management Plan</p>   | <p>1. <b>Promote the implementation of</b> the Harbor Management Plan</p>   |
| <p><b>51</b> 5. <del>Recommend</del> areas to be designated for anchorages and moorings, and suggest rules and regulations governing placement and administration of mooring sites.</p>   | <p>5. Designate areas for anchorages and moorings, and suggest rules and regulations governing placement and administration of mooring sites.</p>   |
| <p><b>52</b> <del>2.88.40</del></p>   | <p><b>2.88.040</b></p>  |
| <p><b>52</b> • <del>Develop a commercial launching facility</del></p>   | <p>• <b>Promote development of a commercial access launch ramp</b></p>  |
| <p><b>54</b> 5. Require all entities conducting business on Newport's water to obtain a license (just as land based business are required), overseen by the Maritime Department with revenues to be credited to the Maritime Department account</p>   | <p>5. Require all entities conducting business on Newport's water to obtain a license (just as land based business are required), overseen by the Maritime Department with revenues to be credited to the Maritime Department account</p>   |

- |    |   |   |
|----|---|---|
| 54 | <del>5. Require all entities conducting business on Newport waters to obtain a license (just as land based business are required), overseen by the Maritime Department with revenues to be credited to the Maritime Department account</del>  | On final review, deleted item 5 completely per CRMC recommendation 3/2/08<br>On final review, deleted item 5 completely per CRMC recommendation 3/2/08  |
| 54 | 6. Seasonal trailer fee monitored by the Maritime Department  | 4. Seasonal <i>boat</i> trailer <i>parking</i> fee monitored by the Maritime Department   |
| 57 | Public access to the shore and contiguous waters is a right long recognized as inherent to citizens of the United States. Adequate access for the public is necessary to meet the commercial and recreational needs of the State and to support tourism as Rhode Island's largest industry. Tourism, <del>commercial</del> -fishing, recreational boating and commercial shipping comprise critical elements of the cultural and economic resources of the state and are dependent upon adequate access to the shore. Goals and recommendations of the Newport Harbor Management Plan regarding public access will ensure the public continues to have access to and whenever practicable, along the shore. | Public access to the shore and contiguous waters is a right long recognized as inherent to citizens of the United States. Adequate access for the public is necessary to meet the commercial and recreational needs of the State and to support tourism as Rhode Island's largest industry. Tourism, fishing, recreational boating and commercial shipping comprise critical elements of the cultural and economic resources of the state and are dependent upon adequate access to the shore. Goals and recommendations of the Newport Harbor Management Plan regarding public access will ensure the public continues to have access to, and whenever practicable, along the shore. |

- |  |   |
|--|---|
| <p><b>59</b> Ann Street Pier (City)<br/>         Brenton State Park (State)<br/>         Castle Hill Lighthouse (Federal)<br/>         Cliff Walk (Federal, lateral access)<br/>         Easton's Beach (City)<br/>         Elm Street Pier (City)<br/>         Fort Adams State Park (State)<br/>         Goat Island Causeway south east shore end<br/>         (State)<br/>         Green Light (Federal)<br/>         King Park (City)<br/>         King Beach (City)<br/>         Perrotti Park (City)<br/>         Storer Park (City)<br/>         Van Zandt Pier (City)</p> | <p>Ann Street Pier (City)<br/> <b>Battery Park (City)</b><br/>         Brenton State Park (State)<br/>         Castle Hill Lighthouse (Federal)<br/>         Cliff Walk (Federal, lateral access)<br/> <b>Coddington Wharf (City)</b><br/>         Easton's Beach (City)<br/>         Elm Street Pier (City)<br/>         Fort Adams State Park (State)<br/>         Goat Island Causeway south east shore end<br/>         (City)<br/>         Green Light (Federal)<br/>         King Park (City)<br/>         King Beach (City)<br/>         Perrotti Park (City)<br/>         Storer Park (City)<br/>         Van Zandt Pier (City)<br/> <b>Washington Street/Long Wharf (City)</b></p> |
| <p><b>59</b> Sheppard <del>Street</del> (City action)</p>  | <p>Sheppard <b>Avenue</b> (City action)</p>   |
| <p><b>59</b> Current accepted areas where there is established practice to <del>safely</del> leave a dinghy unattended are:</p>  | <p>Current accepted areas where there is established practice to leave a dinghy unattended are:</p>   |
| <p><b>60</b> King Park (stone <del>jetty</del>)</p>  | <p>King Park (stone <b>pier</b>)</p>  |
| <p><b>98-99</b></p>  | <p><b>Added RI State Plane Coordinates</b> in addition to GPS coordinates</p>   |
| <p><b>99</b> <del>These moorings are identified in the mooring chart in Appendix A.</del><br/>         (Note: page number is incorrect)</p>  |   |

- 107** The most critical physical channel problems exist around the Central Mooring Area. Vessels along all edges of this mooring area, under various wind directions, will lie into a channel narrowing it and impeding safe navigation. A prime example of this is during an easterly breeze, large ~~transient~~ vessels on the west edge of the mooring field hang across the west channel, blocking the channel to vessels going to the shipyard.
- The most critical physical channel problems exist around the Central Mooring Area. Vessels along all edges of this mooring area, under various wind directions, will lie into a channel narrowing it and impeding safe navigation. A prime example of this is during an easterly breeze, large vessels on the west edge of the mooring field hang across the west channel, blocking the channel to vessels going to the shipyard.
- 108** There is also one unofficial mooring field, the CITY area located south of the Goat Island Marina, east of Goat Island, north of green bell #3, and west of the Central mooring area. This area contains only City owned moorings ~~due to a legal dispute with Goat Island over use rights.~~
- There is also one unofficial mooring field, the CITY area located south of the Goat Island Marina, east of Goat Island, north of green bell #3, and west of the Central mooring area. This area contains only City owned moorings.
- 109** Request that CRMC address reference to “Harbor Lines” at the third bullet

- 113** There is a limit to the water area available in Newport Harbor for the numerous different uses that comprise our marine community. Mooring areas cannot be casually expanded at the expense of other types of uses. With the constant demand for moorings, changes in the mix of boat sizes, and the limit of space available, the City should actively explore new mooring techniques that could use space more efficiently. Some examples are the moored star dock, Mediterranean, fore and aft moorings, and double mooring docks. All of which require less water space per boat. An expert study should be commissioned to determine whether and where any of these alternatives are desirable and feasible in Newport Harbor. Elsewhere in the plan is a recommendation that the harbormaster maintain a computerized chart database that includes the GPS determined current location of every mooring in the harbor. This database will facilitate studies of the best possible distribution of moorings and mooring fields within the harbor.
- There is a limit to the water area available in Newport Harbor for the numerous different uses that comprise our marine community. Mooring areas cannot be casually expanded at the expense of other types of uses. With the constant demand for moorings, changes in the mix of boat sizes, and the limit of space available, the City should actively explore new mooring techniques that could use space more efficiently. Some examples are the moored star dock, Mediterranean, fore and aft moorings, and double mooring docks. All of which require less water space per boat. An expert study should be commissioned to determine whether and where any of these alternatives are desirable and feasible in Newport Harbor, ***and the impact of an increased number of vessels and floating structures should be considered at the same time.*** Elsewhere in the plan is a recommendation that the harbormaster maintain a computerized chart database that includes the GPS determined current location of every mooring in the harbor. This database will facilitate studies of the best possible distribution of moorings and mooring fields within the harbor.

- |   |  |
|---|--|
| <p><b>116</b> City to be able to utilize empty private moorings with the license holder's agreement, <del>as transient moorings during major marine events when the normal commercial mooring resources are full</del></p>  | <p>City to be able to utilize empty private moorings with the license holder's agreement</p>   |
| <p><b>120</b> Any new mooring that is moved or set so as to be in violation of federal, state or city setback requirements within the specified boundaries shall cause the <del>Harbor</del> Dept. to:</p>  | <p>Any new mooring that is moved or set so as to be in violation of federal, state or city setback requirements within the specified boundaries shall cause the <i>Maritime</i> Dept. to:</p>  |
| <p><b>120</b> Presently, it is primarily up to the <del>Harbor</del> Dept. staff to verify safety information and use authorization about a mooring and the vessel using it. An excessive amount of time is needed by the staff to check records in the office for current status or proper vessel user. The violators of these ordinances know that the odds of being discovered by a busy staff are very small.</p> | <p>Presently, it is primarily up to the <i>Maritime</i> Dept. staff to verify safety information and use authorization about a mooring and the vessel using it. An excessive amount of time is needed by the staff to check records in the office for current status or proper vessel user. The violators of these ordinances know that the odds of being discovered by a busy staff are very small.</p> |

- |  |  |
|--|--|
| <p><b>127</b> The <del>Safety and Hazard Mitigation</del> section will focus on hurricanes, floods oil spills and fires. Each hazard requires special planning and response techniques. Hurricane preparedness and a hurricane response plan are included as required by the Rhode Island CRMC. Because flooding is a usual hazard associated with hurricanes, coastal flood mitigation is integrated in the hurricane planning process. Oil spill prevention will be addressed. However, oil spill response is outside the scope of this document and will be limited to providing a checklist of information to gather about the spill and identifying the proper authorities to contact in the event of an oil spill. Finally, issues regarding coordination among emergency agencies responsible for fire hazards will be addressed.</p> | <p>The <b><i>Hazard Mitigation and Safety</i></b> section will focus on hurricanes, floods oil spills and fires. Each hazard requires special planning and response techniques. Hurricane preparedness and a hurricane response plan are included as required by the Rhode Island CRMC. Because flooding is a usual hazard associated with hurricanes, coastal flood mitigation is integrated in the hurricane planning process. Oil spill prevention will be addressed. However, oil spill response is outside the scope of this document and will be limited to providing a checklist of information to gather about the spill and identifying the proper authorities to contact in the event of an oil spill. Finally, issues regarding coordination among emergency agencies responsible for fire hazards will be addressed.</p> |
| <p><b>128</b> Navigational hazards are interpreted from NOAA chart Number <del>13221</del>.</p>  | <p>Navigational hazards are interpreted from NOAA chart Number <b><i>13223</i></b>.</p>  |
| <p><b>138</b> There are about a half dozen private yacht clubs in and around Newport Harbor. These establishments typically provide benefits to their membership and guests such as launch service, competitive events, sailing lessons, and social gatherings.</p>  | <p>There are about a half dozen private yacht clubs in and around Newport Harbor. These establishments typically provide benefits to their membership and guests such as launch service, competitive events, sailing lessons, <b><i>dock facilities</i></b>, and social gatherings.</p>  |

- |   |  |
|---|--|
| <p><b>138</b> The City of Newport owns several docks and piers</p> <ul style="list-style-type: none"> <li>• Ann Street Pier</li> <li>• The North and South sides of Goat Island causeway, adjoining Washington St.</li> <li>• Storer Park Pier</li> <li>• Elm Street</li> <li>• Stone Pier at King Park</li> <li>• Perrotti Park</li> <li>• Van Zandt Pier</li> </ul> | <p>The City of Newport owns several docks and piers</p> <ul style="list-style-type: none"> <li>• Ann Street Pier</li> <li>• The North and South sides of Goat Island causeway, adjoining Washington St.</li> <li>• Storer Park Pier</li> <li>• Elm Street</li> <li>• <b><i>Long Wharf</i></b></li> <li>• Stone Pier at King Park</li> <li>• Perrotti Park</li> <li>• Van Zandt Pier</li> </ul> |
| <p><b>138</b> • State Pier - state pier hosts the majority of the larger commercial fishing vessels. The pier is owned by the Rhode Island <del>Economic Development Corporation (RIDEC)</del> and has designated that this pier be used exclusively for commercial fishing.</p>  | <p>• State Pier - state pier hosts the majority of the larger commercial fishing vessels. The pier is owned by the Rhode Island <b><i>Department of Environmental Management</i></b> and has designated that this pier be used exclusively for commercial fishing.</p>   |
| <p><b>139</b> <i>Dinghy Docks</i></p> <ul style="list-style-type: none"> <li>• Stone Pier at King Park</li> <li>• Ann St. Pier</li> <li>• Goat Island</li> <li>• Bowen's Wharf</li> </ul>   | <p><i>Dinghy Docks</i></p> <ul style="list-style-type: none"> <li>• Stone Pier at King Park</li> <li>• Ann St. Pier</li> <li>• Goat Island</li> <li>• Bowen's Wharf</li> <li>• <b><i>Sail Newport</i></b></li> <li>• <b><i>Elm Street</i></b></li> <li>• <b><i>American Shipyard</i></b></li> </ul>  |

- |     |   |  |
|-----|---|--|
| 140 | The launching ramp and numerous access points along Ocean Drive are used for kayak launching. No designated kayak areas exist at present. | The launching <i>ramp behind the Wellington "micro-strainer,"</i> and numerous access points along Ocean Drive, is used for kayak launching. No designated kayak areas exist at present.   |
| 143 |   | <p><del>Goal If: Storer Park</del></p> <p><del>Storer Park is a city park that is located in the Point section of Newport just north of the Goat Island causeway. The Park has excellent water depth, is located close to public parking at the Gateway Center and it appears was the location of boating activity in the recent past. Storer Park is a valuable maritime resource that is currently untapped.</del></p> <p><u>Recommended Actions</u></p> <ul style="list-style-type: none"> <li><del>• Create a low impact marina that would be available to City of Newport residents on a seasonal lottery basis.</del></li> <li>• Petition CRMC for a water type designation change in order to facilitate the siting of a marina at Storer Park</li> </ul> |
| 186 | NPT15: <u>DOUBLETREE HOTEL ON GOAT ISLAND</u>   | NPT15: <u>HYATT HOTEL ON GOAT ISLAND</u>   |

CRMC Recommended Additions/Subtractions/Corrections

**TO DRAFT HARBOR MANAGEMENT PLAN**

<b><u>Page#</u></b>	<b><u>CRMC Issue</u></b>	<b><u>New Language / Change</u></b>
<b>App. A</b>	Water Depths	Insert NOAA chart 13223 in Appendix
<b>App. A</b>	FEMA V-Zones	Insert FEMA map in Appendix
<b>App. A</b>	CRMC Water Types	Change “CRMC Water Quality Classifications” to “CRMC Water Types” in Appendix A – Map 4
<b>App. A</b>	Priority use of for each CRMC Water Type	Referenced CRMC Water Type definitions and policies in Appendix A – Map 4
<b>App. X</b>	Boardwalks	Listed in Appendix X
<b>60</b>	Public Beaches	<i>2a. 6. Public Beaches</i> - Beach at King Park, Fort Adams State Beach & Easton’s Beach

**60** Utility/Buried Cable Easements

*2a. 7. Utility Easements* - Any potential rights-of-way that may arise due to the existence of any utility or buried cable are hereby incorporated by reference, and documentation to their existence may be located in the City Engineering office.

**97** Mooring siting issues

- To ensure flushing at significant mooring expansions.
- To protect against adverse effects at new mooring areas.
- To ensure that mooring siting will not adversely affect wetlands, submerged aquatic vegetation, or other important aquatic habitat areas.

100 Army Corps of Engineers “Open to All Policy”

Federal navigation projects must be managed in the general public interest and must be accessible and available to all on equal terms. Any number of approaches may be used to ensure that all citizens desiring mooring or other access to the projects are treated impartially.

A management system shall be considered acceptable provided that it:

Make no arbitrary distinctions or requirements of any kind in allocating use of the project and ancillary facilities and services to the public except as may be consistent with the purpose for which the project was constructed.

Does not impose arbitrary fees or arbitrary variations in fees among users. The cost of providing necessary management and ancillary facilities and services may be offset through equitable user fees based on the actual costs incurred.

Information pertinent to harbor management – including but not limited to rules and regulations, lists of mooring holders, waiting lists and fee schedules – shall be readily available to the public at all times.

Comment [k3]: OK

**221** 2. 50 feet from all federal navigation channels, navigation fairways, Right-of-Way fairways, shellfish management areas, and shoreside structures such as, but not limited to, docks and piers.

**230** ~~This is shown and/or described on NOAA nautical charts and other nautical publications regarding depth level.~~ The City of Newport accepts the definition of the National Oceanic and Atmospheric Administration (US Dept. of Commerce).

212-3

137, 255

2. a distance three times the authorized project depth from all federal navigation projects  
3. 50 feet navigation fairways, Right-of-Way fairways, shellfish management areas, and shoreside structures such as, but not limited to, docks and piers.

The City of Newport accepts the definition of the National Oceanic and Atmospheric Administration (US Dept. of Commerce).  
As an update, the City accepts the definition established by the RI Supreme Court in the Ibbison case as follows: The mean high tide is the arithmetic average of high-water heights observed over an 18.6 year Metonic cycle. It is the line that is formed by the intersection of the tidal plane of mean high tide with the shore. This line is relied upon by the state as the proper boundary, and it is the line accepted by the District Court. 3/2/08 HK/KC  
Added reference to State Plane Coordinates  
Deleted Goal 1-f (Storer Park) per City Council action 1/13/10