



January 11, 2010

Grover J. Fugate, Executive Director  
COASTAL RESOURCES MANAGEMENT COUNCIL  
Oliver Stedman Government Center  
4808 Tower Hill Road; Suite 3, Wakefield, RI 02879-1900

RE: Proposed changes to the Classification of the waters North of the Henderson Bridge, Seekonk River, Providence, RI.

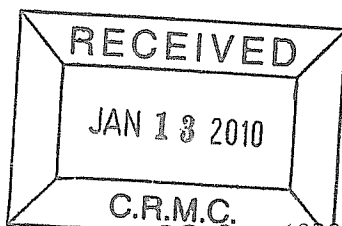
Mr. Fugate:

We request a modification of the proposed water type classification change being proposed. The current proposal would change the Seekonk River west of the federal channel from Type 4 to Type 1. This could have severe negative impacts upon the Narragansett Boat Club. (NBC)

The NBC was founded in 1837. Crews and scullers of the club have been rowing on the waters of the rivers in Providence for 172 years. The NBC owns a very small parcel of land on the Seekonk just north of the Henderson Bridge, with in the affected area. Moses Brown owns the adjacent property which was the NBC Boat house location from the 1870's to the 1930's. The NBC's structure is mostly on wood piles and we have floating docks from which we launch rowing shells and safety boats. NBC is a vibrant organization with almost 200 members and provides open access to any comers for membership. The organization provides an active learn to row program for juniors and adults in the area. Three high school programs row from the facility. Over 200 juniors and over 200 adults each year participate in the public rowing programs the NBC offers. In 2009 the combined membership of the club rowed over 70,000 miles on the river. The club also holds 2-3 rowing regattas a year on the Seekonk River which are attended by around 800 participants from around the Northeast.

We request a change in the proposed reclassification for these reasons:

- The Type 1 regulations are inconsistent with the historical use of our land. It would be unfair to this organization to remove any rights for environmentally responsible use of the waters adjacent to the property.
- As written, Type 1 regulations would prohibit any modifications or expansion of the facility in any way.
- The Type 1 classification would prohibit the Providence Parks from providing docks or a pier to allow recreation use of the Seekonk River in the area.



Demand for access to the water is increasing across Rhode Island. Making this part of the Seekonk River a Type 1 area would eliminate the opportunity to create or expand public access to a valuable and important recreational body of water for human powered use. We have been approached by several schools about letting their students row from our facility. We simply can not accommodate them with the limited facilities we have. There are efforts being made with the City of Providence to allow some City land adjacent to the existing NBC parcel to be used by the NBC for expansion. This would allow enlarged launching facilities for rowing shells, for increased boat storage for the increased numbers of juniors rowing, and the creation of a broader community rowing center. If the area adjacent to all of the City of Providence park land, NBC, and Moses Brown properties were defined as Type 1 waters, this would not be allowed.

We believe that the area associated with some of the Providence Parks, the Moses Brown Property, and the NBC should continue to have a Type 4 classification. Continuing the Type 4 designation would allow development of facilities and docks required for water related recreational activities such as rowing and kayaking. A Type 4 classification would not prohibit the historical mixed use of the river, and would protect the environmental assets that exist along that stretch of river.

We request that the water classification of the area from the Henderson Bridge to 250 feet North of the NBC property (approximately the northern limit of the grass area across from the NBC) be maintained as a Type 4 classification. This compromise would allow continued recreational use of the river but also allow the appropriate protection of resources along the west bank of the Seekonk River.

To illustrate this area, we have taken a piece of the document issued as part of the public notice related to this proposed change and have added comments to illustrate our request.

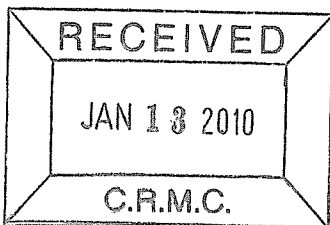
We appreciate your efforts to protect the coastal features of the Bay and adjacent water ways, and believe this request is a reasonable compromise to help support those goals.

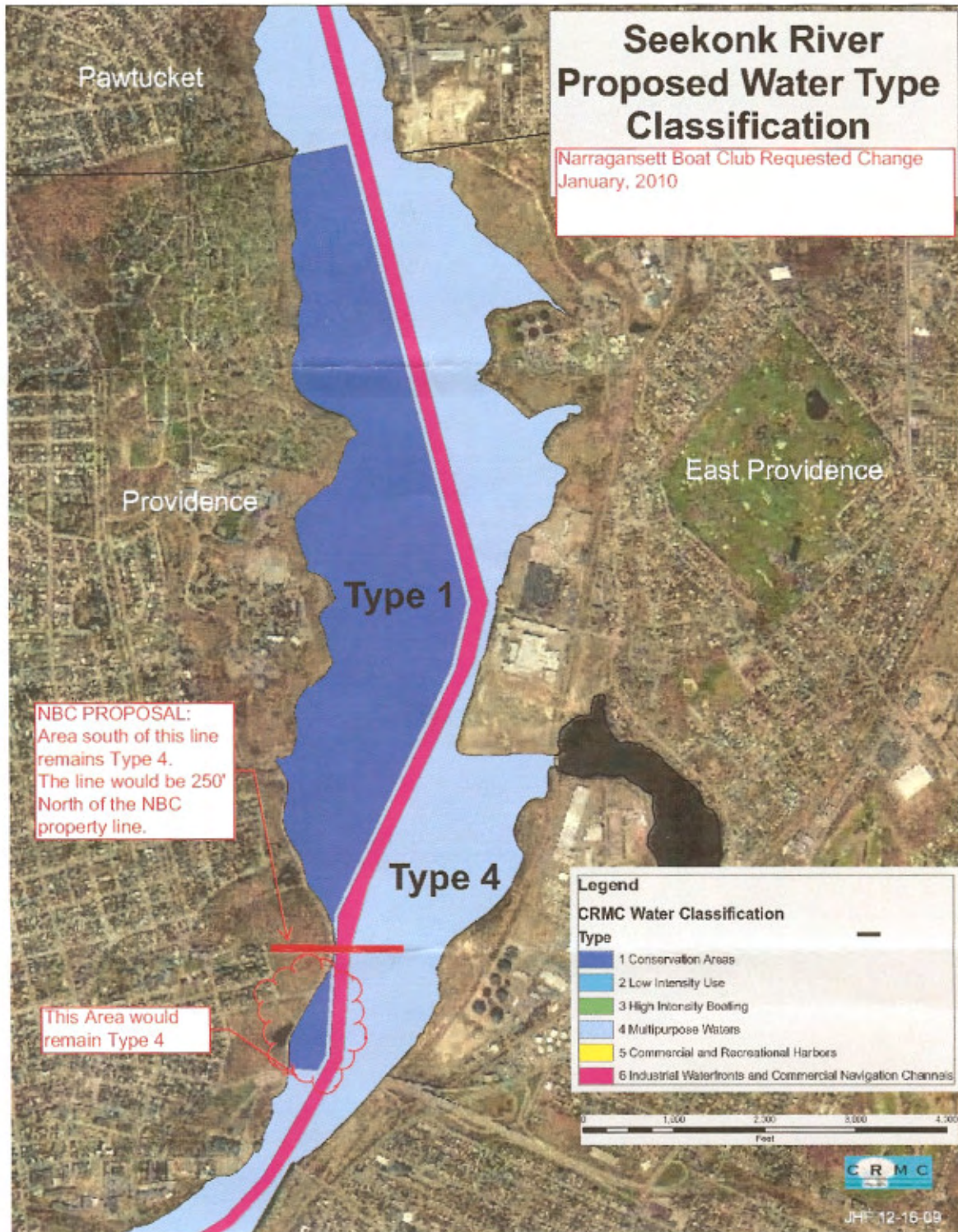
We look forward to hearing from the Council on this mater in January.

Regards,



James C. Devol  
NBC Building Committee Chair





RECEIVED  
JAN 13 2010  
C.R.M.C.



City of Providence

Providence Department of  
Planning and Development

400 Westminster Street  
Providence, Rhode Island 02903

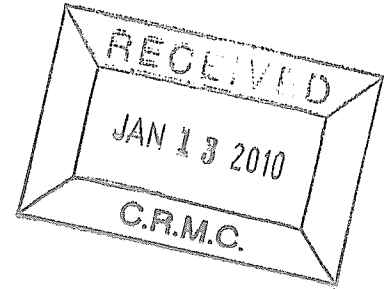
401 351 4300 OFFICE  
401 351 9533 FAX

Thomas E. Deller AICP  
Director

www.providenceri.com  
www.providenceplanning.org

January, 11, 2010

Grover J. Fugate, Executive Director  
Coastal Resources Management Council  
Oliver Stedman Government Center  
4808 Tower Hill Road, Suite 3  
Wakefield, RI 02879-1900



RE: Proposed Water Type Change - waters north of Henderson  
Bridge, Seekonk River, Providence

*G. Fugate*  
Dear Mr. Fugate:

I am writing to address CRMC's currently proposed revisions to the Water Type Designations in the Providence Quadrangle, specifically those affecting the Seekonk River in Providence. For the record:

1. The City of Providence Department of Planning and Development (DPD) supports the request by the Narragansett Boat Club (NBC) and the Providence Parks Department to maintain Type 4 designation for the area around the boat club facility to allow existing and potential expanded use. The Narragansett Boat Club facility has over 150 members and is used by three high school programs. The current water type proposal is inconsistent with historical use of the property and the adjacent watershed, and would prohibit boat club expansion as well as the Parks Department's ability to provide a pier or dock for recreation use. As you know, NBC has requested that the Type 4 area be extended to 250 feet north of the proposed northern limit of Type 4 waters; while supporting the intent of the NBC request, DPD wishes to broaden its potential input on this proposed revision beyond that request (see 2, below).
2. DPD further requests postponement of a decision on the proposed Seekonk River water type changes pending a discussion with CRMC staff to be scheduled the week of January 18-22 to evaluate the proposed Seekonk River water type reclassification in its entirety. I understand this is a separately noticed revision from those addressing East Providence waters and should not interfere with a decision on those proposed changes.

David Everett of my staff will be in touch with your staff to set up a meeting to discuss the Seekonk River water type classification.

Regards,

*Thomas E. Deller*  
Thomas E. Deller, AICP  
Director

PROVIDENCE THE CREATIVE CAPITAL

David N. Cicilline, Mayor



Providence Parks Department

David N. Cicilline, Mayor | Robert F. McMahon, Superintendent

January 11, 2010

Mr. Grover J. Fugate  
Executive Director  
Coastal Resources Management Council  
Oliver Stedman Government Center  
4808 Tower Hill Road, Suite 3  
Wakefield, RI 02879-1900

Dear Mr. Fugate:


The Providence Parks Department respectfully requests that the water type classification change proposed by CRMC for the Seekonk River west of the federal channel be modified. The proposed re-classification would change the area west of the federal channel from Type 4 to Type 1. We recommend that the area south of the intersection of Irving Avenue with the Seekonk River and west of the federal channel remain Type 4.

We propose that the above area remain Type 4 for the following reasons:

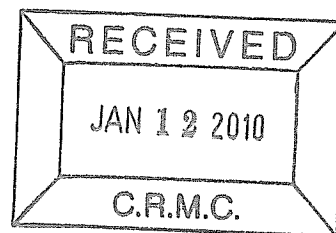
- To accommodate future expansion plans for the Narragansett Boat Club, a vital recreational asset on the Seekonk for more than 170 years. We wholeheartedly support the activities of the Narragansett Boat Club—it is an important community resource that enables residents to experience the Seekonk River. We support the expansion of rowing opportunities in the future.
- To accommodate future canoe and kayak launching opportunities on the Seekonk River for the Parks Department. The area north of the existing Narragansett Boat club is one of the most ideal reaches in Providence to experience estuary canoeing and kayaking. It would be extremely discouraging to foreclose these opportunities by altering the water type classification.

I appreciate the opportunity to comment on the proposal re-classification and respectfully request that the Commission in its deliberations consider my concerns. Thank you.

Sincerely,

  
Robert F. McMahon  
Superintendent of Parks

Cc: Thom Deller, Department of Planning & Development  
Deb Brayton, Mayor's Office



PROVIDENCE THE CREATIVE CAPITAL





301 Butler Avenue • Providence • Rhode Island • 02906  
401-331-9696 • fax 401-751-6670 • www.lincolnschool.org

Office of the Head

January 11, 2010

Grover J. Fugate, Executive Director  
COASTAL RESOURCES MANAGEMENT COUNCIL  
Oliver Stedman Government Center  
4808 Tower Hill Road; Suite 3, Wakefield, RI 02879-1900

*RE: Proposed changes to the Classification of the waters north of the  
Henderson Bridge, Seekonk River, Providence, Rhode Island*

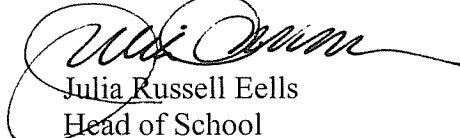
Mr. Fugate:

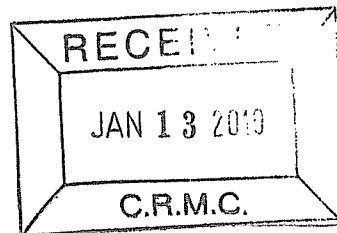
Lincoln School has had a long and mutually beneficial relationship with the Narragansett Boat Club. We have, for many years, run our competitive rowing program through the Club's facilities on the Seekonk River, with over 40 students rowing every spring. It is our understanding that there is a current proposal to change the water type classification of the Seekonk River in front of the Club's property and west of the federal channel from Type 4 to Type 1.

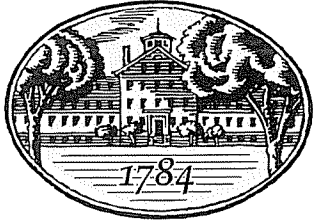
I am writing to support the Narragansett Boat Club's request for a modification to this proposal as I feel that limitations effecting how the Boat Club operates and expands would have a negative impact on the students at Lincoln School.

Thank you for your consideration.

Very truly yours,

  
Julia Russell Eells  
Head of School





# Moses Brown School

Matt Glendinning  
*Head of School*

January 8, 2010

Grover J. Fugate, Executive Director  
COASTAL RESOURCES MANAGEMENT COUNCIL  
Oliver Stedman Government Center  
4808 Tower Hill Road; Suite 3, Wakefield, RI 02879-1900

*RE: Proposed changes to the Classification of the waters north of the Henderson Bridge,  
Seekonk River, Providence, Rhode Island*

Mr. Fugate:

Moses Brown School owns certain real property located on River Road in Providence immediately to the south of the property held by the Narragansett Boat Club on the Seekonk River. It is our understanding that there is a current proposal to change the water type classification of the Seekonk River in front of our property and west of the federal channel from Type 4 to Type 1.

I am writing to request a modification to this proposal because (i) it would negatively impact how the School could use its property in the future and (ii) we support the Narragansett Boat Club's request for the same modification as many of our students row through the Boat Club's facilities. Interest in rowing at our school has increased dramatically over the past several years. From a small handful of rowers four years ago, we had 23 students participate last year and expect more this spring.

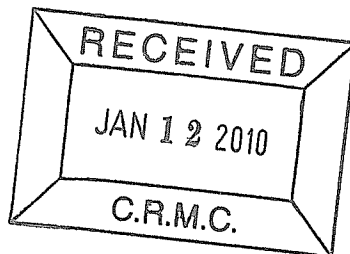
We support and agree with NBC's request that the water classification of the area from the Henderson Bridge to 250 feet north of the NBC property (approximately the northern limit of the grass area across from NBC) be maintained as a Type 4 classification. This compromise would allow continued recreational use of the river but also allow the appropriate protection of resources along the west bank of the Seekonk River.

Thank you for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read "Matthew Glendinning".

Matthew Glendinning  
Head of School





ST. MARY BayView ACADEMY

3070 Pawtucket Avenue  
Riverside, Rhode Island 02915-5197  
TEL 401.434.0113 EXT 100  
FAX 401.438.5936  
www.smabv.org

January 8, 2010

Grover J. Fugate, Executive Director  
COASTAL RESOURCES MANAGEMENT COUNCIL  
Oliver Stedman Government Center  
4808 Tower Hill Road; Suite 3, Wakefield, RI 02879-1900

*RE: Proposed changes to the Classification of the waters north of the  
Henderson Bridge, Seekonk River, Providence, Rhode Island*

Mr. Fugate:

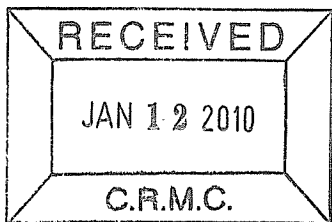
St. Mary Academy-BayView has had a long and mutually beneficial relationship with the Narragansett Boat Club. We have, for many years, run our competitive rowing program through the Club's facilities on the Seekonk River, with over 50 students rowing every fall and spring. It is our understanding that there is a current proposal to change the water type classification of the Seekonk River in front of the Club's property and west of the federal channel from Type 4 to Type 1.

I am writing to support the Narragansett Boat Club's request for a modification to this proposal as I feel that limitations effecting how the Boat Club operates and expands would have a negative impact on the students at St. Mary Academy-BayView.

Thank you for your consideration.

Sincerely,

Cindy Neal  
Athletic Director







BLACKSTONE  
- PARKS CONSERVANCY -

P.O. Box 603141  
Providence, RI 02906  
www.blackstoneparksconservancy.org

Grover J. Fugate, Executive Director  
COASTAL RESOURCES MANAGEMENT COUNCIL  
Oliver Stedman Government Center  
4808 Tower Hill Road; Suite 3, Wakefield, RI 02879-1900

January 13, 2010

*RE: Proposed changes to the Classification of the waters north of the Henderson Bridge, Seekonk River, Providence, Rhode Island*

Mr. Fugate:

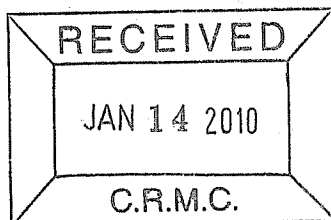
The Blackstone Park area behind Narragansett Boat Club (NBC) has been used for their Regattas and other events for many, many years. We view them as excellent usage partners for the area and applaud their support of rowing as an environmentally responsible recreation and sport on the Seekonk.

It is our understanding that there is a current proposal to change the water type classification of the Seekonk River North of the Henderson street bridge and west of the federal channel from Type 4 to Type 1.

We are writing to support the NBC's request for a modification to this proposal. Specifically, we support their request that, "the water classification of the area from the Henderson Bridge to 250 feet North of the NBC property (approximately the northern limit of the grass area across from the NBC) be maintained as a Type 4 classification."

We believe re-designation of the area adjacent to NBC to a Type 1 classification would have a negative impact on the club and its many users, both children and adult, in the surrounding community due to the severe limitations it would impose on how the NBC would be able to operate and configure its dockage and shoreside facilities.

Thank you for your consideration.



Very truly yours,  
*Anna Browder*  
Anna Browder  
President of Board

**COUNCILMAN**  
**CLIFFORD J. WOOD**  
299 DOYLE AVENUE  
PROVIDENCE, RI 02906  
Office: (401) 521-7477



## City of Providence, Rhode Island

### COMMITTEES

Ordinances  
Vice-Chairman

Finance

Claims and Pending Suits

### BOARDS & COMMISSIONS

Special Commission on  
Public Education  
Chairman

Police Advisory Board

January 13, 2010

Mr. Grover J. Fugate  
Executive Director  
RI Coastal Resources Management Council  
Oliver Stedman Government Center  
4808 Tower Hill Road, Suite 3  
Wakefield, RI 02879-1900

*RE: Proposed changes to the classification of the waters north of the Henderson Bridge, Seekonk River, Providence, Rhode Island*

Dear Mr. Fugate:

I am the City Councilor for Ward 2, the area of Providence that abuts much of the Seekonk River that will be affected by the new proposed water use designations.

Many of my constituents enjoy the use of the Seekonk for rowing through the facilities and courses of the Narragansett Boat Club. In fact, I am working with NBC and the City to help the boat club acquire use of some land just north of their facility that will allow them to increase their scholastic program enrollment. It is my understanding that the proposed Type 1 classification change for the area around the NBC facility would restrict this expansion, as well as limit their ability to reconfigure their current shoreside facility and dockage.

Therefore, I am writing to support the NBC's request for a modification to this proposal. Specifically, I support their request that, "the water classification of the area from the Henderson Bridge to 250 feet north of the NBC property (approximately the northern limit of the grass area across from the NBC) be maintained as a Type 4 classification."

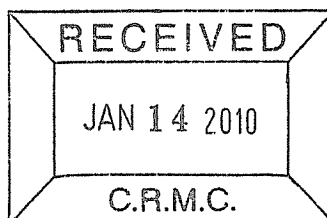
I believe re-designation of the area adjacent to NBC to a Type 1 classification would have a negative impact on the club and its many users, both children and adult, from the surrounding community. More generally, I believe the area requested to remain a Type 4 zone to be a good one for rowing facilities. Indeed, perhaps at some point Moses Brown (property owner south of NBC) will want to re-build its own facility.

Thank you for your consideration of my request.

Sincerely,

A handwritten signature in black ink that reads "Clifford J. Wood".

Cliff Wood  
Councilman-Ward 2



January 13, 2010

Jeffrey M. Willis, Deputy Director  
Coastal Resources Management Council

RE: Proposed water type changes for the Seekonk and Providence Rivers

Dear Jeff,

I would like to comment on two areas the proposed water type changes proposed for Providence harbor and the lower Seekonk River.

For the Council's information, I would like to introduce myself and those who I represent. I am the current Ship Pilot appointed to the Rhode Island Pilotage Commission. (RIPC) The RIPC is responsible for licensing the pilots by the State of RI.

Northeast Marine Pilots Inc. (NEMP) is the association of Rhode Island State Licensed Pilots (of which I am a member) who protect the waters of RI through the authority of the RI State Pilotage Commission. Our job is to protect the waters of Rhode Island by directing the navigation aboard all of the large ocean going vessels under registry through RI's waters. Our primary job is to prevent accidents and oil spills, which would have a negative impact on RI.

I am also a life-long resident of East Providence and own a waterfront home on the Providence River.

We do not oppose the change in classification of the waters between Kettle Point and the Providence and Worcester "South Quay". This area labeled area "K" is proposed to be changed to type 5 from type 6. Our concern is that should a marina be placed there it is immediately adjacent to the Providence Harbor "Turning Basin". The significance of that is, should a marina be built there it might be demolished by the propeller wash from both the tugs and the ships while maneuvering there, as this area has been designated for. **Therefore should a marina be built in this area, we request that stipulations be in place to be sure that anyone**

**proposing to build a marina in that area be required to mitigate this by building a breakwater or structure to prevent damage to the persons or property in any proposed marina abutting the ship turning basin.**

Our second area of concern is that area between Wilkes-Barre pier and Bold Point. Just today we sailed a ship out of that dock. The area adjacent to the pier (north and east) is subject to both tugboat propeller wash and the noise associated by ships coming and going. **We request that the Council leave that area type 6 waters as it is currently. This is an industrial area that should remain as it is so that complaints down the road do not shutdown a current vibrant operation.**

As the navigational experts representing, and working to protect the state of RI, we would be happy to both appear before, and work with the Council to both promote and improve the areas under review in the Providence and Seekonk Rivers.

Capt. E. Howard McVay Jr.

Northeast Marine Pilots Inc.

243 Spring Street

Newport, RI 02840



January 15, 2010

Jeffrey M. Willis, Deputy Director  
Coastal Resources Management Council  
Stedman Government Center, Suite 116  
4808 Tower Hill Road  
Wakefield, RI 02879

Dear Mr. Willis:

On behalf of the Providence Working Waterfront Alliance (PWWA) I would like to submit the following comments regarding the Coastal Resource Management Council's (CRMC) proposed water type changes to the Seekonk and Providence Rivers.

The Port of Providence is Rhode Island's largest commercial port and provides the state and region with critical energy products, cement, road salt, and other goods, all delivered by ship. The port, encompassing all area terminals -- Sprague Energy, Motiva, ProvPort, Capital Terminal, and Exxon Mobile -- handles more than 2,000 ship calls and barge movements annually. As such, port area waters must primarily be reserved for commercial shipping activities. CRMC's current Type 6 (Industrial Waterfronts and Commercial Navigation) water classification has served the port well and has helped to minimize potentially dangerous conflicts between commercial shipping and recreational boaters.

While the PWWA strongly urges CRMC to maintain Type 6 waters in the port, we do recognize the desire to allow for limited recreational boating amenities, particularly in areas that are no longer used for commercial shipping, and that would not create safety hazards for the large ocean going vessels which call on the port. We therefore do not oppose the proposed change from Type 6 to Type 5 water in the "K" area between Kettle Point and the Providence & Worcester Rail Road Quay. This area, however, is immediately adjacent to one of the port's turning basins and a recreational marina could easily be destroyed by the propeller wash generated by tugs and ships maneuvering in the basin. As a result, any proposed marina in this area must be required to build a breakwater or similar structure to prevent potential damage to recreational boats, and to preserve the safety of the turning basin for commercial shipping.

A similar water type change has been requested for the area between Wilkes-Barre pier and Bold Point. As this area is immediately adjacent to Capital Terminal's pier, as well as a turning basin, it is inappropriate for a recreational marina. Propeller wash and noise issues associated with typical commercial vessel traffic at this location would lead to complaints and potential safety issues if a recreational marina were allowed. The PWWA therefore urges CRMC to maintain the existing Type 6 water classification in this area.

Finally, the PWWA would like to note the danger of continued spot zoning of the water sheet in the Port of Providence. CRMC must be careful not to undermine the controlling Type 6



industrial/commercial water for the port by allowing future parcel by parcel water sheet changes to accommodate uses that are incompatible with the commercial vessel traffic, which is the most important use in the port area.

Thank you for the opportunity to submit these comments on behalf of the PWWA.

Sincerely,

A handwritten signature in black ink that reads 'Joel H. Cohen'.

Joel Cohen  
*Chairman*



Capital Terminal Company

100 Dexter Road

East Providence, Rhode Island 02914

Tel: (401) 435-3734 • Fax (401) 435-3715

January 15, 2010

Grover Fugate, Executive Director  
State of Rhode Island  
Coastal Resources Management Council  
Stedman Government Center, Suite 3  
4808 Tower Road  
Wakefield, Rhode Island 02879-1900

**Re: East Providence Proposed Water Type Change  
Seekonk and Providence Rivers**

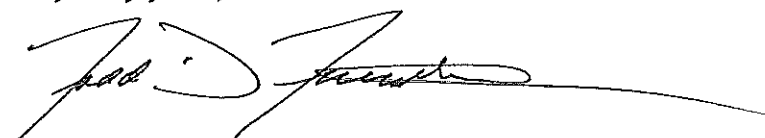
Dear Mr. Fugate:

Capital Terminal Company (CTC) has received notification of the above-referenced program changes and has reviewed the proposed changes to the water types in the Seekonk and Providence Rivers proposed by the City of East Providence and the CRMC staff. As you may be aware, CTC owns and operates the largest distillate above-ground storage facility in the State of Rhode Island which is located in East Providence. We have over 1,000,000 barrels of distillate storage capacity and throughput over 4,000,000 barrels of home heating oil and diesel fuel per year to Rhode Island, Massachusetts and Connecticut. Our storage facility is located adjacent to the Seekonk River and our berthing facility, the Wilkesbarre Pier, is located just north of the property owned by the Providence and Worcester Railroad Company.

The undersigned has had extensive experience in the design of waterfront facilities, both recreational/commercial and industrial. As a licensed professional civil engineer and designer of many marinas, commercial piers and industrial facilities in the State, I want to bring to your attention CTC's concerns with respect to its continued use of the Wilkesbarre Pier.

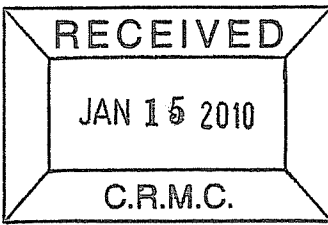
Our terminal in East Providence represents a substantial portion of the distillate storage capacity in the Rhode Island and Southeastern New England area. The continued viability of the terminal is very much a function of the terminal's ability to continue to use the Wilkesbarre Pier and to be able to make adjustments in the fuel carried at the Wilkesbarre Pier to include bio-diesel fuel. Presently, CTC has easements over adjacent property for pipelines and other support facilities which provide for the transport of product received at the Pier to its terminal on Dexter Road. CTC requests that the Council make provision in its Management Plan for the continued use of the Pier in supplying a substantial portion of the distillate requirements of the State of Rhode Island. We would also request that the Council work with CTC and the City of East Providence to ensure the continued availability of the Pier for port purposes regardless of the zoning or water type classification.

Very truly yours,



Todd D. Turcotte, PE  
President





January 15, 2010

Grover Fugate, Executive Director  
State of Rhode Island  
Coastal Resources Management Council  
Stedman Government Center, Suite 3  
4808 Tower Road  
Wakefield, Rhode Island 02879-1900

**Re: Proposed Amendments to Providence and Seekonk Rivers Water Types**

Dear Mr. Fugate:

In accordance with that certain notice issued by Jeffrey W. Willis, Deputy Director of the Coastal Resources Management Council, on or about December 14, 2009 relating to certain proposed amendments to the Coastal Resources Management Council management plans, policies, procedures and regulations, on behalf of the Providence and Worcester Railroad Company, we hereby submit comments with respect to the proposed changes as they relate to the designation of certain water-type classifications in the Providence River.

Providence and Worcester Railroad Company is the owner of property (the "P&W Property") located in the City of East Providence (the "City" or "East Providence") southerly and adjacent to the so-called Wilkesbarre Pier. Pursuant to the proposed Providence River Water-Type Reclassification Plan, all of the property in the City located to the south of the P&W Property is being reclassified either as Type 5 or Type 2 Waters. We note that the P&W Property, the Wilkesbarre Pier and a small portion of property northerly of the Wilkesbarre Pier are the only sections of the East Providence waterfront which remain classified as Type 6. The draft of the Coastal Resources Management Council Metro Bay Region Special Area Management Plan prepared in August 2009 (the "Draft Plan") notes in Section 330.3 that the City has adopted a Waterfront Special Development District Plan which has resulted in the rezoning of all of the waterfront property, including the P&W Property, for mixed commercial and residential uses. Under the City zoning, new port or industrial uses are not permitted. The Draft Plan observes that portions of the Draft Plan and the City zoning are in direct conflict. The Draft Plan further notes that unless there is a zoning change, East Providence is unlikely to allow new industrial uses or expansion of existing nonconforming uses.

The Council's proposed action will reclassify portions of the East Providence waterfront for uses consistent with the East Providence Zoning Ordinance leaving only the P&W Property, the Wilkesbarre Pier and a small area north of the Wilkesbarre Pier as classified as Type 6 and inconsistent with the provisions of the East Providence Zoning Ordinance. The CRMC staff has

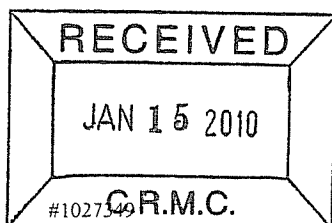
Grover J. Fugate, Executive Director  
January 15, 2010  
Page 2

already concluded that a large scale container operation would not be practical for the areas proposed to remain classified as Type 6 but states that a short sea shipping terminal or freight operation could be "considered". See, Draft Plan, Section 330.3. Nowhere does the staff conclude that such proposed Type 6 uses, if permitted, are in any way economically viable. The only present economically viable use is the Wilkesbarre Pier.

On behalf of the Providence and Worcester Railroad Company, we request the Council to reclassify the P&W Property as Type 5 consistent with the property immediately south of it and consistent with the East Providence Zoning Ordinance. We believe it should be the overall objective of the governmental agencies involved to create consistent and coherent plans for land use. The conflict between the zoning and the water type classifications on the P&W Property fundamentally means that the property cannot be developed. By maintaining this inconsistency, Providence and Worcester Railroad Company may be precluded from using its land in any beneficial way. As the Draft Plan aptly observes, the existing rail line between the P&W Property and Warren Avenue has been terminated as part of the overall development of the waterfront consistent with the East Providence zoning. Presently, there is no land based infrastructure which will support the kind of heavy industrial use consistent with a Type 6 Waters designation in the Draft Plan for the P&W Property.

The Providence and Worcester Railroad Company recognizes that its original plan contemplated development of its property as a port facility. Changes in economic conditions and changes in overall freight patterns have not permitted this to occur. Providence and Worcester Railroad Company also recognizes that it would need to secure an amendment to its Corps of Engineers Permit issued with respect to the original filling of the land in order to use the property for a non-port facility. Nevertheless, those facts do not change the hard reality that all of the adjacent land is intended and will, in fact, be developed for uses inconsistent with a heavy industrial use on the P&W Property. Finally, the failure of the P&W Property to be used for a port facility will not in any material way diminish the availability of port facilities within the overall Port of Providence; nor will it change the use of the Wilkesbarre Pier.

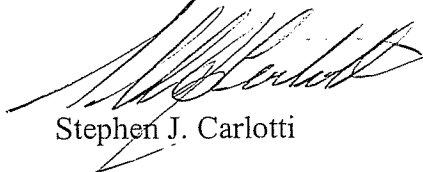
The CRMC staff has recognized the legitimate interest of the City in rezoning the entire waterfront area by recommending reclassification of most of that area to a classification consistent with the zoning. There is no basis for singling out the P&W Property for a different treatment. We ask the Commission to be consistent in its classification and to recognize the legitimate interest of the City in rezoning the land. As a matter of sound public policy, the Council should recognize that by accepting the City zoning classification for a portion of the waterfront, the Council is per force permitting a development to the south of the P&W Property which is inconsistent with the Type 6 classification. We, therefore, respectfully request the



Grover J. Fugate, Executive Director  
January 15, 2010  
Page 3

Commission to amend the staff's recommendation and reclassify the P&W Property as Type 5 and, therefore, consistent with the City zoning.

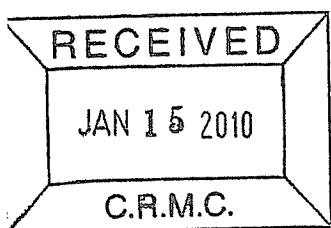
Very truly yours,



Stephen J. Carlotti

SJC/dml

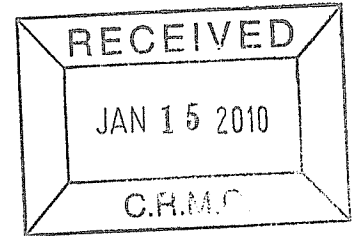
cc: Jonathan Meindersma, Esquire  
Jeanne Boyle, Planning Director





**EAST PROVIDENCE WATERFRONT  
SPECIAL DEVELOPMENT DISTRICT COMMISSION**

Grover J. Fugate, Executive Director  
Coastal Resources Management Council  
Oliver Stedman Government Center  
4808 Tower Hill Road, Suite 3  
Wakefield, RI 02879-1900



Re: Proposed Revisions to Water Type Designations

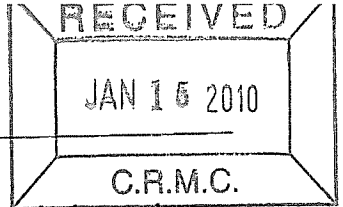
Dear Mr. Fugate:

The City of East Providence ("City") and the East Providence Waterfront Special Development District Commission ("Waterfront Commission") (collectively, "East Providence") appreciate the opportunity to provide the following comments on the Coastal Resources Management Council's ("CRMC") proposed revisions to the water type designations of the Providence Quadrangle and East Providence Quadrangle, as set forth in CRMC's December 14, 2009 public notice. The Waterfront Commission was created by Public Laws Chapter 345 (2003) to, among other things, plan, implement, administer, and oversee the development of the East Providence waterfront in cooperation with the City and other stakeholders. Since its inception, the Waterfront Commission has made great strides in transforming the East Providence waterfront into a model of urban revitalization.

East Providence strongly supports CRMC's mission of planning for and managing the resources of the Rhode Island's coastal region, and appreciates CRMC's willingness to revisit the water type designations abutting the East Providence shoreline. Moreover, East Providence supports the proposed water type designations set forth in the public notice. We have serious concerns, however, about the lack of any proposal to change the designation of the waters abutting Bold Point. Our conclusion is that a different water type designation for the Bold Point area is essential to the redevelopment of the East Providence waterfront, and that the existing Type 6 designation does not reflect the current use of these waters, or their probable use in the future.

In 2003, the City adopted the *East Providence Waterfront Special Development District Plan* ("Redevelopment Plan"). The Redevelopment Plan, more than two years in the making, represents the combined efforts of local individuals, organizations, committees, and state agencies, including CRMC. The Redevelopment Plan defines a system of integrated public spaces forming a framework for high-quality private development along the East Providence waterfront, substantial portions of which have been neglected and inactive for years.

The Redevelopment Plan defines the area including and surrounding Bold Point as the Bold Point Harbor Special Development Sub-District ("Bold Point District"). It is the intention of the Redevelopment Plan that the Bold Point District develop overall with approximately fifty percent of its area utilized for commercial office and retail space and fifty percent of its area utilized for multi-family residential construction. No new heavy commercial or industrial land uses are permitted.



The waters abutting the southern portion of the Bold Point District, however, are designated as Type 6 waters, which CRMC defines as waters that are “extensively altered in order to accommodate commercial and industrial water-dependent and water-enhanced activities.” See RICRMP § 200.6(A). The Type 6 designation is incompatible with the Redevelopment Plan’s goal of facilitating the residential and light-commercial development of the Bold Point District. Under CRMC regulations, any proposal for development adjacent to Type 6 waters would be required to demonstrate to CRMC’s satisfaction that the proposed upland activity will not “substantially detract from or interfere with” CRMC’s priority uses for Type 6 waters. See RICRMP § 200.6(C)(2). Few, if any, private developers or investors would be willing to invest in commercial, retail, and residential development of the kind envisioned by the Redevelopment Plan if they first are required to obtain a CRMC waiver for development adjacent to Type 6 waters.

Accordingly, East Providence strongly encourages CRMC to propose a change in the designation of the waters abutting the Bold Point District from Type 6 to Type 4 or 5 waters, which generally are more suited for residential, light-commercial, and retail activities. See RICRMP §§ 200.4, 200.5. The specific area that would be affected by this proposed designation change is illustrated, by way of example, on the map enclosed as Exhibit A.

A different water type designation, in comparison to the Type 6 designation, would accurately reflect the current and probable future use of these waters. CRMC’s highest priority uses of Type 6 waters and their adjacent lands 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.” See RICRMP § 200.6(C)(2). None of these uses exist in the Bold Point District and, as explained in the enclosed statements of S. Bruce Dufresne, the East Providence Harbor Master, and Steven Sheridan of the East Providence Harbor Commission, none is likely to exist in the future. See Exhibits B, C. Both Mr. Dufresne and Mr. Sheridan point out that the waters at issue are too shallow and impeded with debris or other obstacles to be of any use for navigation of commercial vessels – including those vessels utilizing the adjacent Wilkes-Barre Pier. Mr. Sheridan concludes that a pier approximately 400 feet long would be required to provide access from the shore to even the most minimally navigable waters.

In contrast, for example, the priority uses of Type 4 or Type 5 waters, such as commercial and sport fishing, recreational boating, and other water-dependent or water-enhanced activities, see RICRMP §§ 200.4(B)(1), 200.5(C)(2), are compatible with those uses contemplated by the Redevelopment Plan for the Bold Point District. Given this opportunity and the inability of the waters abutting the Bold Point District to support heavy commercial and industrial uses, there is little, if any, reason to maintain the Type 6 water type designation.

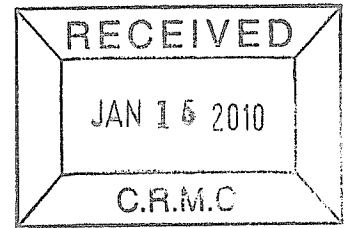
We believe that the concerns we have expressed in this comment letter demonstrate that the reclassification of a narrow section of water abutting the Bold Point District will allow the high-quality redevelopment of an otherwise underutilized waterfront, and will, in fact, support CRMC’s mission by facilitating a compatible balance of shoreline uses, improved water quality, and increased recreational opportunities and public access.

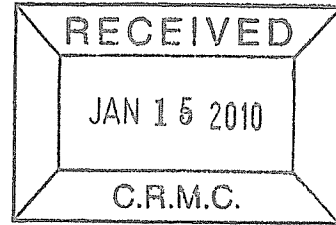
Thank you for your consideration. If you have any questions regarding these comments, please contact Jeanne Boyle, Executive Director of the East Providence Waterfront Commission at 435-7530.

Sincerely,



WILLIAM J. FAZIOLI  
*Vice Chairman*



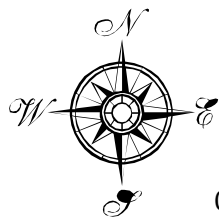


**Exhibit A**



# PROPOSED RI COASTAL RESOURCES MANAGEMENT PROGRAM WATER USE CATEGORY CHANGES

EAST PROVIDENCE WATERFRONT DISTRICT  
 EAST PROVIDENCE, RHODE ISLAND  
 RIGIS 2003 ORTHO IMAGE



0 2500 1,000 1,500 2,000 2,500 Feet

PREPARED BY:  
 SCOTT P. RABIDEAU

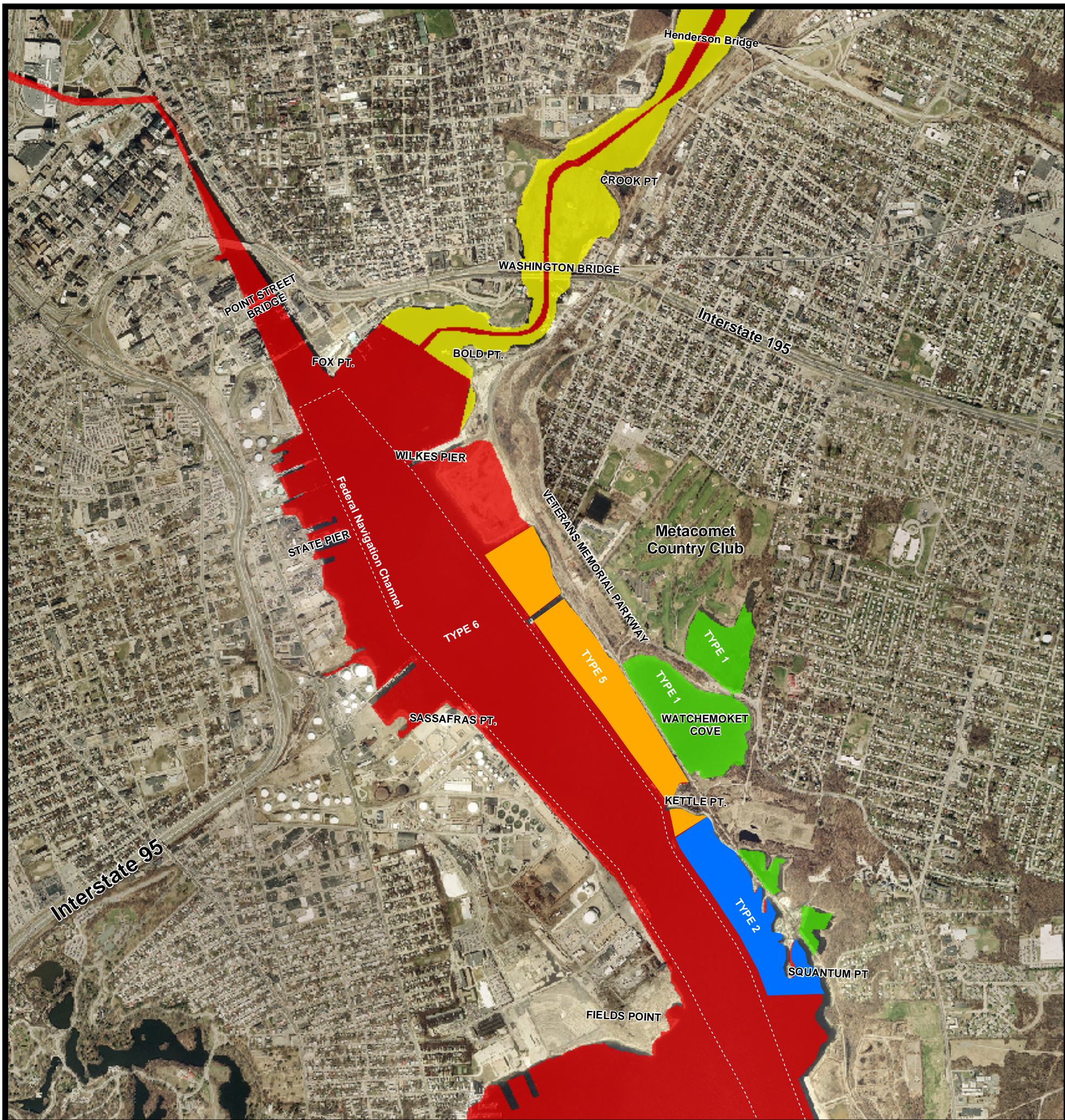
SUBMITTED BY:  
 CITY OF EAST PROVIDENCE  
 WATERFRONT DISTRICT COMMISSION  
 JEANNE BOYLE, PLANNING DIRECTOR  
 TOWN HALL, ROOM 309  
 145 TAUNTON AVENUE  
 EAST PROVIDENCE, RI 02914

**Natural Resource Services, Inc.**

PO Box 311  
 86 Harrisville Main Street  
 Harrisville, RI 02830

p: (401) 568-7390  
 f: (401) 568-7490

SHEET 1 of 1  
 Created on 1-6-09



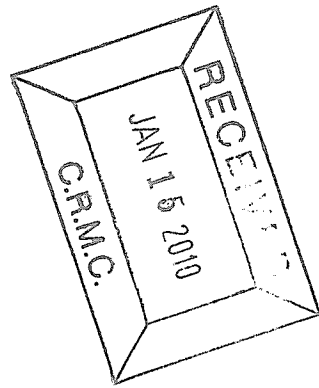
## Legend

### CRMP Water Use Categories (Taken from RI CRMP)

- Type 1 - Conservation Areas
- Type 2 - Low-Intensity Use
- Type 3 - High-Intensity Boating
- Type 4 - Multipurpose Waters
- Type 5 - Commercial and Recreational Harbors
- Type 6 - Industrial Waterfronts and Commercial Navigation Channels



**Exhibit B**



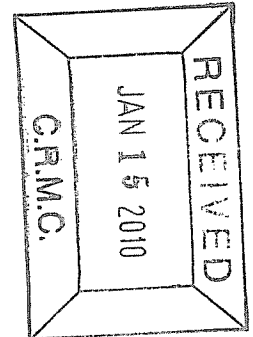
**EAST PROVIDENCE HARBOR DEPARTMENT**  
145 TAUNTON AVE. EAST PROVIDENCE, RI  
02914-4505

401/639-8437  
401/270-1437 FAX

Harbormaster@cityofeastprov.com

DATE 01-14-2010

Grover J. Fugate, Executive Director  
State of Rhode Island  
Coastal Resources Management Council  
Oliver Steadman Government Center  
4808 Tower Hill Rd: Suite 3,  
Wakefield, RI



Re: CRMC meeting January 26, 2010  
Items 5 & 6. Revise the Water Type Designations of the Providence Quadrangle as described:

Dear Mr. Fugate,

As a resident as well as the Harbormaster for the City of East Providence I fully support the Water Type Designation change from Type 6 to Type 4 in the Providence Quadrangle off Bold Point Park in the Green Jacket Shoal area of the Providence River.

The Green Jacket Shoal area has no industrial development possibilities. The water depth is generally 1-2 feet at MLW with the ruins of 2 piers, 3 barges and the remains of 7 wooden ships spread throughout the area. In addition there is an Algonquin Gas transmission line running from Providence to Bold Point.

The only industrial facility in use in the area is the Capital Terminal at Wilkes-Barre Pier. Capital Terminal has an 800 x 200 x 44 foot channel and tug shelve located to the north side of their pier. In order to expand that facility any further Capital would need to purchase the property to the north before removing the ruins and dredging the area at a cost that would be prohibitive.

The Water Designation change to Type 4 would be better suited for the property along the shoreline south of Bold Point and would increase it's desirability for development.

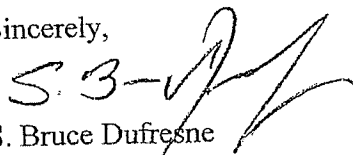
This Water Designation change would not negate the need for any developer to come before CRMC for review and permits for any planned use of that area.

I would strongly urge the CRMC to consider this Water Designation Type change for the City of East Providence to help make the best use of our waterfront.

I have been a boating in Narragansett Bay for 40 years and have been the Harbormaster in East Providence since 2003, previously being in the Harbor Patrol\Harbormaster Unit of the Barrington Police Department from 1981 to 2002.

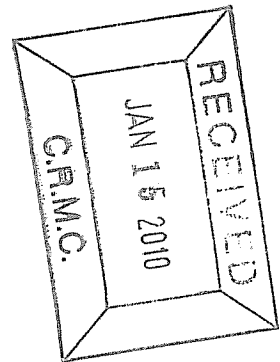
Please feel free to contact my office at any time if you have any questions.

Sincerely,

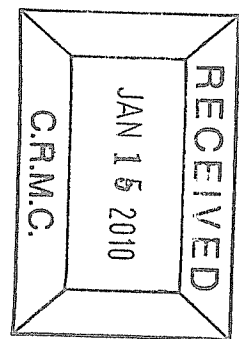


S. Bruce Dufresne  
Harbormaster

Attachments: NOAA Chart 13224, Providence River







**Exhibit C**

Steven M. Sheridan  
23 Carousel Drive  
Riverside, RI 02915  
Phone: (401) 270-9436  
E-mail: smjs3@cox.net

Grover J. Fugate, Executive Director  
Rhode Island Coastal Resources Management Council  
Oliver Steadman Government Center  
4808 Tower Hill Road, Suite 3  
Wakefield, RI 02879-1900

January 13, 2010

Dear Director Fugate,

As a concerned city resident and a member of the East Providence Harbor Management Commission, I ask you to reconsider the CRMC position on the Type-6 classification of the shoal area between Wilkes-Barre Pier and Bold Point near the confluence of the Providence and Seekonk Rivers.

The city of East Providence has proposed a change in water-type classification from the current Type-6 to a less restrictive category for the waters between the dockage area at the Wilkes-Barre Pier and Bold Point. This area is represented on Chart 13225, attached, in the light blue portion of the chart.

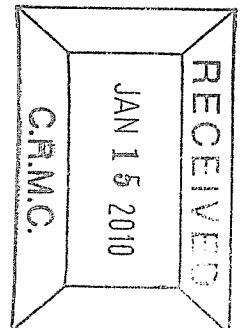
Specifically, within the light blue area (i.e., Green Jacket Shoal), which is well outside of the buoy line and marked by a line from the NW end of the dockage area to the tip of Bold Point, it is clear that the water depth is no more than one-to-two feet deep. Additionally, the area is littered with wreckage of abandoned watercraft and deteriorated pilings. In fact, the outline of a former commercial pier is evident on the chart and serves to illustrate that a pier of over 400-feet long would be necessary to reach the still-shallow, but navigable, portion of the river. That being said, there is no apparent reason this portion of the waterway should remain Type-6.

In closing, I grew up in the city and caddied for many years at Metacomet Country Club - smelling the oil and sometimes wading in its residue while fetching golf balls in Watchemoket Cove. After a thirty year absence, most of which was spent working/living in many port areas around the country, I can say that the work already completed, as well as the vision for the future of the East Providence waterfront is impressive. While I clearly understand the need for regulation and water use designation - and certainly respect the fact that CRMC and other organizations are a big part of the improvements noted - it is an appropriate time to revisit your position and allow the City of East Providence the flexibility it needs to increase the development potential of its waterfront.

Respectfully submitted,



Steven M. Sheridan  
Lieutenant Commander, U. S. Coast Guard (Ret.)  
Member, East Providence Harbor Management Commission





Download RNC  
Notice Listing  
Find A Chart Site



- Click the +/- buttons and drag the slider tool (solid triangle) to zoom in and out.
- Click the arrow buttons to pan left/right and up/down.
- Drag the navigation box in the upper left hand corner to move around the chart image.

This chart display or derived product can be used as a planning or analysis tool and may not be used as a navigational aid.

**NOTE:** Use the official, full scale NOAA nautical chart for real navigation whenever possible. These are available from authorized NOAA nautical chart sales agents. Screen captures of the on-line viewable charts available here do NOT fulfill chart carriage requirements for regulated commercial vessels under Titles 33 and 46 of the Code of Federal Regulations.

Adobe Flash Player is required to view the chart image.  
Powered by [Zoomify](#).





City of Providence

Providence Department of  
Planning and Development

400 Westminster Street  
Providence, Rhode Island 02903

401 351 4300 OFFICE  
401 351 9533 FAX

Thomas E. Deller AICP  
Director

[www.providenceri.com](http://www.providenceri.com)  
[www.providenceplanning.org](http://www.providenceplanning.org)

January 20, 2010

Mr. Grover J. Fugate, Executive Director  
Coastal Resources Management Council  
Oliver Stedman Government Center  
4808 Tower Hill Road, Suite 3  
Wakefield, RI 02879-1900

RE: Proposed Water Type Changes – requested action

Dear Mr. Fugate,

I am writing to address CRMC's currently proposed revisions to the Water Type Designations in the Providence Quadrangle, specifically regarding the water type classifications at India Point.

The City of Providence Department of Planning and Development (DPD) supports the proposed change to continue the Type 4 water designation south to include the community boating facility at India Point. After further investigation, we think it would make sense to further extend the Type 4 water classification to include the adjacent parcel, the former "Shooters" site. The city's Comprehensive Plan and Zoning Ordinance designate the site as waterfront mixed use, which permits a variety of uses, from restaurants and retail uses to hotel and residential uses. In addition, the community has expressed a desire to see tourism-related uses and public uses at the site, which are more compatible with Type 4 water uses than Type 6, which is the current classification. Furthermore, the CRMC previously approved a mixed-use development at the site (CRMC Assent 1987-08-050), which does not directly abut the federal channel.

The City, therefore, is submitting this formal request for CRMC to change the water type classification for this site from Type 6 to Type 4.

Thank you very much for your consideration of this matter.

Regards,

Thomas E. Deller, AICP  
Director