

Town of Westerly

Harbor Management Plan

2016 Revised 10/28/19



As Adopted by the Westerly Town Council, October 28, 2019

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INTRODUCTION

The Westerly Harbor Plan is formulated in order to regulate the Town's coastal water resource uses with a long range vision for controlled growth and development of harbor and shoreline areas.

The legislative authorities are from the state, including the Rhode Island Coastal Resources Management Council and the Department of Environmental Management. In 1971 The General Assembly (RIGL 46-23) gave jurisdiction to CRMC to manage tidal waters below the high tide which are held in trust for the public, including the Special Area Management Plan (SAM) for the coastal ponds. The approval of municipal Harbor Management regulations and plans is stated under Section 300.15 of CRMC.

The Department of Environmental Management (DEM) has primary responsibility for implementing requirements of the Federal Clean Water Act, to protect and improve water quality standards.

The DEM Division of Fish and Wildlife manages fin and shell fisheries within the state for propagation, transplanting and protecting shellfish.

Chapter 4 of Title 46 of the General Laws of Rhode Island (Harbors and Harborlines) grants certain regulations by municipalities for public waters in their jurisdiction.

Activities can be controlled by Ordinance and an appointed Harbormaster.

Federal authority comes from the U.S. Army Corps of Engineers, requiring permits for all work subject to the ebb and flow of the tide, and regulation of navigation.

The role of the Harbor Management Plan (HMP) is to gather information, decide on issues, and implement the Ordinance. Required elements as per CRMC are:

1. Public Access
2. Water Quality
3. Mooring Management
4. Storm Preparedness
5. Any additional issues that a municipality wishes to address may also be included in the HMP.

The Plan must coordinate with the Comprehensive Plan (landside plan) of Westerly, and be approved by the Westerly Town Council and Coastal Resources Management Council.

Success for the Plan should also include cooperation with the Pawcatuck, Connecticut Harbor Plan for the river which is now in progress.

WESTERLY HMC MISSION STATEMENT

Three bodies of water act as boundaries to Westerly's coastal areas: the Pawcatuck River, which separates Westerly, Rhode Island from Pawcatuck, Connecticut; the Atlantic Ocean, which forms Westerly's shoreline boundary to the south and west; and Quonochontaug Pond to the east, shared by the Town of Westerly and the Town of Charlestown. There are also several salt ponds within Westerly's boundaries. All of these bodies of water define and accent the overall character of Westerly and are sought after as destinations by scores of visitors during the summer months.

The Westerly Harbor Management Planning Committee has been tasked with creating a Harbor Management Plan for these significant town resources. This plan must meet the acceptance criteria mandated by the Rhode Island Coastal Resources Management Council (CRMC) as it will become a state-approved Harbor Management Plan. The plan intends:

1. To encourage the responsible use of all of Westerly's waters and shoreline resources.
2. To provide for management and balance in the equitable distribution of commercial, transient and private moorings.
3. To preserve, maintain and expand public access to the water and waterfront in order to maximize the ability of residents and visitors to enjoy all coastal and marine resources.
4. To work with appropriate agencies in order to improve water quality.
5. To preserve CRMC water types; to provide for recreational and commercial interests while protecting open space, scenic vistas and wildlife habitats, wherever practicable.
6. To promote boating safety by monitoring and controlling speed limits, no-wake zones and noise factors while designating various zone activities and intensities.
7. To work hand-in-hand with all marine, harbor and environmental agencies at the local, state and federal levels, including coastal management programs of the towns of Stonington and Charlestown.
8. To address storm preparedness with the Town of Westerly, in order to establish or maintain policies that reduce damage from storms, especially for mooring-holders and all shoreline users.
9. To establish management review and dispute settlement procedures—such as appeals and fair-hearings—for relevant Harbor Management Committee policies and practices.

PHYSICAL DESCRIPTION

Westerly is mostly surrounded by water.

Starting on the East at the Charlestown line one and one quarter miles of barrier beach separate the Atlantic Ocean from Quonochontaug Pond culminating in a rocky peninsula at Weekapaug. A breach way one half mile east of the Town line in Charlestown provides access from the pond to the Atlantic Ocean.

From Weekapaug another five and three quarter miles of barrier beach extends all the way to Watch Hill Point. A breach way at Weekapaug provides access to Winnapaug pond which runs behind the Eastern half of the beach. Further west behind the beach is landlocked Maschaug Pond.

From Watch Hill Point a third barrier beach runs a mile and a half to Napatree Point and on its North or inshore side forms the Southern boundary of Little Narragansett Bay. The waters from Watch Hill Point to Napatree and between the shore and a range of reefs several hundred yards offshore are a major entrance from the ocean to Fishers Island Sound and beyond it to Long Island Sound. The tides run strong in Watch Hill Passage making the reef a favorite fishing spot.

Little Narragansett Bay is bounded on the West by the remnants of Sandy Point. Before the 1938 hurricane Sandy Point was an extension of Napatree and ran all the way North to the Connecticut shore where the Federal channel entered the Bay. Over the years the breach between Napatree and Sandy Point widened, Sandy Point separated into two (as shown in the picture above), then three smaller Islands and in the winter of 2007/8 the two southernmost islands disappeared and now (2009) only the northernmost remains.

There is now a mile of open water between Sandy Point and Napatree. Eroding sand from both ends has migrated into the Bay developing extensive shoals. A natural channel lies near the Southern (Napatree) shoal. It is privately marked in the summer and extensively used by small boats entering and leaving the Bay.

Little Narragansett Bay is bounded on the North by the Connecticut shore and on the East by the Rhode Island shore starting at Watch Hill Cove at the South, Foster Cove, Potter Cove, and Colonel Willie Cove to the North to the Pawcatuck River entrance. The tides run strong in Watch Hill Passage making the reef a favorite fishing spot and a boon for Westerly's commercial fishing fleet.

The Pawcatuck River, deriving its name from the Native American term, Paquatuck, meaning "clear, open or shallow tidal river", forms part of the border between Rhode Island and Connecticut. The River and its watershed span an area of 317 square miles – 260 in Rhode Island and 57 in Connecticut, stretches 23 miles North to South and 20 miles East to West and discharges 40,500 cubic feet per minute of fresh water into the estuary between Westerly and Pawcatuck Connecticut.

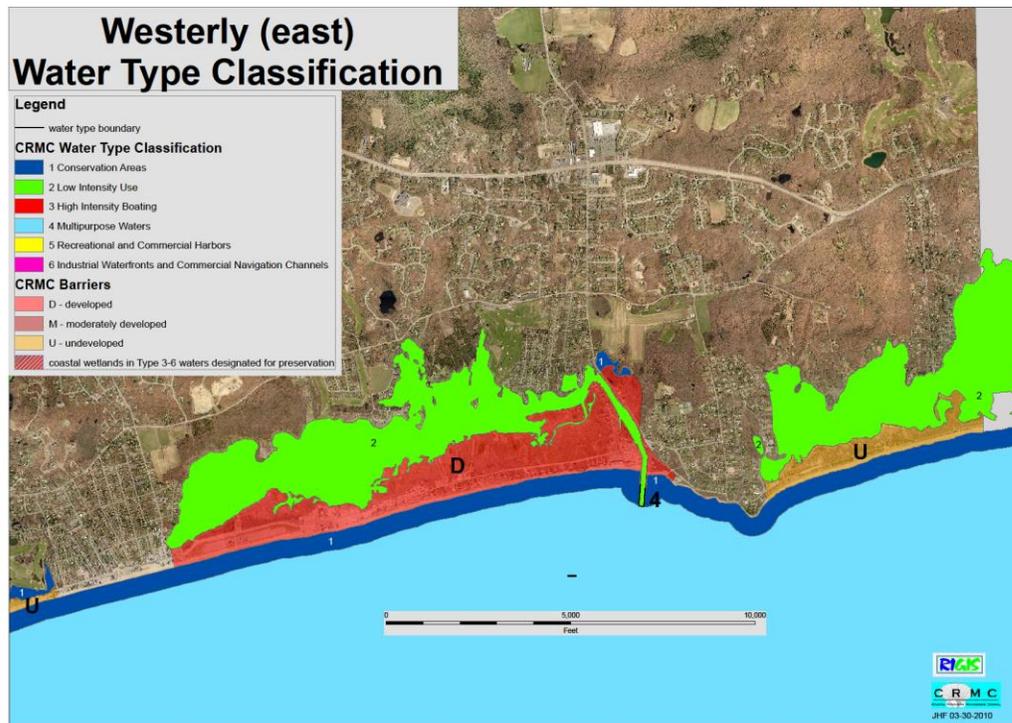
Harbor Boundaries

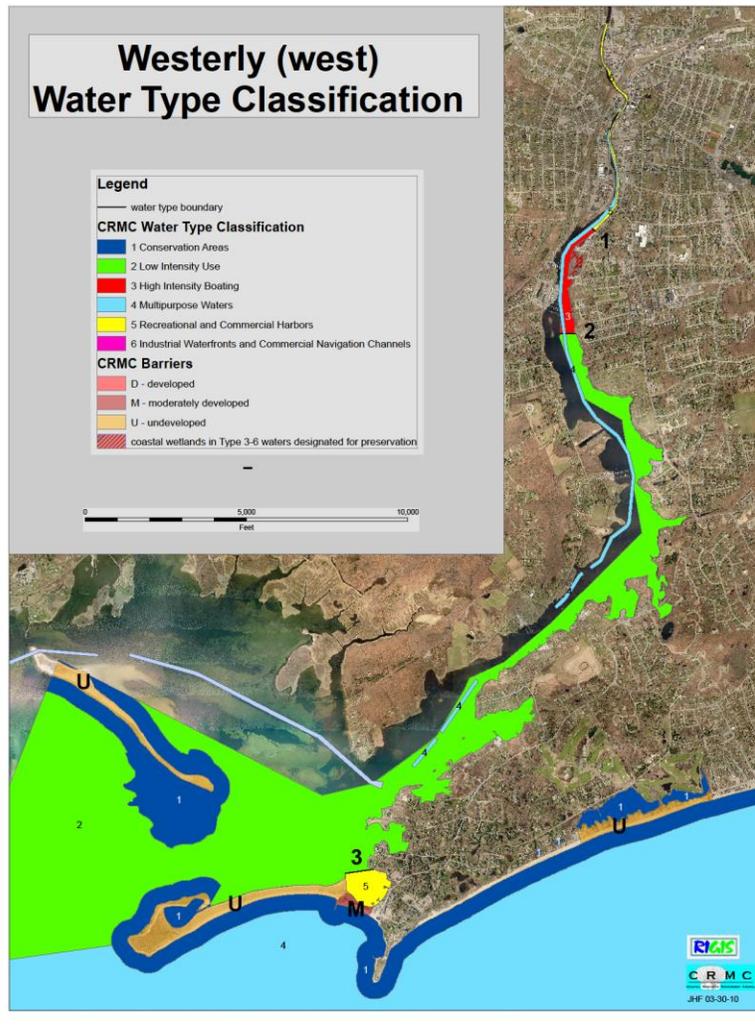
For the purpose of this Harbor Management Plan, the Harbor District consists of the waters of the Atlantic Ocean and Fishers Island Sound, as measured 500 feet from the shore, all of Quonochontaug Pond East to the Charlestown town line, all of Winnapaug Pond, the Rhode Island portion of Little Narragansett Bay to the Connecticut border and the Rhode Island side of the Pawcatuck River to the head of navigation in downtown Westerly.

Water Depths

Water depths in Quonochontaug Pond are estimated to be between five and nine feet although there are holes up to sixteen. Winnapaug Pond is estimated to be three to five feet with one hole of fourteen. Water depths in Little Narragansett Bay and the Pawcatuck River are shown on NOAA chart 13214. NOAA chart 13215 illustrates the southern shoreline from Watch Hill Point to Point Judith. There are no depths recorded on this chart for Winnapaug and Quonochontaug Ponds. The Federal channel is dredged to six feet at the Bay entrance at Sandy Point, seven feet to Pawcatuck Point decreasing to 4.1 feet in downtown Westerly. The Southerly extension to Watch Hill Cove is dredged to 9 feet. The informal “Cut”, between Napatree Point and Sandy Point is generally five feet but three or four going over the bar on the Fishers Island Sound side.

Water Use Designations





Priority Uses

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

DEM's four surface water quality classifications for seawater are described below:

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.

The DEM surface water quality standards for the tidal waters in Westerly follow:

Tidal Pawcatuck River from Route 1 highway bridge to Pawcatuck Rock: **SB1**

Tidal Pawcatuck River from Pawcatuck Rock to a line from Rhodes Point, RI to Pawcatuck Point, CT. Westerly – **SB**

Little Narragansett Bay west of a line extending from Pawcatuck Point in Connecticut to Rhodes Point in Rhode Island, excluding the area described below: **SA**

Little Narragansett Bay including Watch Hill Cove, southeast of a line from the northernmost extension of land that forms Napatree Point to the westernmost point of land on the south side of the mouth of Fosters Cove: **SA{b}**

There are six water types defined by the CRMC. These are linked to the characteristics of the shoreline, as the activities on the adjacent waterfront are the primary factors determining the quality and uses of specific water sites.

Type 1

Waters abut shorelines in a natural undisturbed condition and are generally classified as conservation areas, with the goal of preserving and protecting these waters from adverse uses and activities. Included in this category is one or more of the following: (1) water areas that are within or adjacent to the boundaries of designated wildlife refuges and conservation areas, (2) water areas that have retained natural habitat or maintain scenic values of unique or unusual significance, and (3) water areas that are particularly unsuitable for structures due to their exposure to severe wave action, flooding, and erosion.

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

Type 1 areas - Napatree Point, Sandy Point, the southern coastline, and a small northeast portion of Winnapaug Pond.

Priority uses include: Fishing, swimming, wildlife areas, conservation uses, and low intensity recreational activities.

Type 2

Low Intensity Use Areas: 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. This category includes water in areas with high scenic values 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.

Type 2 areas – Little Narragansett Bay, the Pawcatuck River up to Pier 65 Marina, The majority of Winnapaug Pond and Quonochontaug Pond.

Priority uses include: Fishing, swimming, conservation areas, maintenance of existing navigational channels, transient anchorage areas, residential boating facilities, launching ramps.

Type 3

High Intensity Recreational Boating Areas: 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. 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.

Type 3 area – The Pawcatuck River from Pier 65 to the Stillman Avenue bridge is the only area designated as Type 3.

Priority uses for Type 3 Waters include: public launching ramps, boatyards, marinas,

Type 4

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

Type 4 areas – The designated channel from the Connecticut border up the Pawcatuck River is designated as Type 4.

Priority uses include: Recreational fishing, boating, water-dependent commercial, industrial, and/or high-intensity recreational activities.

Type 5

Commercial and Recreational Harbors: 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. These waters are adjacent to waterfront areas that support a variety of tourist, recreational, and commercial activities.

Type 5 areas – The only Type 5 area in the Town of Westerly is Watch Hill Cove.

Priority uses include: Berthing, mooring, servicing of recreational crafts, commercial fishing vessels or ferries, water-dependent, water-enhanced commerce, maintenance of navigational channels and removal of obstructions to navigation.

Type 6

There are no Type 6 designated areas in the Town of Westerly

FEMA Flood Plain Maps

1. Sandy Point
2. Napatree Point – Western End
3. Napatree Point – Eastern End to Winnapaug Pond
4. Block Island Sound
5. Quonochontaug Pond West
6. Quonochontaug Pond East
7. Quonochontaug Pond - Breachway
8. Pawcatuck River – South
9. Pawcatuck River – Mid
10. Pawcatuck River - South

Flood Plain Maps FEMA V-Zones

NOTES TO USERS

This map is to be used in conjunction with the National Flood Insurance Program's Flood Insurance Rate Map (FIRM) for the area shown. The FIRM is the primary source of information for flood insurance purposes and is available on the National Flood Insurance Program's website at www.floodmaps.com.

Special Flood Hazard Areas (SFHAs)
 The SFHA is a map showing the National Flood Insurance Program's Flood Insurance Rate Map (FIRM) for the area shown. The SFHA is the primary source of information for flood insurance purposes and is available on the National Flood Insurance Program's website at www.floodmaps.com.

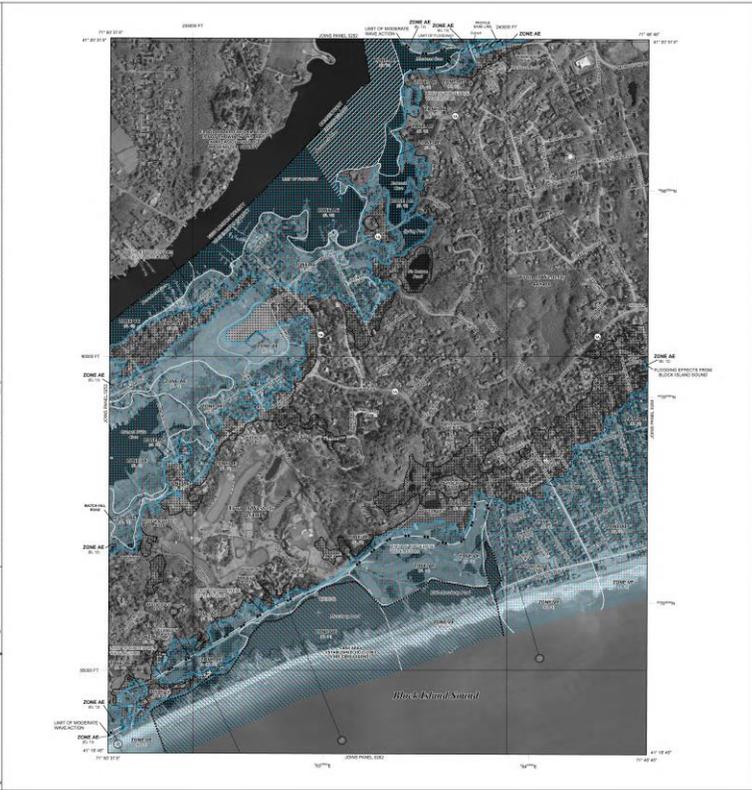
Coastal Barrier Resources System (CBRS) Legend

LEGEND

OTHER FLOOD AREAS

Map Scale: 1" = 1 Mile

Map Number: 48000024J
Map Revised: October 16, 2013



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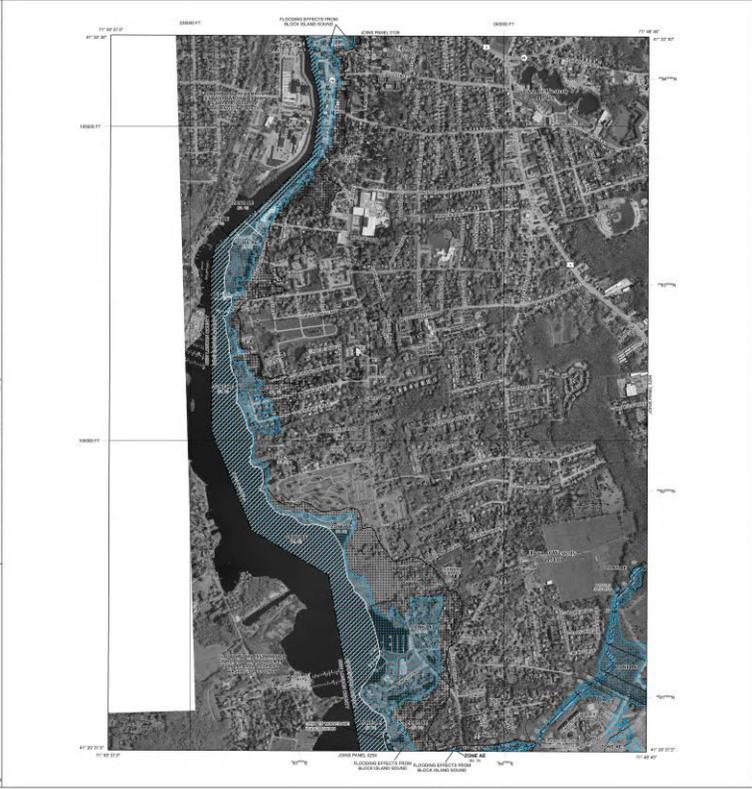
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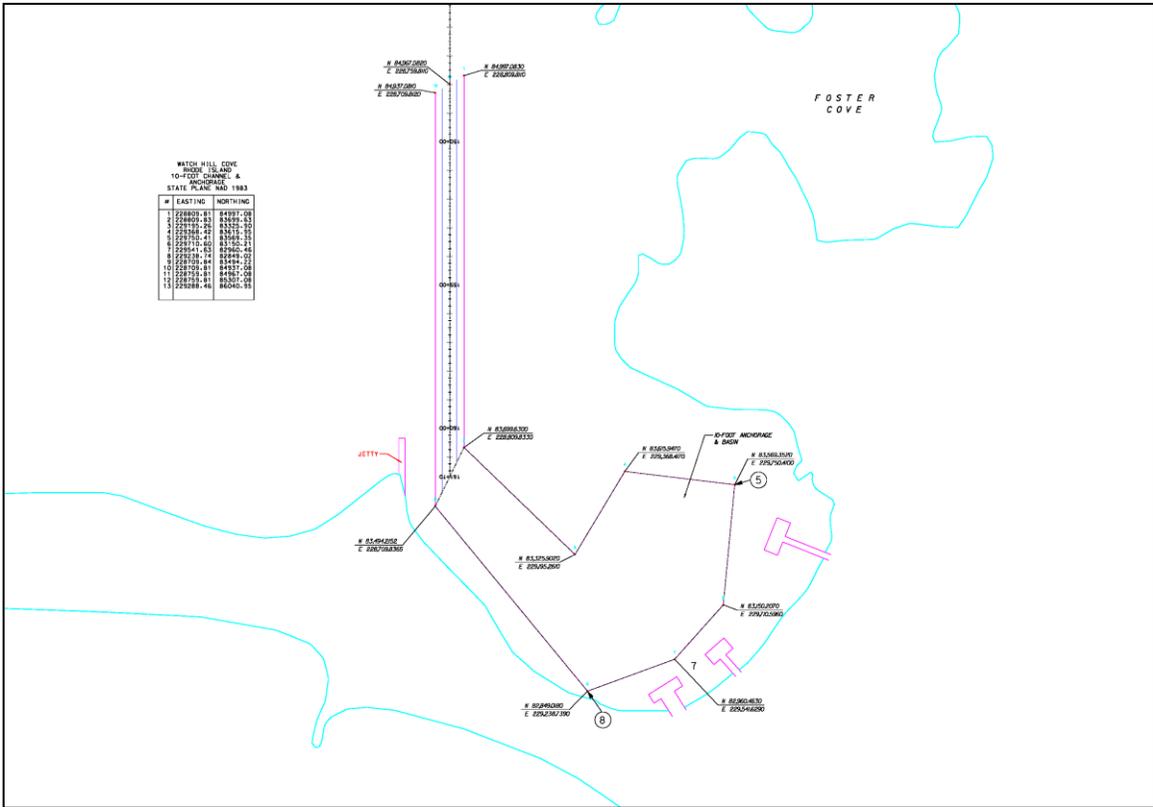
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Federally Maintained channels and Dredged Areas

A Federally maintained channel starts at the entrance to Little Narragansett Bay at the Northern end of Sandy Point, continues along the Connecticut shore then Northeast up the Pawcatuck River to Westerly sometimes in Connecticut waters, sometimes in Rhode Island and sometimes in both: a branch leads South into Watch Hill Harbor. Most of Watch Hill Cove is a federally dredged area.

Army Corps of Engineers Map of the Federal Navigation Project at Watch Hill Cove



Note: Resolution 18/19-46 adopted on September 17, 2018 by the Town Council and Resolution 19/20-4 adopted on August 5, 2019 by the Town Council requested the Rhode Island Congressional delegation’s assistance in securing the deauthorization of the anchorage portion of the Federal Navigation Project at Watch Hill Cove.

Fairways

A natural fairway runs east/west through the shoals between Napatree Point and Sandy Point and thence to the Federal channel at Osbrook (officially Pawcatuck) Point.

ISSUES

The continual movement of sand from Napatree and Sandy Point into Little Narragansett Bay is reducing the area of the Bay with water deep enough for boating, which includes sailboat racing, ski boating, sail boarding, fishing as well as anchoring at the same time as the demand for these activities is growing.

The ever increasing recreational use of Little Narragansett Bay has impacted the natural habitat of many species. See the Natural Resources section of this plan for a complete description.

Little Narragansett Bay and the Pawcatuck River lie within the political jurisdiction of two states and Towns; Stonington, Connecticut and Westerly, Rhode Island.

The Federal channel around the North end of Napatree Point and along the Connecticut shore is subject to repeated shoaling while the natural "Fisherman's Cut" between Napatree and Sandy Point stays open. Most of the small boat traffic from the Pawcatuck River to Fishers Island Sound, including powerboats up to around forty feet, uses the "Cut". The Federal channel is used mainly by deep draft sailboats, and larger powerboats plus small boats from the coves along the Connecticut shore.

RECOMMENDATIONS

The Westerly Harbor Management Plan should be coordinated with the Harbor Management plan of Pawcatuck, Connecticut.

The Town of Westerly should establish a fairway from Fishers Island Sound North of the private markers through the "Fisherman's Cut", South of Dennison Rock N24, and to the Federal channel buoy C23 at the mouth of the Pawcatuck River.

The Town should urge the Corps of Engineers to study the feasibility of dredging the "Cut" and making it the Federal channel into Little Narragansett Bay. Several (at least two) local agencies responding to a 2008 Corps of Engineers dredging Survey have made that recommendation.

HISTORY

Because the Town of Westerly is situated in close proximity to the Atlantic Ocean, with its large stretches of beaches, the Pawcatuck River, and the coastal ponds, it is only natural that the local Indian tribes were attracted to these waters where wildlife was abundant.

The first Europeans to visit the shores of Westerly were Dutch traders in search of furs, but they did not build any trading houses. It has been documented that the Pawcatuck River was discovered about 1614 by Captain Block, a Dutch navigator and explorer who went as far as Pawcatuck Rock where formerly salt and fresh water met until the channel was dug and the water became brackish further upstream. There is evidence that the Pawcatuck once emptied into the ocean near Watch Hill Point instead of its present direction toward Stonington Borough. It was changed in the beginning of this century by storms and waves on the sandy coastline.

Traditional reports have stated that John Babcock came from Newport with his wife Mary and became the first white settlers in Westerly as they traveled up Mastuxet Brook and established a forest retreat. Their son James was the first white child born within the town's limits. (Westerly and Its Witnesses, page 40).

During the time of European contact and settlement, Westerly's watershed area was inhabited by the Niantic, Pequot and Narragansett tribes. By the second half of the 17th century the Indians were trading with Europeans and selling land to them. In 1660 a company of Newport colonists purchased Misquamicut, which encompassed the present towns of Westerly, Charlestown, Hopkinton, and Richmond. The Connecticut Pequots had been subdued by Captain John Mason, Massachusetts gave up their claim to the land, and the Pawcatuck River became the dividing line between Rhode Island and Connecticut.

The Indians who inhabited both sides of the river were drawn to the extensive natural resources for their subsistence, and hunted for the abundant wildlife; waterfowl, fish, and shellfish which were concentrated along the river and bay. Their uses of the waters and wildlife did not significantly alter the characteristics of the watershed. Their heritage is evident today in many of Westerly's names—Sosoa, Ninigret, Mastuxet, Aquidneck, Manatuck, Misquamicut, etc. and as they occupied the land around the ponds - Winnapaug, Weekapaug, and Quonochontaug. Westerly's waters today are known for similar uses such as sport fishing, swimming, duck hunting, as well as recreational boating.

Until about 1860, it was impossible to bring a vessel loaded with freight up the river beyond Pawcatuck Rock. Cargoes were transferred to flat bottomed scows, called "lighters" and hauled or sailed to the wharves near Margin Street. Eventually funds were privately raised to dredge a channel. From the 1600s to the 19th century, the shipbuilding industry was extensive in this vicinity including steamboats, whalers, brigs and barks, many of which sailed the world for years at a time. In addition to shipbuilding, other

businesses grew on the location of three large wharves. They included stores such as groceries, hardware, marine supplies, a tannery, and the trade of gin, rum, and molasses drawn from the bung in the cellars of their buildings. A bung factory may have existed nearby, including Margin Street, and the area was given the name "Bungtown". It is interesting that eelgrass was landed by cargo as bedding for oxen in the quarries. The ox teams were also used to haul large timbers down to the river to lay the keels and build the ships. As the times changed, the Industrial Revolution shifted the focus to factories and dams along the river in the 1800s. (On the Banks of the Pawcatuck).

In the last few decades, industrial activities have somewhat declined and the river now is mostly residential, with several marinas, and many moorings, docks and slips. Although the commercial fishing fleet still exists, the beauty of the river and the bay has attracted residential development and increased recreational boating. There are numerous marinas on the two sides of the river, a dockminium, and many private docks, as well as the Westerly Yacht Club and the Watch Hill Yacht Club. In addition to the larger power boats and sailboats there are a number of smaller crafts; kayaks, canoes, sculls, and personal watercraft. The Bay is used extensively in the summer for recreational boating and mooring and anchoring areas as well as the gateway to the ocean through the channel and 'the cut'.

Quonochontaug and Winnapaug ponds have included important resources for inhabitants from Colonial times to the present. The Indians established camps and villages along the shoreline where fish and shellfish were abundant,. There has been archaeological evidence of Indian use of the salt ponds dating back 4000 years. The salt ponds were an important place of early contact between Europeans and the Niantic and Narragansett Indians. Agriculture and fishing were prevalent activities in the 19th century until urbanization began to dominate. Eventually rapidly developing residential areas occurred as people discovered the area.

Uses of Westerly's waters including the coastal salt ponds have included recreational and commercial fishing and shell fishing, aquaculture, recreational boating, swimming, duck hunting, windsurfing, waterskiing, and recreational boating.

References - Pawcatuck River Harbor Plan, Charlestown Harbor Plan, Westerly and It's Witnesses, On the Banks

WATER QUALITY

THE WATER QUALITY OF WESTERLY, RHODE ISLAND'S PAWCATUCK RIVER ESTUARY, LITTLE NARRAGANSETT BAY, AND THE COASTAL SALT PONDS WINNAPPAUG AND QUONOHONTAUG

The Pawcatuck River Estuary

Description. The Pawcatuck River (PR) drains 317 square miles of watershed, much of it in western Rhode Island. The river runs through the Town of Westerly and extends 5 miles to the mouth of Little Narragansett Bay. In this stretch, the PR becomes an estuary whereby the fresh water of the river mixes with the salt water of Little Narragansett Bay (LNB). At high tide, water in the middle reaches of the PR are brackish; and at low tide the river runs fresh for much of its reach from Westerly to Watch Hill.

Many water quality studies have been conducted on the Pawcatuck River Estuary (PRE); beginning in the 1800s and extending to the present. For this report we will define “water quality” as any dissolved or suspended constituent that affects the aquatic health of the water body. Thus, water temperature, dissolved oxygen, salinity, bacteria, and nutrients are all recognized as important constituents of water quality.

History. In the 1800s, many textile mills were sited on the Pawcatuck River and many dams were constructed to power the mills. These mills discharged “pollution” that damaged the water quality of the river. Construction of wastewater treatment plants in Stonington and Westerly contributed bacteria and nutrients that degraded the water quality of the river. Improved water quality conditions in the river and estuary began when the textile industry collapsed, reducing the volume of wastewater entering the river. Planned control and abatement of pollutant discharges began after the Clean Water Act was passed in 1972. With adoption of this act, standards for wastewater discharge from industrial and municipal plants were instituted and water quality improved.

What effect does water quality have on water bodies, such as the Pawcatuck River Estuary, Little Narragansett Bay, and the Coastal Salt Ponds? For the PRE, the input of fecal coliform bacteria from wastewater treatment facilities and stormwater overflow cause the pollution of shellfish that live in the bottom sediment. Since 1947, both the PRE and LNB have been closed to the recreational harvesting of shellfish. In addition, excess input of nutrients, notably nitrogen, cause excess production of algal blooms, deficits in the dissolved oxygen content of estuarine waters, and the eventual cause of “fish kills”, both finfish and shellfish.

Water Quality Findings. Recently (2008-2010)), the Salt Ponds Coalition (SPC) in conjunction with Save The Bay has been conducting monthly water-quality surveys of the PRE and LNB. There are two wastewater treatment facilities in the freshwater portion of the PRE below Westerly, RI. Even with advanced wastewater treatment, the nitrate levels are more than 10 times above normal background levels of unpolluted water bodies. High nitrate concentrations fertilize high levels of phytoplankton that subsequently consume dissolved oxygen. Very high fecal coliform levels in river waters

below these facilities far exceed the standards for safe harvesting of shellfish and contact recreation. Thus, even with modern pollution abatement techniques that appear to be applied to wastewater treatment and storm water runoff, the freshwater portion of the Pawcatuck River Estuary is still polluted to the extent that human use of this aquatic resource is severely limited. As a result of its water monitoring program, Save The Bay and SPC have determined the Aquatic Health of two stations in the Pawcatuck River (WWTFN and WWTFN); north and south of Westerly's Sewage Treatment Facility. There are five estimates of the aquatic health index (AHI) for each station determined for the 2008-2010 sampling years. The first is dissolved oxygen (DO) which uses the lowest 20% DO saturation values during the summer months. Next is Secchi disk transparency which determines the clarity of the water column (does light reach the bottom?). Chlorophyll values, an estimate of the mass of phytoplankton in the surface water, are the third parameter used. Finally, various measures of the algae nutrient nitrogen are used to estimate the nutrient fertilization potential of the water column. These five parameters are assigned a numerical value: good aquatic health is greater than 65, fair + is 50-65, fair- is 35-50, and poor aquatic health is less than 35.

For the period 2008-2010, the WWTFN station had an aquatic health index (AHI) of 37, barely above the poor classification. The WWTFN station averaged 24, a decidedly poor aquatic health condition. There is one station sampled at the mouth of the PRE and this is noted as a Pawcatuck River Estuary station. The average AHI for this station is 46, a fair-aquatic health condition.

Water Quality Classification. The main stem of the Pawcatuck River, from the WWTFN station to the mouth of the river, has a Rhode Island Department of Environmental Management water-quality classification of category 5; that is impaired or threatened for one or more designated uses by a pollutant(s) and requires a TMDL. RIDEM has issued a TMDL for the Pawcatuck River in the summer of 2010. The estuarine portion of the PRE, as represented by a station located at the mouth, appears to possess much better water quality than the two river stations. There are essentially no dissolved oxygen deficits in the bottom water; nutrient concentrations are near background levels for "normal" waters; and the bacteria are much lower, although still above the "shellfish" standard but well below the level for contact recreation. Thus, one wonders why RIDEM uses a category 5 water-quality classification for this portion of the Pawcatuck River. It might be more appropriate to classify these waters as Category 2; attaining some of the designated uses.

Programs to Minimize Water Pollution. The Town of Westerly, R.I. Comprehensive Plan, adopted in 2010 by the Westerly Town Council, has established a Pawcatuck River corridor overlay district that restricts any increase in zoning density adjacent to the Pawcatuck River and Estuary. This corridor extends from the fresh Pawcatuck River, upstream from the Westerly Municipal well field, down to the northern edge of Watch Hill Cove.

The Town of Westerly, RI has instituted ordinances that implement a Phase II Storm Water Management Plan. The Town's zoning ordinance code includes an Erosion and

Sedimentation ordinance, which requires installation and maintenance of control measures and best management practices (BMPs) to control erosion and sedimentation for land development and subdivision activities. In addition, the Town has enacted Bio retention and Storm water Management ordinance. This ordinance requires the construction of Bio retention areas in order to reduce volume and velocity of storm water runoff and increase pollutant filtering.

Several years ago, Save The Bay identified point source input locations along the Pawcatuck River. This inventory will help the Town of Westerly to manage its Storm water Management Plan.

In 2010, RI Department of Environmental Management Office of Water Resources released its final report on the Total Maximum Daily Load Analysis for the Pawcatuck River and Little Narragansett Bay Waters. This analysis was based on bacteria measurements made over several years. These waters are included on Rhode Island's 2008 303(d) List of Impaired Waters and do not support their designated uses associated with the fecal coliform and/or enterococci bacteria. These uses include primary recreation for all waters and shellfish harvesting for those waters classified as SA. Class SA waters are designated for shellfish harvesting for direct human consumption, and primary and secondary contact recreational activities.

Organic Waste Disposal Plan.

The Town of Westerly presently maintains two pump-out boats that are shared with the Town of Stonington, CT. In addition, the Avondale Boat Yard and Westerly Yacht club maintain pump-out stations on the Rhode Island side Pawcatuck River. Norwest Marina maintains a pump-out station on the Connecticut side of the Pawcatuck River.

Inorganic Waste Disposal Plan – Consistent with the Town Charter the Town will:

- A. Minimize increases in stormwater runoff from any development in order to reduce flooding, siltation, increases in stream temperature and stream bank erosion and maintain the integrity of stream channels
- B. Minimize increases in nonpoint source pollution caused by stormwater runoff from development which would otherwise degrade local water quality.
- C. Reduce stormwater runoff rates, soil erosion and nonpoint source pollution, wherever possible, through stormwater management controls and to ensure that these management controls are properly maintained and pose no threat to public safety
- D. Provide and manage trash barrels/recycling containers at Municipal waterfront property for the collection of trash from boating and other waterfront activities.

Encourage Marina OMP Measures.

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

Restrict Boats at Shallow Water Habitat. Buoys marking the navigable channel are well sited and clearly visible in the Pawcatuck River and Estuary. Additional buoys must be installed to restrict boat traffic near shallow water habitats that provide ecological benefits, i.e. shellfish beds, submerged aquatic vegetation and spawning areas.

Recommendations. It is recommended that the Town of Westerly upgrade its Wastewater Treatment Facility so that the treated sewage effluent contains the minimum content of DIN (nitrate and ammonia) needed for the production of algae blooms. Also, the sewage treatment facility needs to remove more biologically-active solids from its effluent. These materials form the substrate for bacterial growth that is harmful to shellfish and human contact.

Little Narragansett Bay

Description. Little Narragansett Bay (LNB), at the southern end of the Pawcatuck River watershed, is shallow and provides protected waters for recreational boaters and a barrier beach at Napatree Point and Sandy Point that is used extensively by summer beach-goers.

The entire watershed area of the Pawcatuck River that drains into Little Narragansett Bay is 317 square miles. The surface area of LNB is 3.7 square miles. Thus, the Pawcatuck River chemistry has a tremendous influence on that of the Bay. The average water depth in LNB is 6.5 feet (2.0 meters).

Water Quality Findings. Save The Bay has established two monitoring stations in LNB; one adjacent to Sandy Point and one southeast of Barn Island. Water quality indices (AHI), derived by the Salt Ponds Coalition (SPC) for the Sandy Point site vary from 49 to 65 for the years 2008-2010, with an average of 55 for the three years. This average AHI indicates that the Sandy Point area of LNB has fair+ aquatic health. At the Barn Island site, the average AHI for the period 2008-2010 is 73, a value that indicates good aquatic health. At both sites, nitrate averages about 30 micrograms per liter; a value representative of “normal” conditions in Long Island Sound estuaries.

Fecal coliform bacteria counts are high at the Sandy Point site and the bacterium Enterococci spiked at levels unhealthy for contact recreation in the middle of the summer. The barrier beach at Sandy Point, like the beach at Napatree Point, is inhabited by a multitude of beach-goers during the summer months. However, in recent years (2010) the fecal coliform counts have declined. The Barn Island site has very low fecal coliform bacteria counts but there is a very large spike in Enterococci bacteria on occasion. One might conclude from the 2008-2010 water quality monitoring data that while Little Narragansett Bay appears to have reasonably good water quality with respect to dissolved oxygen and nutrients, the periodically-high bacteria counts indicate that human pressures exert a somewhat negative influence upon the Bay with respect to water use (taking of shellfish and contact recreation). Due to the contamination of LNB waters with bacteria (see above), much of the Bay has become prohibited to the harvest of shellfish.

Eelgrass is an important element of many bays that make up the coastal ecosystem of Long Island Sound. Eelgrass provides important nursery habitat to finfish and shellfish. Eelgrass is also an important food source for a variety of waterfowl that migrate within the Atlantic flyway. Finally, eelgrass assists in removing nutrients from the water column. Unfortunately, eelgrass has largely disappeared from Little Narragansett Bay. As late as the mid-1990s, LNB was cited as containing some of the most lush beds of eelgrass in the Long Island Sound ecosystem. Today, eelgrass has a very restricted distribution in the Bay. The reasons for this drastic decline in the abundance of eelgrass in LNB are not well understood. Coastal development, increased nutrient (nitrogen) additions to coastal waters, and blooms of nuisance algae have probably played a role in the loss of eelgrass. Recent reports by the United States Fish and Wildlife Service provide some hope that eelgrass beds may be returning to LNB. In 2006, there were 283 acres of eelgrass; in 2009, there were 343 acres of eelgrass.

There is one area, in waters off Napatree Point that apparently has no eelgrass. In the map provided by Save The Bay for the year 2012, there is no eelgrass present along the northeast shoreline off Napatree Point. In the summer these waters, located south of the mouth of the Pawcatuck River, are occupied on any given day, by at least 50 boats that are anchored into the bottom sediment. Often strong winds from the south affect this area. This anchoring, by itself, destroys the eelgrass; and dragging of anchors on windy days causes further destruction of these eelgrass beds.



Submerged Aquatic Vegetation highlighted in light blue.

Water Quality Classification. There are two small areas in LNB that RIDEM assigns a Category 5 water-quality classification. These represent 1.1 square miles of surface area while the Bay has a surface area of 3.7 square miles. Based on the above AHI data for two water-quality sampling stations in LNB, it is proposed that the remainder of the Bay be classed a Category 2.

Organic Waste Disposal Plan. The Town of Westerly presently maintains two pump-out boats that are shared with the Town of Stonington, CT.

Inorganic Waste Disposal Plan. There is no inorganic waste disposal plan for Little Narragansett Bay. The Watch Hill Fire District provides trash receptacles at the east entrance of Napatree Point.

Encourage Marina OMP Measures. There are no facilities located within Little Narragansett Bay.

Restrict Boats at Shallow Water Habitat. Buoys marking the navigable channel are well sited and clearly visible in Little Narragansett Bay.

Recommendations. The Westerly Harbor Management Commission recommends that the Rhode Island Department of Environmental Management be strongly urged to post signs that note that those areas with high fecal coliform bacteria counts in LNB are closed to recreational harvesting of shellfish.

Westerly's Coastal Salt Ponds- Winnapaug Pond

Description. Winnapaug Pond, formally known as Brightman Pond, is located at the western end of a chain of major coastal salt ponds along the southeastern shore of Rhode Island. Winnapaug Pond is shallow (mean depth at high tide about 4.5 feet) with many sand bars. The pond is particularly shallow at the eastern end and along the south shore. At low tide, substantial sand bars are visible at the eastern end of the pond. The south shore is rimmed with salt marsh while the north shore is occupied by single-family housing. The pond is connected to Block Island Sound by a breachway located at Weekapaug. The area of the pond's watershed is about 4 square miles while the surface area of the pond is 0.7 square miles. Winnapaug Pond has a low watershed area to pond surface area ratio of 6:1 and receives most of its freshwater input from groundwater.

Water Quality Findings. The Salt Ponds Coalition (SPC) has been monitoring the water quality of Winnapaug Pond since 2006. While water temperatures approach 25 degrees C in the summer, the dissolved oxygen remains high, generally above 5 mg/L. Because of the shallow depth of the pond and the prevailing southeast winds, aeration of the pond waters is sufficient to maintain these dissolved-oxygen concentrations. Chlorophyll concentrations average 5 parts per billion with a variation of 3 to 7 parts per billion. These chlorophyll concentrations classify Winnapaug Pond as mesotrophic, indicative of moderate algae growth.

In the main part of the pond, fecal coliform bacteria counts average 11 MPN/100ml with a variation between 3 and 19 MPN/100ml. The average fecal coliform count is below the shellfish standard of 14 MPN/100ml designated by the State Of Rhode Island's Department of Environmental Management.. However, the sampling site in Golf Course Cove that extends north of the main part of the pond at the eastern end had an average fecal coliform count of 19 MPN/100ml, above the shellfish standard.

The Aquatic Health Indices (AHI) for Winnapaug Pond for the years 2006, 2007, 2008, and 2010 indicate that the health of the pond may be improving. In 2006, the aquatic health was poor with low dissolved oxygen and too much nitrogen. In 2007, the aquatic

health was upgraded to fair- due to the fact that there were higher dissolved oxygen concentrations than in 2006. In 2008, the aquatic health was on the borderline between poor and fair- due to low dissolved oxygen and too much organic nitrogen. In 2010, the aquatic health of Winnapaug Pond was upgraded to nearly good with an AHI score of 62. There are four environmental parameters used to construct the aquatic health index (AHI) for each station determined for the 2006-2010 sampling years. The first is dissolved oxygen (DO) which uses the lowest 20% DO saturation values during the summer months. Chlorophyll values, an estimate of the mass of phytoplankton in the surface water, is the second parameter used. Finally, various measures of the algae nutrient nitrogen are used to estimate the nutrient fertilization potential of the water column. These four parameters are assigned a numerical value: good aquatic health is greater than 65, fair + is 50-65, fair- is 35-50, and poor aquatic health is less than 35.

Water Quality Classification. Rhode Island Department of Environmental Management has given Winnapaug Pond an SA classification that means pond waters are suitable for bathing and contact recreation, shellfish harvesting for human consumption, and fish and wildlife habitat. However, fecal coliform bacteria monitoring by the Salt Ponds Coalition of waters in Golf Course Cove, located north of the main pond at the eastern end, average 19 MPN/100ml. The fecal coliform count exceeds Rhode Island's threshold of 14 MPN/100ml for safe consumption of harvested shellfish. The average fecal coliform count for the main part of Winnapaug Pond is 11 MPN/100ml, a value that allows the existence of an extensive aquaculture facility along the south shore.

Programs to Minimize Water Pollution. While there are no specific programs operative in Winnapaug Pond to minimize water pollution, the extensive aquaculture facility that grows oysters and clams may exert some control on water pollution. It is well known that shellfish filter large amounts of water during their life cycle and thus can reduce the quantity of organic nitrogen in the water column. This reduction of particulate organic matter may cause less utilization of dissolved oxygen that reacts with the organic detritus.

Organic Waste Disposal Plan. There is no pump-out boat or other pump-out facility in Winnapaug Pond.

Inorganic Waste Disposal Plan. None.

Encourage Marina OMP Measures. There are no facilities on Winnapaug Pond.

Restrict Boats at Shallow Water Habitat. There are no official channel markers in Winnapaug Pond. There are privately owned and maintained navigation markers. The Town will set markers to delineate Shallow Water Habitat.

Recommendations. Several years ago, the Town of Westerly installed a water line that drains the older, low-lying areas of Misquamicut when flooding occurs in the Westerly area. This water drain line is extended along Atlantic Avenue to near halfway along the south shore of Winnapaug Pond. There, it flows into a collection basin where waters are centrifuged for suspended sediment and the effluent discharged into the pond. There is no

treatment of this effluent to remove nutrients, organics, and metals. It is recommended that the Town of Westerly put a constructed wetland adjacent to the holding basin so that plants can filter and absorb dissolved and particulate contaminants before the effluent water reaches the waters of Winnapaug Pond.

Westerly Coastal Salt Ponds- Western Quonochontaug Pond

Description. Not all of Quonochontaug Pond, the salt pond that lies directly east of Winnapaug Pond, is situated in the Town of Westerly. The eastern basin of the pond is within the jurisdiction of the Town of Charlestown. This area includes the breachway between the pond and Block Island Sound as well as the only public access to Quonochontaug Pond. The major part of the pond lies within the jurisdiction of the Town of Westerly and includes the Narrows, the western basin, the extreme western basin, and the Weekapaug Yacht Basin.

The average depth of Quonochontaug Pond is 6 feet but there are extensive areas adjacent to the south shore that reach 13 feet. The watershed area is 4.2 square miles and the surface area of the pond is nearly 1.2 square miles. Groundwater inputs to the pond are twice as large as surface-water inputs.

The western and extreme western basins of Quonochontaug suffer from some oxygen depletion because the water residence times in these areas are several fold longer than that of the eastern basin that is influenced by the breachway to Block Island Sound. On any flood tidal cycle, all the oxygenated water from the breachway does not reach these basins; and, on the return ebb cycle, some of this water, especially in the farthest shallow areas, does not return to the breachway. Thus, some fraction of the water column stagnates in the western and extreme western basins and dissolved oxygen is consumed by respiration and reaction with dead organic matter.

Water Quality Findings. The Salt Ponds Coalition (SPC) has conducted extensive water-quality and nutrient monitoring in Quonochontaug Pond, beginning in May 2006. For the entire pond, SPC samples 5 stations, both surface and bottom waters. For the western and extreme western basins, SPC samples three deep-water stations. In the summertime, June to September, the dissolved oxygen of bottom waters is nearly 1 mg/L lower, on average, than surface waters. Occasionally, bottom waters go hypoxic in the summer (less than 2.5 mg/L dissolved oxygen). Summertime chlorophyll concentrations in Quonochontaug Pond average 3.9 ppb, a value that indicates that the pond is of moderate status with respect to eutrophication (nutrient enrichment).

The following table presents the average aquatic health index (AHI) for the three stations in the western and extreme western basins of Quonochontaug Pond.

Year	Av. AHI	Factors
2006	Fair+	Low summer DO, high DIN
2007	Fair+	Low summer DO, high DIN
2008	Fair+ to Good	Some low summer DO
2009	Good	No Problem Factors
2010	Fair+	Low summer DO

A glance at the table shows that the aquatic health of the western basins of Quonochontaug Pond is mostly Fair+ for the years 2006 to 2010. It looked as though the aquatic health was improving slightly between the years 2007 (Fair+) and 2008 and 2009 (good). However, the drastic floods in the spring of 2010 contributed large quantities of inorganic nitrogen to the pond which fueled more algal growth and caused the pond water quality to decline to Fair+. In any case, Quonochontaug Pond has the best aquatic health of all the major salt ponds in coastal Rhode Island.

Water Quality Classification. Rhode Island Department of Environmental Management has classified Quonochontaug Pond as SA. That means pond waters are suitable for bathing and contact recreation, shellfish harvesting for human consumption, and fish and wildlife habitat. Fecal coliform bacteria monitoring by the Salt Ponds Coalition ranks these waters as excellent with an average bacteria count of 5±4 MPN/100ml. This is the lowest average concentration of fecal coliform bacteria for all the coastal salt ponds.

Programs to Minimize Water Pollution. There are no specific programs to minimize water pollution in Quonochontaug Pond.

Organic Waste Disposal Plan. There are no pump-out facilities on Quonochontaug Pond.

Inorganic Waste Disposal Plan. None.

Encourage Marina OMP Measures. There are no facilities on Quonochontaug Pond.

Restrict Boats at Shallow Water Habitat. There are no official channel markers in Quonochontaug Pond except at the Breach way which is located in the Town of Charlestown. All markers within the Ponds are privately owned and maintained.

Recommendations. None

REFERENCE DATA

The references for the 2006 and 2009 Eelgrass studies of Little Narragansett Bay by the U. S. Fish and Wildlife Service are as follows:

Tiner, R., H. Bergquist, T. Halavik, and A. MacLachlan, 2006 Eelgrass Survey for Eastern Long Island Sound, Connecticut and New York. U. S. Fish and Wildlife Service, National Wetlands Inventory Program, Northeast Region, Hadley, MA. National Wetlands Inventory Report. 24 pp. plus Appendix.

Tiner, R., K. McGuckin, M. Fields, N. Fuhrman, T. Halavik, and A. MacLachlin. 2010, 2009 Eelgrass Survey for Eastern Long Island Sound, Connecticut and New York. U. S. Fish and Wildlife Service, National Wetlands Inventory Program, Northeast Region, Hadley, MA. National Wetlands Inventory Report. 15 pp. plus Appendix.

NATURAL RESOURCES

Westerly has some of the most important natural resources in the state. Its waters include the Pawcatuck River, Little Narragansett Bay, the Atlantic Ocean, and the ponds—Quonochontaug, Winnapaug and Maschaug. Westerly has many areas dedicated for the use of the public, including all Westerly residents. Our rights-of-way, beaches, which include the extensive state beach, river byway, state launch, and large area for transient anchorage are all accessible to the public and tourist industry. The waters are utilized mostly for recreational boating and swimming, recreational and commercial fishing, shell fishing and aquaculture, where there is acceptable water quality. These waters also support a small fleet of mostly artisanal fisherman that harvest the town and state's bountiful fish stocks.

The waters of the state in Westerly contain additional access through marinas, boatyards, yacht clubs, and shorefront businesses and hotels. Watch Hill harbor and Quonochontaug Pond are important attractions for boating and activities such as sailboat racing. The river is a conduit for transportation between Westerly and the bay and ocean, and combines low-intensity activities such as small boat use, as well as larger high speed power boats. During the summer, it is very heavily traveled. Mooring fields are placed dependent upon water quality and attendant facilities.

As written in Westerly's mission statement, the Harbor Management Plan shall be developed to address these significant town resources, meeting the acceptance of CRMC criteria and the Westerly Town Council approval. The Plan shall define the use of Westerly's waters with a balance between citizens' use of the waters, recreational boating and protection of the environment.

A summary of the policy of CRMC ("Red Book")- Title 46 Chapter 23-1

(a), General Laws of Rhode Island- marks out a path which citizens should follow....
"Poorly planned development of this basic natural environment has potential of damaging or destroying the state's coastal resources and the policy of the state is to preserve, protect, develop, and, where possible, restore the coastal resources of the state for this and succeeding generations through comprehensive management for maximum benefit for society. Preservation and restoration of ecological systems shall be the primary guiding principal upon which environmental alteration of coastal resources will be measured, judged, and regulated.

(b) The implementation of these policies is necessary in order to secure the rights of the people of Rhode Island to the use and enjoyment of the natural resources of the state with due regard for the preservation of their values, and in order to allow the general assembly to fulfill its duty to provide for the conservation of the air, land, water, plant, animal, mineral, and other natural resources of the state, and to adopt all means necessary and proper by law to protect the natural environment of the people of the state by providing adequate resource planning for the control and regulation of the use of the natural

resources of the state and for the preservation, regeneration, and restoration of the natural environment of State.

Westerly's Natural Resources are greatly dependent on the state of the water quality. The river and sections of the bay have been closed to shell fishing since 1947 as the water did not comply with water standards set by the Department of Health. As a result of the failed standard, R.I.'s classification of the tidal Pawcatuck Basin is a "No Discharge Zone", which prohibits shellfish harvesting and prevents most waters from safe swimming.

A detailed account is discussed in the Water Quality Section.

LITTLE NARRAGANSETT BAY AND THE PAWCATUCK RIVER

I. INTRODUCTION

Before the improvement of roads, Little Narragansett Bay and the Pawcatuck River provided a water transportation route to the town of Westerly. These waters were also a source of fishing for the Native American population and the earliest European settlements. Since the 18th century, various industries developed along the shoreline. The Pawcatuck River became a major center for boat building, including whaling vessels, and later, steamboats. Today, these bodies of water provide an important resource for water activities such as boating, swimming, and fishing.

II. FINDINGS

In order to coordinate policies between Connecticut and Rhode Island for the Pawcatuck River, a document was developed in 1992-- The Pawcatuck River Estuary and Little Narragansett Bay: An Interstate Management Plan. Its goal was to gather information, to describe the status of the resources of the estuary and its watershed, and to recommend management strategies for its use and protection.

This area contains a wide variety of natural habitats which serve as the foundation for the estuarine ecosystem and a basis for highly productive and diverse wildlife populations. They include open water, sheltered coves, shallows and salt marshes on both sides of the river. The submerged aquatic vegetation such as eelgrass and seaweeds are providers of food sources and breeding grounds for fish and waterfowl. Wetlands are located in the river from south of the Stillmanville Bridge to Little Narragansett Bay. Some are extensive, such as Colonel Willie's Cove, and some are smaller fringe marshes. Eelgrass and other submerged aquatic vegetation are found in the bay and ponds. Many species of fish and birds, some threatened or endangered, are described in the Napatree Point Conservation area in the Beaches section.

THE PONDS

I. INTRODUCTION

The Westerly portion of Quonochontaug Pond has water depths which are varied with large shoal areas in many portions of the pond. Eelgrass beds and shellfish flats are found

at the Western end where clamming is very popular. Over the years, many wildlife species have been diminished, including some populations of scallops, oysters, flounder, eels, blue crabs, and horseshoe crabs. Eelgrass beds have been identified by the Coalition and a map will be found in the appendix.

Winnapaug Pond contains a permitted aquaculture business and both ponds have breach ways to the ocean. The salt ponds are detailed in the Water Quality section.

II. FINDINGS—also addressed in the Water Quality section-

The ponds and environs are subject to the CRMC Salt Ponds Region Special Area Management Plan (SAMP), with the primary focus to protect and restore water quality. Undisturbed zones along the perimeter of salt ponds and associated wetlands are important to protect the coastal environment. The benefits of vegetated buffers include erosion control, checking pollutant flows, protecting wildlife, and preserving scenic qualities.

The salt pond region includes a great diversity of habitats, such as barriers, salt water and brackish ponds and salt and fresh water wetlands. These natural resources result in an extremely important ecosystem for maintaining wildlife.

Wetlands are among the most productive ecosystems on the earth and the viability of the salt pond region depends on careful stewardship by human populations. Since failing septic systems and cesspools can be a major source of pollution, new systems are being required, such as denitrification plants.

Quonochontaug and Winnapaug Ponds and their surrounding low lands have a history of being susceptible to storm-surge flooding. In the hurricanes of 1938 and 1954, surge heights caused a great deal of destruction and erosion. Hurricane preparedness is especially important in this area. (According to SAMP): Ch 3-d, Ch 5- p18, Ch6- p11).

The CRMC SAMP established specific land use classifications for differing densities in municipal zoning areas. The Plan also addressed the pressures to develop building lots near wetlands and made recommendations to towns for re-zoning. As a result, a large section of land surrounding Quonochontaug Pond is 2 acre zoning. The classifications are described in the Water Quality section and Appendix

Wildlife and Conservation areas:

I. Napatree Point- a barrier beach extending westward from Watch Hill Cove lies between Little Narragansett Bay and Fishers Island Sound. Approximately 90% is owned by the Watch Hill Fire District, the remainder owned by a combination of the Watch Hill Conservancy, the State of Rhode Island, the Town of Westerly, and a few private owners. 70 acres are currently in conservation, and are managed as a wildlife refuge and recreation area by the Watch Hill Fire District, the Watch Hill Conservancy in conjunction with the U.S. Fish and Wildlife Service, R. I. CRMC and DEM. Many

studies have been done by several organizations including the National Heritage Foundation and the Audubon Society of R.I. as well as the R.I. Natural History Survey. The 1992 Interstate Management Plan identifies specific sites at Napatree Point, Sandy Point, and Little Narragansett Bay to be considered “critical”, such as areas where endangered or threatened species are known to spawn, rest, reproduce, or feed their young.

In addition to Napatree Point, Little Narragansett Bay and Sandy Point are cited as abundant bird population nesting and shellfish spawning areas and have been identified by the 1991 U.S. Fish and Wildlife Northeast Coastal Areas Study as “Significant Coastal Habitats” for wildlife conservation.

Proper management of the recreational offshore uses of Napatree Point, and of the barrier system itself is essential to achieving protection of these areas. The public is invited to enjoy these areas for swimming, walking, sunbathing, boating etc., while adhering to regulations regarding the protection of the endangered and threatened species. The piping plover is federally threatened, the roseate tern is federally endangered, and least tern is state threatened. Ospreys and American oystercatchers are both “species of concern.”

Recommendations are coordinated by the Watch Hill Fire District and the Watch Hill Conservancy acting with CRMC, DEM, and the U.S. Fish and Wildlife Service. Some areas may be marked and posted, designating preferred beaching areas for vessels during nesting seasons.

Posted regulations for the Napatree Point Conservation Area include provisions of the Westerly Code of Ordinances, as well as regulations for the protection of dunes, vegetation and animal species. Those relating to the piping plover are established by the U.S. Fish and Wildlife Service. Other agencies active in the protection of Napatree Point are CRMC and DEM. Signage may be developed indicating areas most suitable for beaching of boats, based on the location of paths across the dunes, and , seasonally, on nesting areas.

The U.S. Fish and Wildlife Service has adopted a recovery plan for the Atlantic Coast piping plover population as described in the Threatened Species, Beaches section.

II. Little Narragansett Bay- Transient Anchorage Area.

RECOMMENDATIONS

- a. Education for the public- signage for the conservation area of Napatree beach and Sandy Point.
- b. Protect shallows, wetlands, eelgrass beds, dunes and beach nesting areas.
- c. Establish setbacks and buffer zones where appropriate, allowing for seasonal changes.

These shall be mapped and established by CRMC in conjunction with U.S. Fish and Wildlife.

d. Prohibit boats and activities in the “lagoon” area, with the exception of small kayaks and similarly powered vessels.

e. Prohibit activities which disturb wildlife such as water skiing, jet skiing and kite boarding during nesting seasons around sensitive areas as determined by CRMC in conjunction with U.S. Fish and Wildlife.

Additional Conservation Areas

The East Beach is monitored by the East Beach Association to help in accommodating public use of the beach and maintaining conservation of the nesting piping plovers. They have one of the highest piping plover populations in R.I.

Weekapaug and Shelter Harbor Beach environment and pond are monitored by the Salt Ponds Coalition and the Quonochontaug Beach Conservation Commission. The Salt Pond Coalition is the oldest continuously operating volunteer marine water-quality program in the nation. The Coalition has performed many water quality studies and mapping of eelgrass and shellfish beds. The ponds and environs are under the jurisdiction of the CRMC SAMP. See Appendix.

Biological Habitats

Westerly contains many wetlands, in coves and inlets, as well as fringe marshes located in the Pawcatuck River, the bay and the ponds. Submerged aquatic vegetation for wildlife feeding and spawning is found in Little Narragansett Bay, the river, and the ponds. Eelgrass beds in Little Narragansett Bay had been declining for several years, and scallop populations have been nonexistent.

However, a 2010 National Wetlands Inventory of the bay has shown an increase in the total areas of eelgrass beds, presently a total of 343 acres. Mapping has been done by the U.S. Fish and Wildlife Service, Save the Bay and the Salt Ponds Coalition. According to the USFWS there are no federally designated critical habitat areas in the Town of Westerly.

Intertidal flats and shellfish beds are found in the ponds and at Napatree Point, notably in the “lagoon” area. The main issue affecting the harvest of shellfish is water quality.

Swimming and surfing are basically limited to the Atlantic Ocean waters and some pond areas.

Anadromous fish runs have been established in the Northern Stillmanville area of the river. Smelt, alewives, shad, and salmon have been species of concern since the 1970s. Efforts toward their restoration have been ongoing by U.S. Fish and Wildlife.

Tidal Wetlands in the Pawcatuck River under CRMC jurisdiction are located on a shellfish map in the appendix.

Recreational Fishing is popular in Spring and Fall in the area where there may be bluefish, smelt, alewife, menhaden, and herring, although flounder, shad, and salmon are basically nonexistent. Oysters, quahogs, other clam species, and scallops also are not historically abundant due to contaminants. The river and bay as well as breach ways from the ponds give access to the Atlantic Ocean where bass, bluefish, and other fish are sought after. There are chartered fishing vessels, but no commercial fishing fleets as such.

Westerly's uniquely important natural resources have been extensively studied, described, and managed in order to move toward the essential proper combination of conservation and the citizen's use of the waters of the state.

Commercial Fishing – There are no commercial fishing facilities in the Town of Westerly.

Shellfish Beds and Spawning Areas – Despite the decline in historically abundant shellfish populations, the RI Shellfish Management Plan shows that recreational shellfishing occurs on shellfish beds in both Winnapaug and Quonochontaug Ponds.

In the current atmosphere of local, sustainable food sourcing, “green” practices including “hook to plate” and fuel conservation efforts, as well as, the resurgence of the artisanal fisherman, local commercial fishing should be encouraged and supported.

Commercial Fishing Recommendations

- Update data to more accurately reflect the current uses of all of Westerly's salt ponds and waterways including commercial fishing.
- Encourage the development of areas in all of Westerly's bodies of water that accommodate the business of providing fish and shellfish for local use.

THE BEACHES

I. INTRODUCTION

The Town of Westerly is blessed with an abundance of beautiful beaches, both public and private, that are accessible to local residents, private home owners, and the public. The Town owns two beaches off Atlantic Avenue, the State has a large beach also along Atlantic Avenue, and the beaches in all shoreline Fire Districts have provided enjoyment for its citizens and the public, and have brought many tourists to the area. The beaches and environs have provided excellent habitats for wildlife species, some of them threatened and requiring preservation management. Below is a summary of the beaches with associated regulations.

II. FINDINGS

A. WATCH HILL BEACHES

1. WATCH HILL BEACH

There is a beach with bathhouses owned by the Watch Hill Fire District located next to the carousel. The public is welcome but there is a fee for guests who are not in the Fire District. There is no on-street parking but there are private lots nearby.

2. EAST BEACH CONSERVATION AREA

This beautiful beach stretches from the Watch Hill Lighthouse all the way to the Misquamicut area. Cottage owners' land extends to the mean high tide mark on the beach. There is a public right of way from Bluff Avenue along a foot path that leads to the beach just east of the Watch Hill Lighthouse, with beautiful views of the summer homes, rocky cliff faces, and Block Island. There are no amenities or lifeguards. Paid parking is available in Watch Hill. At the road ending off Manatuck and Everett Avenues there are well marked paths that also provide easy access to the beach but there is no parking. The East Beach Association is composed of community members who help in accommodating the public use of the beach while maintaining conservation and litter control. As a consequence of their efforts, the East Beach contains one of the highest piping plover populations in Rhode Island. Litter control has become a problem with overflow from the receptacles.

3. NAPATREE POINT CONSERVATION AREA

At the southwestern tip of Rhode Island, Napatree Point is a long sandy barrier beach, extending west from Watch Hill Cove, terminating as a rocky outcrop known as a tombolo, separating the bay from the ocean. It offers a mile-long walk along the water's edge on the ocean and bay side. There are beautiful views from the high dunes and designated trails.

In 1899 the military built Fort Mansfield, and houses, hotels, wharves, and seawalls were constructed, all destroyed in the 1938 hurricane. Storms and hurricanes have continued to impact its configuration as it was once joined to Sandy Point extending to Connecticut and was located further in the ocean than at present. Approximately 90% of the Napatree property is owned by the Watch Hill Fire District, the remainder owned by a combination of the Watch Hill Conservancy, the State of Rhode Island, the Town of Westerly and a few private owners. About 70 acres of the land are currently in conservation, and are managed by the Watch Hill Fire District, the Watch Hill Conservancy, and the U.S. Fish and Wildlife Service as a wildlife refuge.

This area is one of the most important migratory shorebird stopover points on the East Coast and provides a foraging area for wading birds and year-round habitat for a variety of species. There are spectacular hawk, songbird, and monarch butterfly flights in autumn. The area also offers excellent fishing from the rocky shore near the ruined fort at the far end of the point. Napatree Point is accessible from two paved parking lots on Bay Street. Trash receptacles are available. The public is welcome to walk, swim, surf, sunbathe, fish, and enjoy this beautiful stretch of beach, bay and ocean.

Two studies by Rhode Island Natural History Survey, a non-profit organization, were completed in 2005 and 2010, and provide objective information about the condition of Napatree Point regarding recreational resources, wildlife, and migratory and nesting bird species. Their findings included the fact that dune and dune vegetation provide windbreak, shelter and food for wildlife. Over time, the public and free running dogs have created pathways crossing the dunes segmenting the habitats. Fourteen species have been identified by the State or Federal Government as rare, threatened, or endangered. These include the roseate tern, the least tern, and the federally "threatened" Piping Plover. The Piping Plover has been protected under many treaty and resource protection acts as well as Section 9 of the Endangered Species Act, which prohibits any person from harming or killing listed wildlife.

B. MISQUAMICUT BEACHES

1. COMMERCIAL BEACHES

There are approximately 17 commercial beaches stretching from the west end of Atlantic Avenue to the Weekapaug Breachway that the public can access. They include five hotel beaches, nine parking lots with beaches, two trailer/RV parks also with beaches, and one private beach club.

2. MISQUAMICUT FIRE DISTRICT BEACHES

There are three Misquamicut Fire District beaches along Atlantic Avenue. Two of these beaches have parking and restricted lots. These beaches are restricted to the residents of the Fire District and their guests.

3. MISQUAMICUT STATE BEACH (Indian word meaning “red salmon”)

257 Atlantic Avenue

This beach runs the a significant length along Atlantic Avenue on the south side and is Rhode Island’s largest state beach, with 3600 feet of frontage on the Atlantic Ocean. The beach is part of 102 acres of state-owned land that also borders Winnapaug Pond. Lifeguards are on duty all season and the beach has areas for body and board surfing, hiking, walking, and swimming. The large pavilion is accessible to people with disabilities, has an observation tower, rest rooms, showers, first aid, picnic tables/benches, concessions, refreshments and trash receptacles. The beach is extremely full during the summer and there is a fee for parking. The parking lot is open from Memorial Day to Labor Day.

5. WESTERLY’S NEW TOWN BEACH

Located on both sides of Atlantic Avenue, in close proximity to Misquamicut State Beach, this 3.12-acre town-owned property contains almost 300 feet of beach frontage and is open to the general public. Changing rooms are available. This stretch of beach is popular with surfers, who are encouraged to visit during summer evenings and off-season to minimize conflicts with other beachgoers and sunbathers. Parking is available for a fee, as are concessions, toilets and trash receptacles.

6. WESTERLY TOWN BEACH

Located south of Atlantic Avenue, this town-owned beach consists of approximately 10 acres with 550 feet of ocean frontage. The beach pavilion has showers, bathrooms, lifeguards, first aid, and a food concession stand. The beach is restricted to Westerly residents and their guests. Parking for the beach is available at two parking lots with a total of 400 spaces. Handicapped bathrooms and parking are available. From the bathhouse, there is a nice view of Winnapaug Pond to the north. There is a fee for

stickers for Westerly residents or taxpayers. Handicap access, picnic tables/benches, hiking, walking, and trash receptacles are available.

C. WEEKAPAUG BEACHES

1. QUONOCHONTAUG CONSERVATION AREA

Quonochontaug Beach is one of the few remaining undeveloped, privately owned barrier beaches in Rhode Island. The Quonochontaug Beach Conservation Commission (QBCC), an umbrella organization of the Nopes Island Conservation Association, Weekapaug Fire District, Shelter Harbor Fire District, Weekapaug Foundation for Conservation, Washington Trust Bank, and Shady Harbor Fire District, manages the area. Swimming areas with lifeguards are restricted to property owners and require a pass. The QBCC presently allows fishermen and the public to park at private parking lots during specified times, which are discussed below, and to gain pedestrian access to the beach and pond via well-marked trails off the sand trail that runs from the eastern end of Spray Rock Road to the Quonochontaug Breachway. Only private property owners are allowed to drive motor vehicles on the sand trail from June 15th to September 15th, and at no time are vehicles allowed on the beach face, sand dunes or vegetated areas. Over the past few years, the CRMC has restricted vehicular traffic on the sand trail for short periods of time (several days to weeks) from April 15th to September 15th when Piping Plovers are nesting near the sand trail. No parking is allowed along the sand trail. A pamphlet of regulations and guidelines for use of the site is available from the QBCC.

Parking at the private parking lots for those persons wishing to fish, shellfish or nature walk are permitted during the following periods:

Summer (06/16 – 09/14) Daytime: 7:00am to 6:00pm. No parking is permitted without a resident's car parking sticker or permit.

Evening and Nighttime: 6:00pm to 7:00am. Short-term parking for fishermen and the public is permitted, with no overnight parking.

During this season temporary parking will be permitted for the public in the specified parking areas at any time for fishing, shell fishing, and nature walking, with no overnight parking.

Additionally, there are approximately ten parking spaces just west of the sand trail which are available to the public anytime.

III. ISSUES

A. THREATENED SPECIES

With the increase in population and settlements along the shore, there has been a conflict between humans and coastal shorebirds' habitats. The migration of shorebirds requires them to "refuel" at coastal sites typically separated by hundreds or thousands of miles. As human populations grow, many essential coastal sites and nesting places are threatened with loss of key habitats causing species to decline and become endangered.

Of special importance to all the beaches is the protection and rehabilitation of Piping Plovers which have established breeding grounds there. The U. S. Fish and Wildlife Service has adopted a recovery plan with the goal of removing the Atlantic Coast piping plover population from the list of Endangered and Threatened Wildlife species by (1) achieving well distributed increases in numbers and productivity of breeding pairs, and (2) providing for long-term protection of breeding and wintering plovers and their habitats.

In addition, the Rhode Island Natural History Survey identified fifty-two species, including 14 which have been designated as rare, threatened, or endangered by the state or the federal government. Three of these are the roseate tern (federally endangered), piping plover (federally threatened), and the least tern (state threatened). Dunes and dune vegetation protection are essential for assistance in helping the survival of these species.

B. SAFETY

Where the beaches have no lifeguards, signs may be needed with warnings about big surf and dangerous currents. There needs to be special areas designated for surfers. Vehicles on the beach in the off season can create danger for pedestrians and those who are just sitting on the beach. Vehicles are not allowed at any time without a DEM issued permit. Though Town ordinance allows dogs on the public beaches during specified hours of the day, unless the owners religiously pick up droppings, bathers will be endangered. Litter that is taken in by visitors must be taken out. Care must be taken to respect property owner's land. Care must also be taken to protect nesting birds and threatened species from both pedestrians and pets. Rights of ways should be acknowledged and kept cleared.

IV. RECOMMENDATIONS

- A. Provide education for pedestrians and boaters about endangered species.
- B. Protect shallows, wetlands, eelgrass areas and dunes
- C. Maintain signs for public education regarding litter and Town ordinances.
- D. Put up signs with safety rules regarding high surf and currents, no lifeguards
- E. Establish dune restoration for all barrier beaches.

SHORELINE PUBLIC ACCESS

ALL RIGHTS OF WAY MUST BE PROVEN TO BE PUBLIC OR PRIVATE

I. INTRODUCTION

An initial study by the Harbor Management Planning Commission in 2006 revealed approximately (35) public access points designated by the Town of Westerly and/or the Rhode Island Coastal Resources Management Council (CRMC) in the town of Westerly.

This identification process was difficult as some of these public access points had never been officially listed, acknowledged or legally clarified by the town. Some have been legally challenged by abutting property owners over the years; some have been used for years but never officially established or posted; some have been known for years but never officially used; some have been used frequently and never questioned, etc.

For the above reasons, the list included in the initial study is supplemented by a section entitled 'Prospective Future Sites and Site Ideas', a list of potential public access-points (or access ideas) that will be held until further research proves them either valid or invalid for public use. In other words, this is a list that should grow and become more firmly established as the Harbor Management Planning Commission of Westerly continues in its ongoing mission to 'preserve, maintain and expand public access to the water and the waterfront. (REFERENCE: 1992 Pawcatuck River Estuary and Little Narragansett Bay Study, done jointly by the RI CRMC and CT Department of Environmental Protection, p. 183 section 620.1 Protecting and Increasing Access, A. General Public Access Policies.: "1. The state and local governments should protect and increase public access, both physical and visual, to the Pawcatuck River Estuary and Little Narragansett Bay through adoption and adherence to common policies and standards, protection and development of existing sites, or sites where there exists an easement running to the public, and requiring the dedication of access where appropriate as a condition of new development and redevelopment.)

Currently, for instance, there is talk in the town of Westerly about possible additions and improvements to public access. A public river-walk, beginning along the Pawcatuck River near the downtown area, has been discussed by numerous agencies and councils (Westerly Land Trust, The Economic Planning Committee, etc.), including the Harbor Management Planning Commission, and this idea has been generally accepted as a desirable goal for the town. Though no specific plans have yet been presented, the idea is a positive one and will be reviewed by the Harbor Management Planning Commission as a desired addition to public access when an official proposal emerges.

There has also been some discussion about improved use of the waterways for transportation and/or recreational purposes, especially public transportation. Adding public dock space to the rivers, ponds, bays and/or coves of the Westerly area should be viewed as a desired goal as well, since Westerly has not utilized its waterways for public transport since the early 1900's.

In general, known access-points will be outlined here—29 designated sites of various types and descriptions in 2009. Where issues and questions remain, those sites will be listed as ‘Prospective Future Sites and Site Ideas’ at the end of the section.

2. FINDINGS

*Note: All directions (north/south/east/west) referred to in this section are ‘by the compass’.

RIGHTS OF WAY TO THE SHORE (referenced from Westerly ROW book and 2004 RI CRMC Public Access manual)

Site #1--Avondale Road- (State designated ROW #A14). Located next to the Lotteryville Marina, this ROW is approximately 25-foot wide, covering 3776 square feet, and is bordered on its north side by a stone wall marking the boundary with the Frank Hall Boat Yard. There is a stone wharf and a launching ramp, both in need of repair. The site is posted. It appears to have been set up as a launching ramp, but the terrain at entry needs attention and upgrading. The exact size and dimensions of this parcel should be identified for possible upgrading. No parking nearby.

Site #2 & 2A- Water’s Edge Road (Town-designated—previously Meadow lane.) Located at the end of Pawcatuck Avenue, running north/south, this ROW runs the entire length of Waters Edge Road, ending on the north side at Foster Cove and on the south side at Watch Hill Cove. The site is not posted. Access, is blocked by fencing and established undergrowth. On the south side, at Watch Hill Cove, the launching ramp is ill-maintained and the right-of-way has been narrowed by vegetative growth on one side and large rocks on the other. No turnaround is available. No parking is available.

Site #3- Fort Road (Access along Fort Road shoreline). Located off Bay Street, running along Watch Hill Cove adjacent to shops and cabanas, the pedestrian easement leads to Napatree Point, running along the seawall as a shoreline path and leading through a posted-gate to Napatree Beach. This ROW is heavily used in the summertime, moderately used in the off-season.

Site #4- Bluff Avenue, Watch Hill- (*Both Town and State-designated as CRMC ROW #A-2*) Located at the top of Larkin Road as it becomes Bluff Avenue. This ROW is pictured and described as a 40-foot wide road that leads to the beach. Now a pathway bordered by evergreens and beach rose bushes, about 10-foot wide at the Bluff Avenue entry, narrowing to approximately 6 feet as it winds down toward the beach. A town sign is posted at the entry-point. **This ROW should be kept clear and upgraded; it is heavily used in summer, moderately used off season.*

Site #5- Everett Avenue, Watch Hill- (Town-designated) Located just north of the Ocean House, this ROW is a path 30 feet wide and 260 feet long. There are private homes on both sides of the right-of-way. There is a sign posted at the right-of-way itself, designating this as a beach entry point, but no sign at the entry to Everett Avenue. This

access-point is heavily used in the summer season and has been utilized as a vehicular beach-entry point by fishermen during the off-season.

Site #6- Niantic Avenue, Watch Hill (Determined to be Private ROW)

This right-of-way was once posted with a Town sign, however a title search has revealed that the pathway is privately owned.

Site #7- Manatuck Avenue, Watch Hill—(*State-designated ROW—CRMC #A-3*). Located at the beach-end of Manatuck Avenue, this is a wide sandy path leading to the beachfront. It is posted with a RI CRMC right-of-way sign. It is heavily used during the summer months as a beach-access and used as a vehicular entry-point during the off season.

Site #8- Atlantic Avenue, Misquamicut- (*Town-designated*) This right-of-way is located at the very end of Atlantic Avenue, going west. It is, technically, the hurricane-eroded extension of Atlantic Avenue that once led to several summer cottages. There is a town sign posted, and a chained-and-posted entry-point. It has been historically utilized as a pedestrian and vehicular right-of-way, used heavily by the public both during the summer and in the off-season.

Site #9- Atlantic Ave, Misquamicut- (*Town-designated*). Located on the western end of Atlantic Avenue near pole #154, this is a ten-foot wide path to the shore, marked by a town ROW sign. It is bordered by a wooden fence and a thick growth of beach roses. There are private homes on both sides. This ROW is used moderately in the summer months as a beach-entrance.

Site #10- Atlantic Avenue, Misquamicut—(*State-designated ROW, RI CRMC #A-13*) Located near pole #91 near Atlantic Beach Park on the north side of the State Beach, between two buildings (Windjammer Lounge and a 3-story residential condominium). This right-of-way appears to coincide with a private parking-lot entrance. It is marked with a state shoreline access sign and appears to be utilized at least moderately in the summer season. It has also been used as a vehicular entry-point in the off-season.

Site #11 Atlantic Avenue, Misquamicut—(*State-designated ROW, RI CRMC #A-11*) Located near pole #72 on the east end of Atlantic Avenue, this right-of-way is marked and posted with a sign. It is well-marked and heavily-used in the summer season.

Site #12 Atlantic Avenue, Misquamicut—(*Town-designated, State-designated, RI CRMC #A-6*)- Located on the east end of Atlantic Avenue near pole #54, this right-of-way is a long sandy path to the beachfront. It is marked with a CRMC access sign and bordered with a snow-fence. This right-of-way has been used historically. It is used moderately in the summer season.

Site #13 Atlantic Avenue, Misquamicut—(*Town-designated, State-designated, RI CRMC #A-7*) Located on the east end of Atlantic Avenue (near pole #46), this right-of-way is

clearly posted with signs and appears to be used regularly in the summer season. It is a long sandy path bordered by a wood-framed, chain link fence.

With the help of CRMC personnel (Kevin Cute & Janet Freedman) several additional state-designated ROW's, previously not mentioned, were reviewed. These are included below. These ROW's may or may not be accessible, but they have been designated by the state as legitimate ROW's. In some cases, accessibility may be possible, however, and every effort should be made to clear them and open them to pedestrians.

Site #A-12, state-designated ---This ROW is located between telephone poles #19-20, and street numbers 601-611, at the Weekapaug end of Atlantic Avenue. The site is not passable. Starting from Atlantic Avenue, the ROW crosses Phragmites marsh, thick brush, a sand dune and a boulder revetment. The boulder revetment encroaches on the 'beach' to the east as depicted on a Westerly Plat map of 1909. The revetment impedes lateral access along the shore at high tide.

Site #A-8, state-designated---Moving from site A-12 along Atlantic Avenue toward Watch Hill, this ROW is located between telephone poles #29-30, and street numbers 563-567. The ROW is not passable at present. Starting from Atlantic Avenue, it crosses thick brush and a boulder revetment. The boulder revetment along this section of shoreline is approximately at the 'foot of bank', possibly encroaching on the 'beach' in places.

Site #A10, state-designated---This ROW is located between telephone poles #39-40, and street numbers 523-529, at the Weekapaug end of Atlantic Avenue. There is a walkway (private?) leading to the beach that is connected to a ground-level deck, adjacent to 529 Atlantic Avenue.

If the exact dimensions and location of this ROW can be determined, reopening it to public use should not be difficult.

Site #A-9, state-designated—This ROW passes through the Westerly Town Beach between telephone poles #80-81. Pedestrian access through this town-owned shorefront property is permitted.

Site #16A—West Beach Road, Charlestown—This ROW was not included in the initial list as it is located in Charlestown. It does, however, provide public water and boat access to Quonochontaug Pond, a portion of which is located in the Town of Westerly and a portion in Charlestown. This RI state access area has a boat-launch ramp and ample parking. It is located at the end of West Beach Road, adjacent to the Quonochontaug breach way in Charlestown.

WEEKAPAUG AREA—

Site #14 Atlantic Avenue, Misquamicut/ Weekapaug Bridge—(*State-designated (DEM) fishing area*) Located on both sides of the Weekapaug Bridge, these state-designated parking areas for fishing, allow fishermen and pedestrians access to the Breachway and

the shoreline. From the west side parking area, a vehicle-path leads along the Breachway to the shore. This is used in the off-season as a vehicular access for fishermen; it is used in the summer season as a pedestrian right-of-way to the Breachway and the shore.

Site #15 Spray Rock Road overlook, Weekapaug (sea-walled scenic overlook and shoreline access.) Located at a scenic bend in Spray Rock Road, this parking area (time-limited in summer) has been used as a scenic overlook and shoreline access for fishermen and surfers for many years. Parking in the off-season is not time-limited.

Site #16 Spray Rock Road, Weekapaug (*State-designated pedestrian and vehicular ROW*) Located at the north end of Spray Rock Road, abutting the Weekapaug Yacht Club, this gravel-to-sand road leads to the Quonochontaug breach-way (4X4 vehicles only on sand road to breach-way). By an agreement reached in Superior Court in 1997 (CA# 94-321/ dated 2-26-97) this roadway (with limited public parking near the entrance) is available to all residents as a pedestrian access-path and to property owners and other authorized vehicles (such as fishermen with permits) who wish to reach the shoreline or the Quonochontaug breach-way in Charlestown. Harbor Management members, town officials and concerned groups (such as fishermen) must continue to maintain and improve both pedestrian and vehicular right-of-way access to this Westerly/Charlestown shoreline area.

PUBLIC BEACH ACCESS

Site #17- Misquamicut State Beach, Atlantic Avenue. (RI Department of Environmental Management (DEM))—Located on the west end/south side of Atlantic Avenue, this is Rhode Island's largest state-owned beach with 3600 feet of frontage on the Atlantic Ocean. The parking lot and facilities (bathrooms, changing rooms, snack bars) are open for the summer season (Memorial Day to Labor Day) for an entrance fee; in the off season there is no charge for parking. Pedestrian access always welcome. The beach is part of 102 acres of state-owned land that also borders Winnapaug Pond.

Site #18- New Westerly Town Beach (Wuskenau), Atlantic Avenue, Misquamicut— Located just to the east of the State Beach, with parking on both north and south sides of Atlantic Avenue, this new town beach has almost 300 feet of beach frontage and is open to the general public for a fee. Facilities (bathrooms, showers, changing rooms, concessions) available. Lifeguards on duty during summer season.

Site #19 Westerly Town Beach, Atlantic Avenue, Misquamicut—Located on the south side of Atlantic Avenue, also east of the State beach, abutting an RV park, this 10-acre beachfront property has 550 feet of ocean frontage. Attendance is restricted to permitted Westerly taxpayers. Two parking lots available, on north and south sides of Atlantic Avenue, 400 total parking spaces. The beach pavilion has facilities (showers, bathrooms, concessions). Lifeguards on duty during the summer season.

BOATING, FISHING AND SCENIC ACCESS

Site #20- Main Street Boat Launch, Westerly—(*State-owned*) Located on the Pawcatuck River, near Westerly's Town center on Main Street between Union and School Streets, this concrete boat launch is in excellent condition and has ample parking for vehicles and trailers. No fee.

Site #21- Viking Marina, Margin Street, Westerly—(privately owned) Located off Margin Street on the tidal portion of the Pawcatuck River, this is a privately owned marina with one small boat ramp available for public use for a fee. The ramp is 10 feet wide. Public parking is located one-half mile away.

Site #22- Margin Street Launch, Westerly—(town-managed) Located on the right as you pull into the Westerly Marina, the Margin Street Launch is a town boat ramp, restricted to use by town residents. Parking is available on site for 15 to 20 cars with trailers. No fee for Westerly residents. (*the boat launching ramp should be upgraded.)

Site #23- River Bend Cemetery, Scenic access—Located on Beach Street (Rte 1A). This beautiful old cemetery does not offer ideal access to the river (though it does have an old boat launch area) but there are great scenic views and interesting, ornate gravestones. Excellent for birders. Park on interior roads only.

Site #24- Frank Hall Boatyard, Avondale (privately-owned)--Located on India Point Road on the Pawcatuck River in Avondale. Dockage and parking for a fee.

Site #25- Lotteryville Marina, Avondale (privately-owned)—Located on Avondale Road on the Pawcatuck River, this very old marina has a boat ramp available to nonmembers during the week for a fee. Parking is limited on week-ends.

Site #26 – Avondale Boat Yard, 47 Avondale Road (privately owned)

Site #27- Watch Hill Boatyard, Watch Hill (privately-owned)—Located on Pasadena Avenue at Colonel Willie's Cove (Pawcatuck River), this site offers public access: boat ramp, moorings, transient docking and parking, for a fee. Parking sometimes difficult in summer on week-ends.

Site #28- Watch Hill Dock, Watch Hill—Located off Bay Street in Watch Hill village, this Watch Hill Fire District dock (run by the Frank Hall Boatyard) is available for pick-up, drop-off and temporary tie-up of small watercraft. A waterfront park with benches is nearby. Public parking nearby is time-limited.

Site #29- Watch Hill Lighthouse, Watch Hill—Located on Larkin Road/ Bluff Avenue, pedestrians (handicapped or seniors in vehicles) may access this granite lighthouse, built in 1856, to fish from the seawall or experience the beautiful views of the coastline. Lighthouse museum open two half-days/week. No parking available, though there is parking within walking distance used heavily by fishermen in the off-season.

3. ISSUES

**Some access-points are overgrown, partially obstructed, or without proper identification and care:*

Site #2—Waters Edge South. The launching ramp is ill-maintained and the right-of-way has been narrowed by growth on one side and large rocks on the other. Lack of nearby parking will limit the use of this site but it should be fine for kayaks and small boats.

Site 2A---Waters Edge North. The present fence is fine as a travel barrier. But, the site is not maintained. Undergrowth blocks access to the riverbank and completely obscures the state-line marker.

Site #4/ Bluff Avenue—A narrowing pathway, with some large rocks, make it difficult and possibly dangerous to pass, especially when carrying beach chairs, coolers, surfboards and/or other items.

**Some access points have unrealized potential for access:*

Site #1—Avondale Road—There may be space enough for parking and if the wharf and ramp were upgraded this could be a public boat launch site (for small boats) much closer to Little Narragansett Bay than the state boat launch area in downtown Westerly.

Prospective site #1---Meadowlark Drive—This undeveloped town road leads to the Pawcatuck River and what appears to be an old launching ramp. By itself, it has limited potential but it is adjacent to the town-owned sewer plant, where there may be under-utilized land. This land could be developed for parking and other uses, if the town agrees.

Prospective site #2—Avondale Road—This land may be mostly wetlands but could be developed as a visual access site, for bird-watching, etc., and possibly some walking access. It is presently owned by the Westerly Land Trust and is marked as a Right of Way (R/W) on the Town plat maps.

Prospective sites (and ideas) to salt ponds —There is no public boat access to the salt ponds (Winnapaug, Quonochontaug, etc.). The entire shoreline should be studied for such locations.

**Some public access points have been lost or diminished by 'privatization':*

Examples: there are two town-designated sites in Misquamicut, one entering Winnapaug Pond and one located, supposedly, just west of Winnapaug Road on Atlantic Avenue. Apparently, these sites have simply been blocked or obscured. There is also a site in Watch Hill, off Wapan and Arraquat Roads, that the town ROW book identifies as a public access point, but, after a close inspection, there is no apparent sign of it; this site has either mistakenly identified or has been erased by privatization.

**Some public access-points have been used but never officially listed:*

Examples of such sights are Snowberry Lane, Salt Pond Way, Egret Lane. These sites, and others listed in the Prospective Sites section, lead to Winnapaug salt pond and are therefore potential public access-points.

4. POLICIES

- All ROWs must be proven to be public or private
- The Town shall not allow any future ‘privatization’ of existing public access points.
- The Town will actively support efforts to maintain and protect all public access points to the shore.
- Where necessary, the town will support the physical improvements of the shoreline access areas on a priority basis to ensure safe and easy access.
- The Town will support and encourage the efforts of the Planning Board in the creation of new access points for all new waterfront development.
- The Town will support the participation of citizens and community organizations in the physical restoration, upgrading and maintenance of rights of way. (As it did by officially enacting the CRMC’s Adopt-An-Accessway program in 2008).
- The Town will examine possibilities for the acquisition, through donation or purchase of lands adjacent to access points, for open space and recreation as funds become available, including acquisition for public dock space wherever feasible.
- The Town should not abandon or ignore any public shoreline access points.
- The Town should continually explore the potential for additional public shoreline access points, including municipal paper streets (streets shown on maps), dedicated easements,, buried cables, washed-out town roads, etc.

5. RECOMMENDATIONS

PA1- The Harbor Commission should continue its efforts to determine which public access points need improvements. These areas should be prioritized and targeted for improvements to ensure safe access to the shore. The Harbor Commission should work with all appropriate town agencies (Town Council, Planning and Zoning Boards, Town Administration, Economic Planning Committee, etc.) to seek funds for improvements.

Action Agents: Harbor Commission, Town Council, Town Administrators, Harbormaster, all related committees and councils.

Time Frame: Ongoing

The town should improve the following sites:

Site #1—Avondale Road—the ramp should be improved, the stone wharf upgraded or replaced with a floating dock. The site should be surveyed and measured, cleared and, if possible, partly surfaced for parking, the remainder landscaped.

Prospective Site #1—Meadowlark Drive---The Commission should find out if the land surrounding the sewer plant is reserved for expansion or upgrade. If it is not, the Town should develop a plan for a launching ramp here, possibly a public dock. The entrance would be from Meadowlark Drive, parking could be on what is now sewer department property. The site could be landscaped to separate it from the sewer plant and the neighbors.

Prospective site #2---Avondale Road—The Commission is exploring possible access here, with the Westerly Land Trust, the current owner, who may have similar public access interests.

Prospective site (idea) #6 Salt Pond Way, et al—Winnapaug Pond—The town should establish and develop a small-boat launching area into Winnapaug Pond, at one or both of the town-owned parking lots opposite the town beaches on Atlantic Avenue. Although the water is too shallow for deep-keel launching, small boats such as kayaks, canoes, sailfish, etc., could easily access this pond. A path to the pond, a minimal launch ramp, a small floating dock and signage is all that is needed here.

PA2- The Harbor Commission should coordinate with Town Administrators on a plan for long-term maintenance of rights-of- way, including: regular site checks, regular trash removal, periodic mowing and/or removal of obstructions and/or landscape improvements.

Such programs as the CRMC-sponsored Adopt-An-Accessway program, which will provide oversight to rights-of-way in town, especially those that lead to beaches, should be continued and supported. Also, where needed, signs to identify each right-of-way should be erected and illegal ‘no parking’ signs should be removed.

Action Agents: Harbor Commission, Town Administrators, Harbormaster, Adopt-An-Accessway participants (East Beach Association, Conservation Groups, RI Mobile Sports fishermen, Save the Bay, etc.) and other related community agencies.

Time Frame: Ongoing

The town should improve the following sites if feasible:

Site #4—Bluff Avenue—Rocks creating blockage in the path should be removed, the accessible path widened and made more easily traversable.

Site #2—Waters Edge South—The ramp should be upgraded and the brush and rocks removed to clear the full authorized width. It should be possible for cars to turn around without encroaching, or entering, neighboring properties.

Site #2A—Waters Edge North—The site should be cleared and landscaped with grass or gravel. The site should be developed to provide visual access to Foster Cove, Little Narragansett Bay and the Pawcatuck River, and pedestrian access to the state boundary marker. A sign describing the marker should be erected .

PA3- Waterfront development should not restrict or diminish public access. The Town shall require that new or expanded developments provide some form of public access (such as boardwalks, walls or walkways) to compensate fully for any interference with or loss of access.

Action Agents: Town Council, Town Administrators, Planning and Zoning Boards, other related agencies.

Time Frame: Ongoing

PA4- The Town should begin planning for a public dock. There is no public dock in Westerly at this time. The Town should seek out appropriate and feasible locations for a public dock.

Action Agents: Harbor Commission, Town Planner, Planning Board, Harbor Master, Town Administrators, appropriate fire districts or boards.

Time Frame: Ongoing

PA5- Inventory paper streets (map reviews), dedicated easements, and buried utilities as they may provide opportunities for potential new public access points.

Action Agents: Harbor Commission, Town Council, Administrators, Dept. of Public Works.

Time Frame: Ongoing

PA6- Continue to identify shoreline public access points for potential to be designated as such by RI CRMC.

Action Agents: Harbor Commission, Town Council, CRMC sub-Committee.

Time Frame: Ongoing.

PA7—Submit all town-designated access points to RI Coastal Resources Management Council for state review and designation.

6. PROSPECTIVE FUTURE SITES AND SITE IDEAS:

Prospective site #1/ Meadowlark Drive—(town-designated)-Located at the river-end of Meadow Lark Drive, this site could easily be included in the above site list without much research, but there are some questions about its borders, abutting owners, etc. The site, once fully listed, is a good site for possible public use, public dock, parking lot, etc. It has been ignored as an access point for several years. The Harbor Commission should determine whether the land surrounding the sewer plant is reserved for expansion or upgrade. If not, the Town should develop a plan for a launching ramp here, possibly a public dock. The entrance would be from Meadowlark Drive, parking could be on what is now sewer department property. The site could be landscaped to separate it from the sewer plant and the neighbors.

Prospective site #2-- Avondale Road- (Town-designated) Located between Champlin Drive and Watch Hill Road, bordering Colonel Willie Cove, this ROW is a small peninsula of land (owned by the Westerly Land Trust). There is currently no sign. As

noted in the town ROW book, there is land for parking nearby, but this is also unidentified at present. In a residential neighborhood, the ROW is noted on town plat maps. Though used minimally at present, this could be utilized as a wildlife-viewing site, but its true boundaries would first have to be accurately determined and the cooperation of the Westerly Land Trust enlisted.

Prospective Site #3- Winnapaug Road, Misquamicut—(Town-designated—*research needed*) Located near the intersection of Atlantic Avenue and Winnapaug Road, near the Sea Shell Motel, this ROW leads to Winnapaug Pond and it is difficult to locate. It is described in the town's list as being 'so close to a major recreation facility, no development or further action is recommended at this time.'

Prospective Site #4/ Atlantic Avenue, Misquamicut—(Town-designated—*research needed*) Town lists this as 'located just west of the intersection of Winnapaug Road and Atlantic Avenue.' It could not be located. Further study is necessary.

Prospective Site #5/ Salt Pond Way—(town road? town-designated? *research needed*) Located off Cove Road in Weekapaug, this pond entrance appears to be a public launching area abutting the shore end of a town road, but there is a sign posted stating it is '*not a public launch*'. There is no group of individual identified on the sign. More study is needed to clarify this shoreline access-point. (It could be that because this area is at the end of a town road, public access to the pond (public trust) is automatically assigned, but abutting property owners do not want a public launch here.)

Prospective Site #6/ Winnapaug Road, Misquamicut—(Town-designated—*research needed*) Located near the intersection of Atlantic Avenue and Winnapaug Road, near the Sea Shell Motel, this ROW leads to Winnapaug Pond and it is difficult to locate. It is described in the town's list as being 'so close to a major recreation facility, no development or further action is recommended at this time.'

Prospective Site (idea) #7--A public river-walk, beginning along the Pawcatuck River near the downtown area, has been discussed by numerous agencies and councils (Westerly Land Trust, The Economic Planning Committee, etc.), including the Harbor Management Planning Commission, and this idea has been generally accepted as a desirable goal for the town. Though no specific plans have yet been presented, the idea should be reviewed by the Harbor Management Planning Commission and other groups as a desired addition to public access. An actual proposal should then be made, outlining location, dimension specifics, work plans, timelines, etc.

Prospective Site (idea) #8—Improvements in the use of the main waterways for transportation and/or recreational purposes, especially public transportation. Adding public dock space to the rivers, bays and/or coves of the Westerly area should be viewed as a desired goal as well, since Westerly has not utilized its waterways for public transport since the early 1900's. The Town should review the feasibility of constructing public docks on Town owned or acquired properties.

Prospective Site (idea) #9---Improvements in the use of the salt ponds for small boat-launching and small boat access. There are several points, including pond-side areas behind the Town and State beaches that should be investigated for this purpose.

Prospective Site (idea) #10---Several potential public access sites on the Winnapaug salt pond should be investigated for access as well. These include: Snowberry Lane; Egret Lane; et al.

Prospective Site (idea) #11—Westerly Town plat 86/ lots 56 & 61. This is town-owned riverfront property on Margin Street (upriver from the Town sewer plant) that should be considered as a potential town dock site. It is mentioned in the Comprehensive Plan.

The Town will engage CRMC in the investigation of all potential ROW listed as Prospective Future Sites.

HARBOR FACILITIES AND BOAT RAMPS

Harbor Facilities consist of public, private, and commercial marinas, yacht clubs boatyards docks and boat ramps.

1. FINDINGS

Publicly Owned Structures

The State owns a launch ramp and pier on Main Street in Downtown Westerly. There is parking for approximately 40 cars with trailers.

Privately Owned Structures.

Shelter Harbor Fire District

Shelter Harbor Fire District has 75 private moorings at Groves dock on the Northern shore of Quonochontaug Pond just west of the Charlestown line. There are no slips, two docks and a swimming dock. There is a private boat ramp that accommodates boats up to 26 feet. The facility is accessed by a dredged channel. There is no fuel available and no pump-out facility. There are twenty parking spaces for Shelter Harbor residents only.

Weekapaug Yacht Club

Weekapaug Yacht Club is located on the Southwestern shore of Quonochontaug Pond. There are no docks or slips available to the public. There is a private launch ramp. Boats up to 24 feet can be launched at this ramp. This facility is accessed by dredged waters; minimum approach depth is approximately 5 feet. There is no fuel available. There is no pump-out facility here or anywhere on the pond. On site there are 20 parking spaces for Yacht Club Members. The Weekapaug Yacht Club seasonally maintains its' own aids to navigation. There are 73 moorings for vessels between 10 and 22 feet, some are privately owned and some are owned by the Yacht Club.

Weekapaug Fire District

Weekapaug Fire District has 28 slips on the East side of the breach way into Winnapaug Pond. There are no moorings. There is a boat launch for vessels up to 24 feet for use by Fire District members. There is a defined Marina Perimeter. There is neither fuel available nor pump-out facility. There are parking spaces for 28 to 30 cars.

The Watch Hill Fire District Docks

The Watch Hill Fire District docks are located in Watch Hill Harbor on the eastern most edge of Little Narragansett Bay. Comprised of three sets of docks; The Watch Hill Dock, The Plympton Dock and the Maxon Dock, the Watch Hill Fire District Docks are leased out and operated as a public docking facility. There are approximately 16 seasonal slips and 6 transient slips which are open to the public on a first come, first served basis. In addition, there is a dinghy float which provides free public access to the shoreline. The facility has a Defined Marina Perimeter. There is no gas or diesel fuel available. The Watch Hill Docks are serviced by the Westerly Pump-out Boat. Parking for the Watch Hill Docks is located at the northern edge of the harbor. This is a designated parking lot which accommodates approximately 25 cars.

Watch Hill Yacht Club

The Watch Hill Yacht Club is a private yacht club located at the south eastern edge of Little Narragansett Bay. The Watch Hill Yacht Club has one slip for the WHYC launch and a float approximately 140 long for the temporary dockage of small boats. The lower level of the clubhouse deck provides temporary docking space for four vessels. Roughly 14 small boats are dry stacked on a moored floating dock at the facility as well. The Watch Hill Yacht club has a Defined Marina Perimeter and is accessed through a dredged channel. There is no fuel available. Boats at the Watch Hill Yacht Club are serviced by the Westerly Pump-out Boat. Parking is located in a designated lot south of the Club. This lot has a 46 car capacity. In addition, there is a remote lot located on Larkin Road that accommodates approximately 18 cars and 5 boat trailers.

The Yacht Club owns and controls a dinghy dock used by the Junior Sailing association, a string mooring capable of holding five small boats (17 feet or under), five visitors moorings in the outer harbor West of the North South entrance channel, four moorings East of the channel and six moorings in Watch Hill Cove. There are approximately 100 private moorings in Watch Hill Harbor, most of them owned by Yacht Club members.

Watch Hill Boat Yard

Watch Hill Boat yard is located at 21 Pasadena Avenue and is accessed through a marked channel into Col Willie Cove at R4 at the mouth of the Pawcatuck River. It is a full service marina with onsite land storage during the winter months. There are 81 slips on four separate docks. It includes a boat launch ramp. Neither gas nor diesel is available. There is a Defined Marina Perimeter with 27 moorings. There are parking spots for 92 cars. Watch Hill Boat Yard is serviced by the Westerly Pump-out Boats.

Avondale Boat Yard

Avondale Boat Yard is located at marker C7, on the Pawcatuck River. Avondale Boat Yard is a full service marina with onsite land storage during the winter months. There are 96 slips. There is no boat launch available at this facility. Avondale Boat Yard does have

a Defined Marina Perimeter. Both gas and diesel fuels are available as is a MSD pump-out facility. Parking is undesignated; exact parking numbers change seasonally with the onsite storage of boats. There are currently 3 moorings with permits issued for a total of 10.

Lotteryville Marina

Lotteryville Marina is a marina located between C7 and C8 on the Pawcatuck River. There are 3 docks with a total of 75 slips at this facility. In addition, there are 15 outhauls. There is a launch ramp which can accommodate vessels up to 30 feet. Lotteryville Marina does have a Defined Marina Perimeter. There is no fuel available at this facility. Parking is on site and totals 75 spaces. The Westerly Pump-out Boat services boats at this marina. Lotteryville Marina has a total of 20 moorings which can accommodate vessels up to 40 feet.

Frank Hall Boat Yard

Frank Hall Boat Yard is a full service marina located at N8 on the Pawcatuck River. There are 2 dock structures with a total of 110 slips. There are 17 moorings with a permit total of 18. There is a 35 ton Marine Travelift at this facility. There is no launch ramp. Frank Hall Boat Yard has a Defined Marina Perimeter. There is no fuel available. Vessels at this site are serviced by the Westerly Pump-out Boat. There is a maximum of 130 parking spaces which are undesignated and change seasonally with the onsite storage of boats.

Gray's Boat Yard

Gray's Boat Yard is located at 91 Watch Hill Road Gray's Boat Yard has a total of 78 slips over 5 docks. The facility has a boat launching ramp which can accommodate boats up to 33 feet. The launching ramp is for use by the boat yard and its customers only. The marina has a Defined Marina Perimeter. There is no fuel available at this site. The Westerly Pump-out Boat services this marina. There are 52 parking places on site. Gray's Boat Yard seasonally maintains aids to navigation. There are 3 moorings which can moor vessels from 19' to 32'.

Westerly Yacht Club

Westerly Yacht Club is located on the Pawcatuck River just above the narrows at Pawcatuck Rock and just below where the River widens dramatically into Thompson Cove. It has seven finger docks aggregating 251 boat slips and 21 moorings offshore just east of the Federal channel. It has its own pump-out facility open to the public. There is fuel available.

Westerly Marina

Westerly Marina is located at 41 Margin Street in the Town of Westerly on the Pawcatuck River. There are 50 slips on two separate docks. There is a public launch ramp for residents of Westerly; capacity unknown. There is no fuel available. The Westerly Pump-out boat services this location. There are 100 undesignated parking spaces. There are no moorings. A defined Marina Perimeter application is in process.

Pier 65 Marina

Pier 65 Marina has 15 slips, no moorings. It has a Travelift. No fuel is available. The Westerly Pump-out boat services the facility. There is limited parking.

Viking Marina

Viking Marina is located at 19 Margin Street, the most Northern marina in Westerly on the Pawcatuck River. The site has 50 slips on one floating dock, no moorings. There is a 25 Ton Straddle Lift, a boat launch ramp, and onsite land storage during the winter. There is no fuel available. The Westerly Pump-out boat services the facility. There are sixty parking spaces.

Commercial Fishing Facilities - There are no commercial fishing facilities in the Town of Westerly

Boardwalks - There are no Boardwalks in the Town of Westerly

Swimming Areas - There are no formally designated swimming areas in the Town of Westerly. There are areas that have been buoyed off by some of the beaches that delineate areas of which boaters must avoid.

Windsurfing - There are no official areas that are exclusive to windsurfing. Historically, windsurfing has been enjoyed in several areas off of Misquamicut Beach, Watch Hill Beach, Napatree Point and Winnapaug Pond to name a few.

Turning Basins – There are no Turning Basins in the Town of Westerly.

Special Anchorage Areas – Watch Hill Cove and Thompson Cove are designated Special Anchorage Areas.

Municipal Shoreline Zoning District – There are no Municipal Shoreline Zoning Districts in the Town of Westerly.

**SUMMARY OF DOCKS, SLIPS AND MOORINGS IN THE TOWN OF
WESTERLY (2015)***

LOCATION	DOCKS	SLIPS	MOORINGS
PRIVATE DOCKS (CRMC LIST)			
Individual			
Winnapaug Pond	55		
Weekapaug	29		42
Quonochontaug	2		
Shelter Harbor	27		
Pawcatuck River	90		
Colonel Willie Cove	15		19
Fisher Island Sound	1		
Other			
Shelter Harbor Fire District	2		75
Weekapaug Yacht Club			73
Weekapaug Fire District		28	
Watch Hill Fire District		22	
Watch Hill Yacht Club	3		73
Watch Hill Cove- privately owned			48
Watch Hill Boat Yard		81	27
Avondale Boat Yard		96	3
Frank Hall Boat Yard		110	18
Gray's Boat Yard		78	3
Westerly Yacht Club		251	21
Westerly Marina		50	
Pier 65		15	
Viking Boat Yard		50	
Watch Hill – Breakwater West			6
TOTAL	224	781	336

*To be updated based on 2019 registration numbers

TRANSIENT ANCHORAGE

I. PRIVILEGES AND RESTRICTIONS:

Transient anchorage is a privilege given to all boaters through the public trust doctrine. All open waters are under the ultimate control of State and the Federal Governments. All boaters have the right to safely anchor in areas that are not protected or restricted by these governments and their appropriate agencies (Army Corps of Engineers, Coastal Resources Management, Departments of Environmental Management, etc.) for reasons of safety, water quality and/or environmental protection. Such restrictions may be assigned either permanently or temporarily for a wide variety of reasons, some of which are identified in the sections that follow:

- a.) Boaters may anchor in coastal areas of local waters except in federal navigation channels, navigation fairways, government protected shellfish transplant beds (aquaculture), legal mooring fields, legally identified swimming areas, right-of-way ingress and egress areas, boat-launching areas and other locations as may be identified by appropriate government agencies.
- b.) No vessel anchored under such conditions shall be left unattended in the nighttime hours between sunset and sunrise. Owners and/or operators of such vessels may go ashore, but must be available to tend to the vessel in the event of heavy weather.
- c.) It shall be the vessel owner's and/or operator's responsibility to remain clear of all moored vessels and other protected areas or structures as identified in the above section a.)

There are at least two areas used for transient anchorage near the shores of the Town of Westerly: 1. Little Narragansett Bay, north of Napatree Point 2.) Little Narragansett Bay on the northeastern side of Sandy Point.

These are very popular anchorage areas in the summertime. Anchoring in these areas falls within the public trust doctrine laws, as long as transient users follow the rules outlined above.

- a.) Little Narragansett Bay, just north of Napatree Point, has been a highly-used anchorage area for many years. On busy week-ends, as many as 200 boats could anchor here. It is, therefore, imperative that all state and federal guidelines are followed, and all enforceable local laws are obeyed.
- b.) Sandy Point has also been a highly popular anchorage area that accommodates many boats on a busy summer week-end. It is imperative that this area be

monitored closely, that state and federal guidelines for use are followed *and all enforceable laws obeyed.*

It is not the intent or purpose of this Harbor Plan to eliminate or discourage the use of these areas by boaters. But, it is the purpose of this Harbor Plan to clearly outline the laws and rules that should be followed in order to insure the continued and future use of these areas by visiting boaters. Most of those rules have been identified in the sections above. The Westerly Harbor Commission will meet with all appropriate agents of state and federal governments whenever necessary in order to coordinate efforts and insure that these highly popular anchorage areas remain open for continued use.

PUMP-OUT BOATS AND STATIONS

To protect against the dumping of human waste into our local waters, the town of Westerly has employed the use of pump-out boats and pump-out stations. A pump-out station on the Pawcatuck River at the Westerly Yacht Club may be used by anyone, free of charge. Avondale Boat Yard has a pump-out station, there is a fee. At least one pump-out boat circulates through the river and harbors (*May thru October*) on busy days. More boats will be added according to state requirements. (VHF marine channel 8). *It is against state law to dump any kind of pollutant into public waters, except by permit. Violators will be fined.* The Harbor Commission would like to establish more free and accessible pump-out stations.

CONSERVATION AREAS

Currently, the Rhode Island Department of Environmental Management is monitoring (by Memorandum of Understanding—MOU) two privately-owned conservation areas, one on Napatree Point (on lots owned by WHFD and WH Conservancy) and the other on Sandy Point, also owned by a private organization (*Avalonia Corp.*). These areas have been declared important to the survival of several ‘threatened’ species, including the piping plover and the least tern. These projects, while on-going because of the enlistment of official (*US Fish & Wildlife*) services by private agencies, will not, in any major way, impact shoreline and water rights, as long as citizens use waterways and public anchorage areas responsibly.

FUTURE RESTRICTIONS

All future restrictions to these waters must be approved by state and/or federal agencies. The imposition of any major restrictions on these open waters are appropriate only when it can be clearly shown that such restrictions are necessary to protect the environment (*and/or to ensure*) the health and safety of (*citizens*).

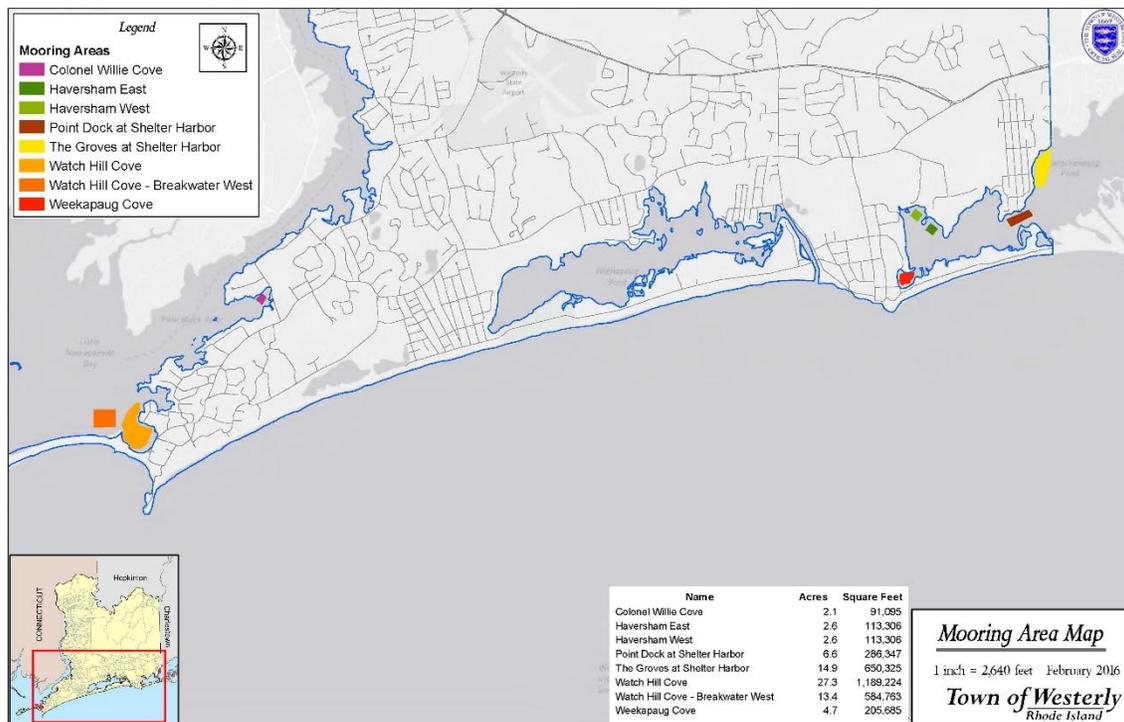
MOORING MANAGEMENT

FINDINGS

There are approximately 440 moorings in the Town of Westerly; several in the Western half of Quonochontaug Pond, a few in Winnapaug Pond, and the majority are located along the Rhode Island side of the Pawcatuck River including Little Narragansett Bay.

None are publicly owned.

IDENTIFIED MOORING AREAS*



*Map to be updated once proposed mooring field maps are approved by CRMC.

There are eight identified mooring areas in the Town of Westerly prior to June 1, 2019. Resolution 18/19-158 adopted by Town Council on June 17, 2019 authorizes the Harbor Master to temporarily grandfather specific moorings in Breakwater West for as long as the current permit holder qualifies for renewal, on the condition that the owner provides verification that the mooring was installed prior to September 1, 2015. No other additional mooring permits will be granted within the transient anchorage area known as Breakwater West.

Details of the individual fields are as follows:

I. Quonochontaug Pond

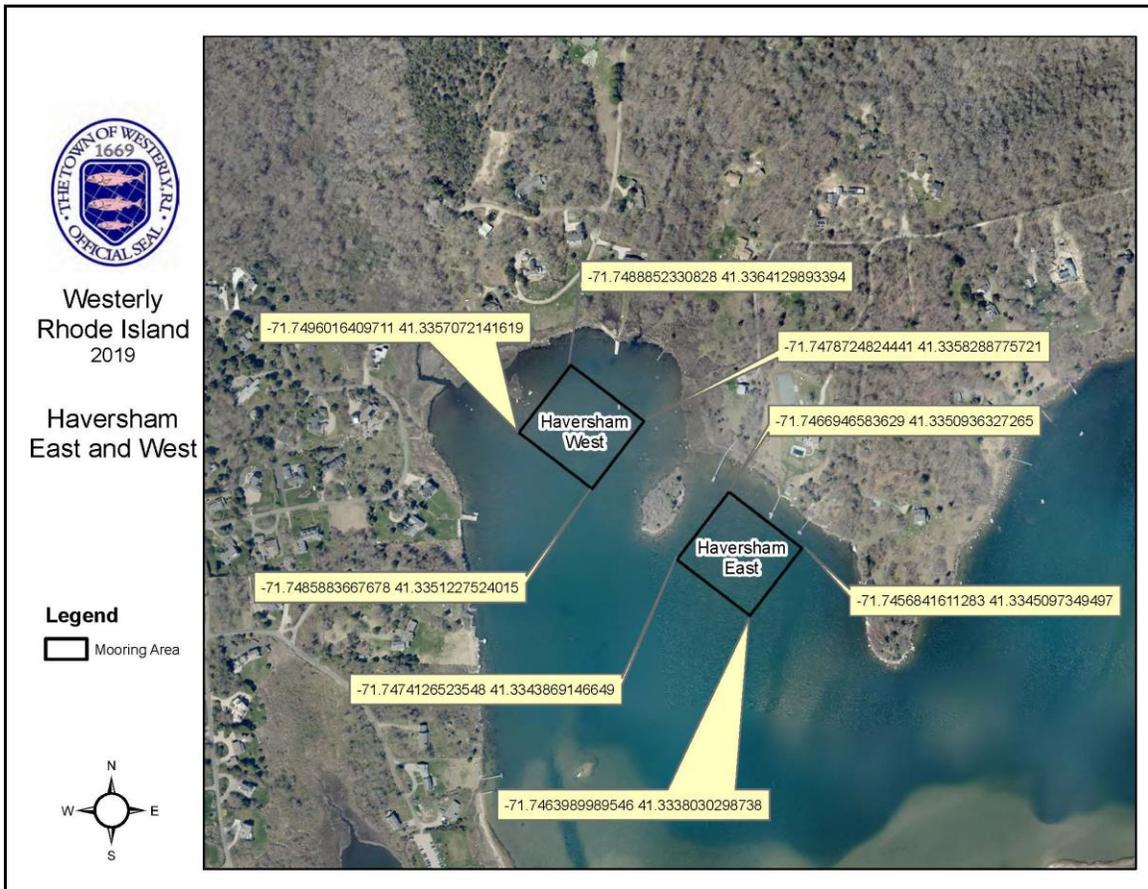
The Westerly portion of the Quonochontaug Pond is completely surrounded by private property which includes Weekapaug, Shelter Harbor, and the Haversham areas. The only public access is from the Charlestown end of the pond adjacent to the Quonochontaug Breach Way, on West Beach Road.

There are 27 riparian/non-riparian moorings in the Westerly half of Quonochontaug Pond. Additional review is needed to determine the total riparian and non-riparian moorings in this area. Note: Data as of 2015. Mooring data will be updated after 2019 data analysis is completed.

A. Haversham West

B. Haversham East

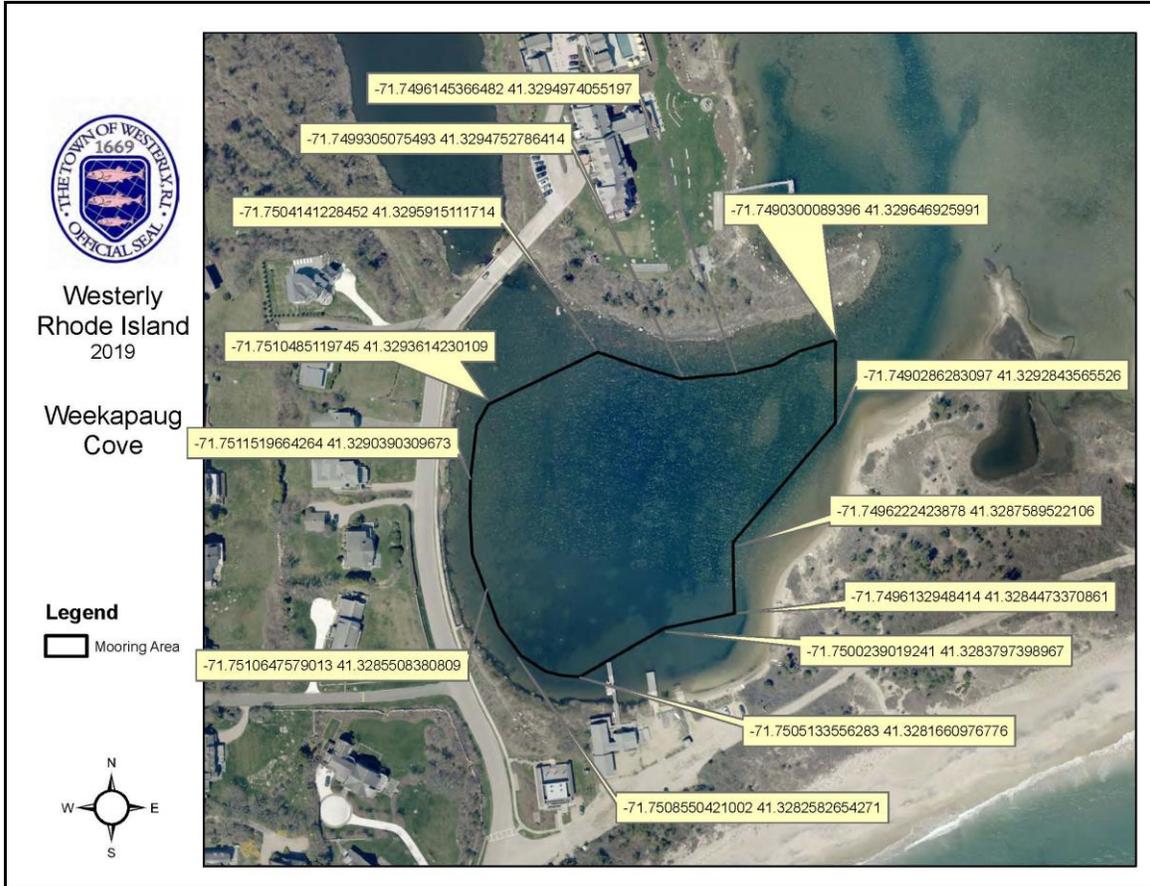
Proposed 2019 Mooring Area Map:



C. Weekapaug Cove

There are 73 moorings at the Weekapaug Yacht Club which is located at the southwestern end of the Pond. All the moorings are currently owned by the Club, or its members, who come from the five Fire Districts surrounding the Quonochontaug Pond. The Club has a volunteer Harbormaster, has mooring standards and inspection requirements. The Club assigns vacant moorings. Note: Data as of 2015. Mooring data will be updated after 2019 data analysis is completed.

Proposed 2019 Mooring Area Map:

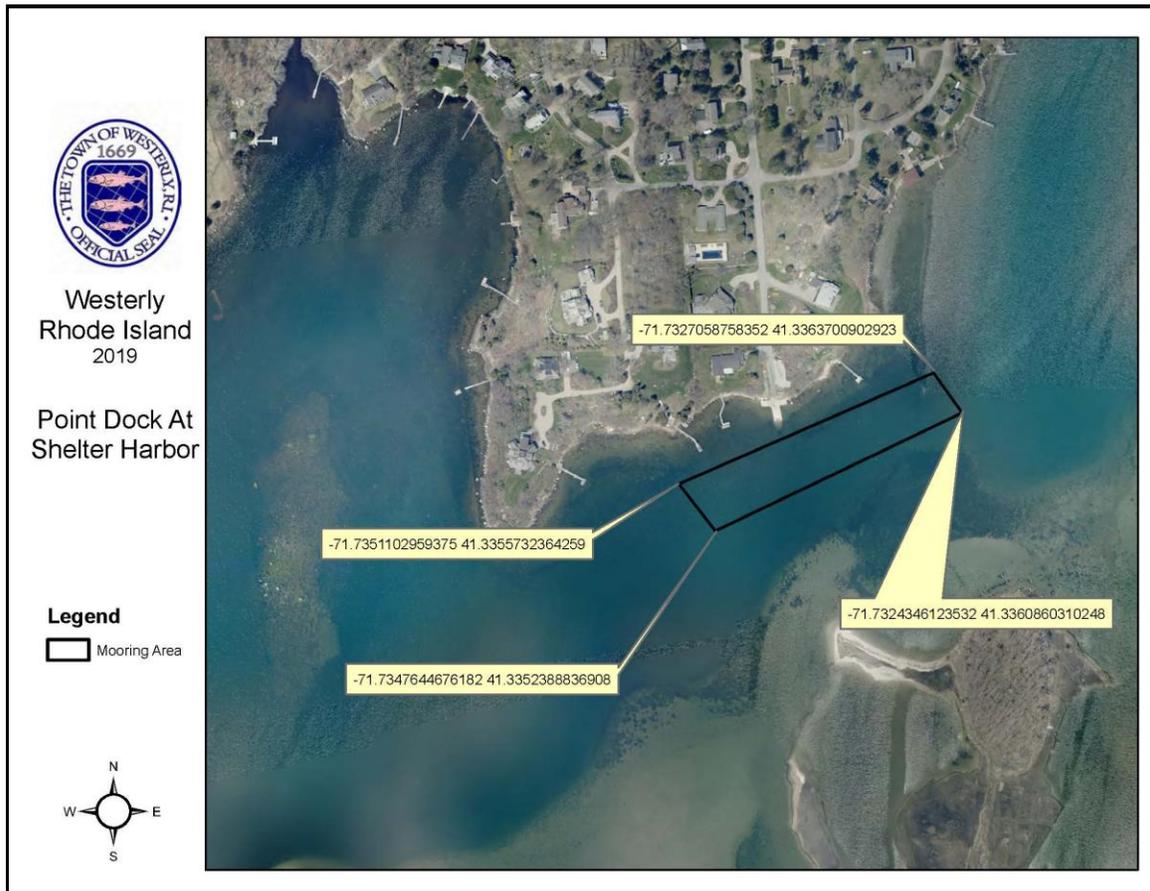


D. Shelter Harbor

There are 103 moorings operated by the Shelter Harbor Fire District at Groves's Dock and Point Dock which are located on eastern and northern shores just west of the Charlestown line. All the moorings in this area are currently owned by residents of the Shelter Harbor Fire District. The Fire District has a volunteer harbormaster. Note: Data as of 2015. Mooring data will be updated after 2019 data analysis is completed.

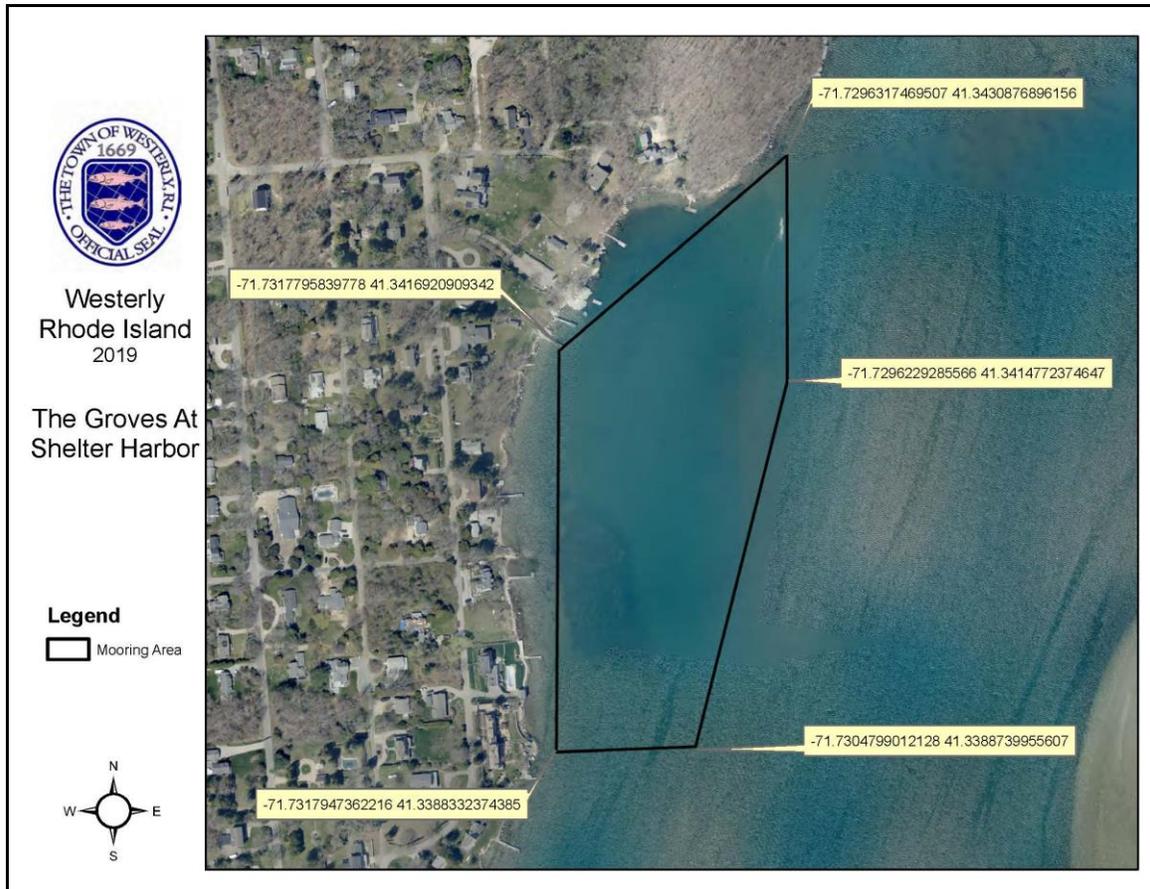
1. Point Dock at Shelter Harbor

Proposed 2019 Mooring Area Map:



2. Groves at Shelter Harbor

Proposed 2019 Mooring Area Map:



II. Winnapaug Pond and the channel leading to the Weekapaug Breachway

There are no mooring fields in Winnapaug Pond. There are a number of moorings located in this area which are all Littoral moorings. The number of moorings has not been documented to date.

III. Pawcatuck River

Along the Rhode Island side of the Pawcatuck River there are 64 Commercial moorings with defined marina perimeters; 3 at Avondale Boat Yard, 20 at Lotteryville Marina, 17 at Frank Hall Boat Yard, 3 at Gray's Boat Yard, and 21 (though not verified) at the Westerly Yacht Club.

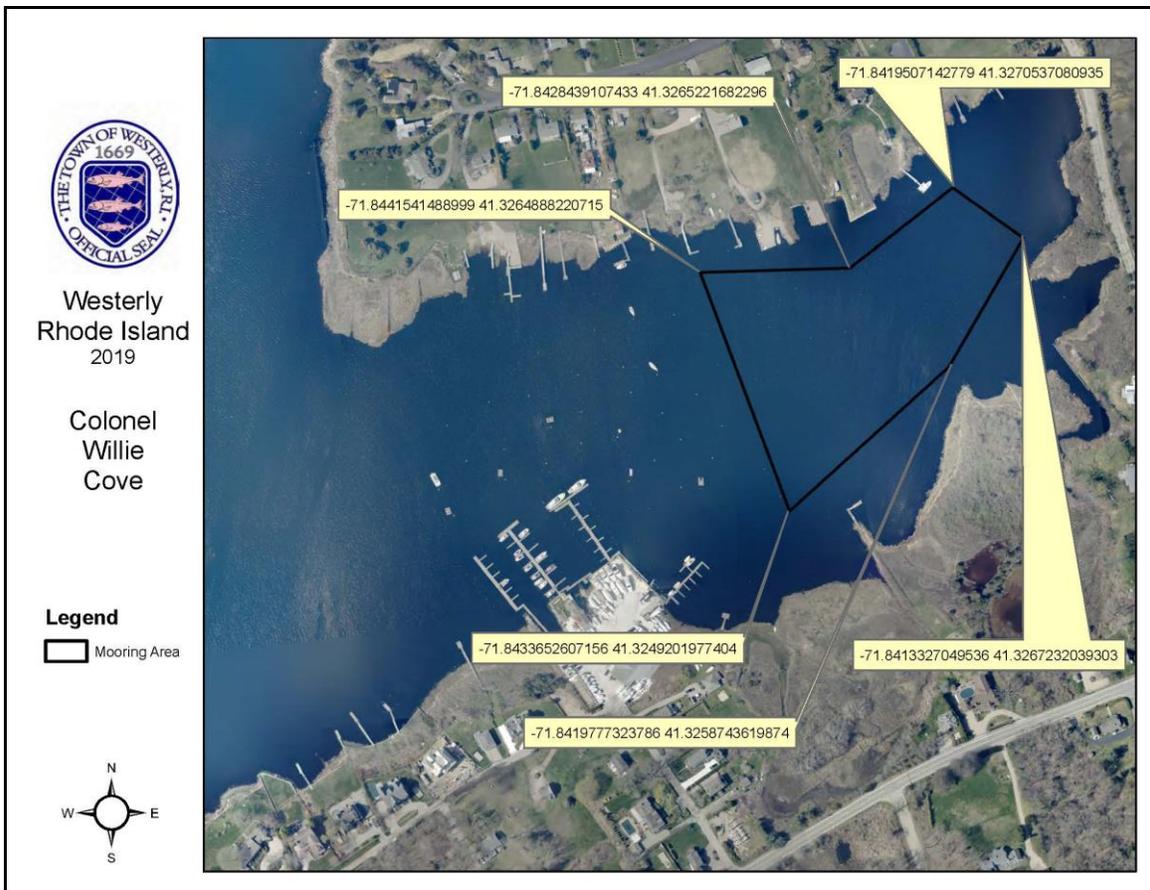
There are 27 littoral moorings along the Pawcatuck River on the Westerly side.

There are also marinas and individual moorings along the Connecticut side of the River.

A. Colonel Willie Cove

Colonel Willie Cove is a multi-use cove. Much of the cove is utilized by Watch Hill Boat Yard, which has 27 moorings within the guidelines of their Marina Perimeter Permit. There are 15 riparian docks located at the north side of the cove. There are approximately 23 privately owned moorings in this area, the majority of which are owned by residents of Champlin Drive. There is a homeowner's association which owns two lots and a deeded private road on this cove which allows residents access to this area. Additional information is needed to determine the number of riparian and non-riparian moorings. Note: Data as of 2015. Mooring data will be updated after 2019 data analysis is completed.

Proposed 2019 Mooring Area Map:



B. Thompsons Cove which includes the Westerly Yacht Club

C. Mastuxet Cove

D. Potter's Cove

E. Babcock Cove

F. One Unnamed Cove

IV. Little Narragansett Bay

Napatree Point which forms the southern boundary of Little Narragansett Bay is made up of lots which are privately owned. The Watch Hill Fire District and the Watch Hill Conservancy own the majority of these lots. There are seven privately owned lots, one owned by the State of Rhode Island, and one by the Town of Westerly. This area is accessible by foot from Watch Hill or by boat.

- A. Watch Hill Cove-Breakwater West. There are five WHYC transient moorings just west of the Watch Hill entrance channel, there are currently approximately 5 privately owned moorings just South and West of them and 4 littoral moorings off of private property midway out Napatree Point. There are 3 privately owned moorings west near the “Lagoon”. These are the only moorings in Little Narragansett Bay.

- B. Watch Hill Cove

There are 120 moorings in the Watch Hill Cove area which includes the Cove itself as well as the areas immediately adjacent to the Federal entrance channel. The channel and the southern two thirds of Watch Hill Harbor is designated a Federal Navigation Area (It was dredged by the Corps of Engineers in the late 1940s). There are approximately 80 privately owned moorings in the dredged area.

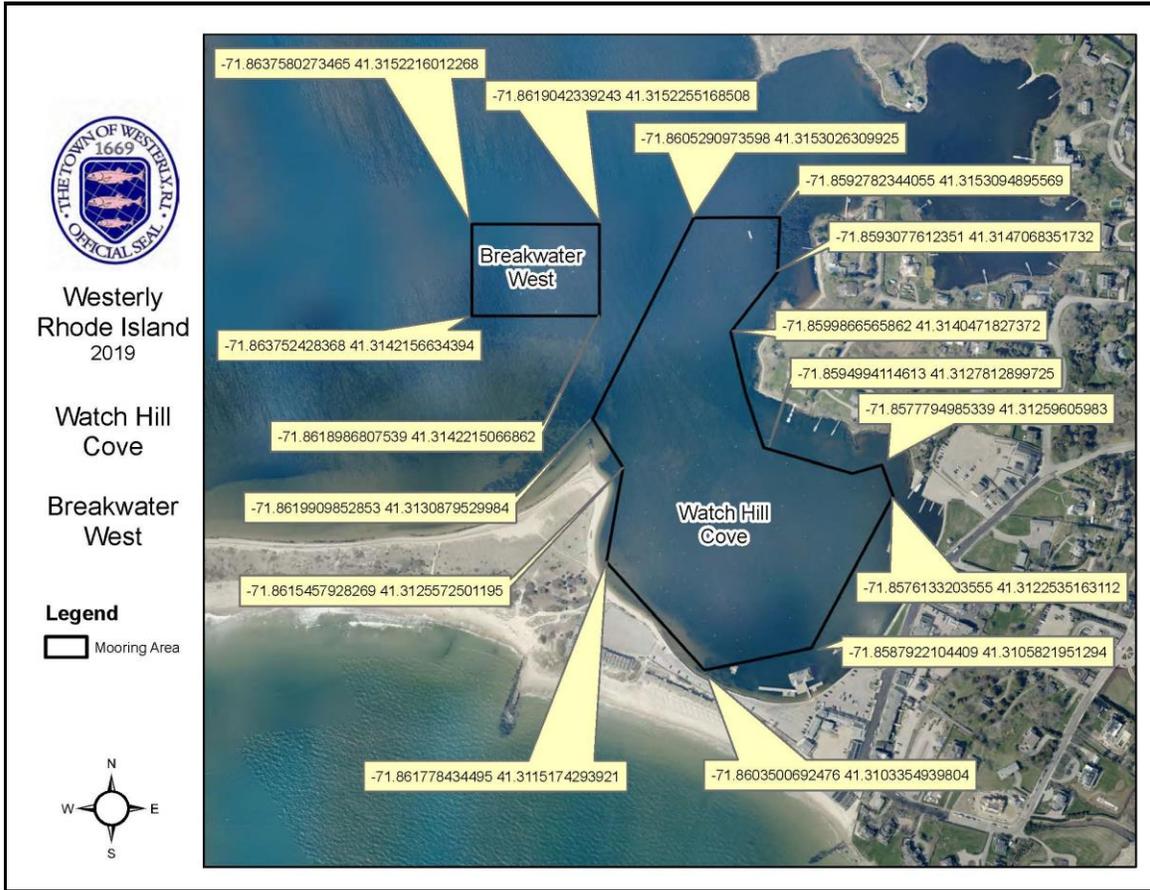
Most of the land around the harbor is owned by the Watch Hill Fire District, the balance is owned by private citizens. Most of the moorings in this area are owned by Watch Hill Yacht Club members, some by the Club itself including five reserved for transients.

The Watch Hill Yacht Club maintains a data base for all of the moorings in the harbor. The Yacht Club enforces a schedule of minimum mooring standards and requires scheduled inspections.

There is a public boat launch on the north side of the cove. It is located at the south end of Water’s Edge Road. Note: Data as of 2015. Mooring data will be updated after 2019 data analysis is completed.

Resolution 18/19-158 adopted by Town Council on June 17, 2019 authorizes the Harbor Master to temporarily grandfather specific moorings in Breakwater West for as long as the current permit holder qualifies for renewal, on the condition that the owner provides verification that the mooring was installed prior to September 1,2015. No other additional mooring permits will be granted within the transient anchorage area known as Breakwater West.

Proposed 2019 Mooring Area Map:



C. Foster Cove

There are five littoral moorings.

ISSUES

Moorings and mooring fields along one side of the Pawcatuck River may effect siting on the other as well as the Federal Navigation channel.

There are no consistant standards on mooring weights or inspection requirements between the several yacht clubs and marinas, nor for the private moorings. Many of the private moorings are unregistered, and of uncertain size and inspection status.

When dredged the southern two thirds of Watch Hill Harbor was intended as a special anchorage area. Over the years it has become populated with personal moorings. Federal Anchorage areas must, by definition, be accessible to all the citizens of the United States on an equal and equitable basis (U.S. ACE, 1990). As this area has historically been used as a mooring area the use is inconsistent with its Federal Anchorage designation.

A transient mooring field in Little Narragansett Bay would inevitably take away space from other uses of the bay for recreation and for public anchoring of boats which is how this area has historically been used.

The mooring areas within the Town of Westerly are at or close to capacity. The turnover of existing moorings in some areas is insufficient to satisfy the demand.

There have been problems in the past with unregistered moorings being illegally placed, as well as, abandoned moorings. Both actions negatively impact the availability of mooring space and the efficient and equitable allocation of moorings.

The Watch Hill Yacht Club, The Weekapaug Yacht Club, the Shelter Harbor Fire District, the Avondale Recreational Boating Club and the Haversham Neighborhood Group have successfully provided the management and administration of the moorings in their mooring areas in the past, and in doing so have provided access, which is otherwise difficult, to their moorings.

There are no CRMC approved mooring areas in the Town of Westerly.

Recommendations

The Westerly Harbor Commission will identify and seek CRMC approval of the following mooring fields in the Town of Westerly:

Watch Hill Cove, Colonel Willie Cove, Weekapaug Cove, Haversham East, Haversham West, Point Dock at Shelter Harbor and The Groves at Shelter Harbor.

The Town will seek approval by CRMC to conditionally authorize by attrition the proposed Watch Hill Cove-Breakwater West mooring field. The specific moorings that were identified prior to September 1, 2015 will be temporarily grandfathered for as long as the current permit holder qualifies for renewal, on the condition that the Owner provides verification that the mooring was installed prior to September 1, 2015. There will be no new mooring permits granted within the conditionally proposed mooring field.

All mooring fields shall be available to residents and non-residents per CRMC's "no greater than 3:1" resident to non-resident mooring allocation policy. All mooring fields shall be available to residents and non-residents through a mooring permit issued by the Town of Westerly. Completed as per adoption of new Chapter 86 and Resolution 18/19-118.

Mooring and mooring field siting along the Pawcatuck River should be coordinated with the Stonington Harbor Commission and managed to keep the Federal channel open.

The Town of Westerly should seek the deauthorization of the federal navigation project at Watch Hill Cove. Completed as per Resolution 18/19-46 and Resolution 19/20-4.

The Town needs to enforce that all moorings be located within the defined mooring area perimeters set forth, with the exception of littoral moorings.

All moorings must be permitted by the town. Completed as per adoption of new Chapter 86.

Mooring fees should be based on the costs of the services provided.

All newly proposed mooring fields or proposed changes to existing CRMC approved mooring fields should be sited to ensure that tides and currents aid in flushing the mooring area, avoid adverse effects on water quality, and not significantly to effect finfish and or shellfish resources, wetlands, submerged aquatic vegetation and aquatic habitat, as per appropriate State regulations.

The Town should maintain, and continue to update, the mooring field mapping, database, and GIS coordinates of all moorings and of permanent structures such as docks.

The Harbormaster should be provided with the necessary ordinances, staff, and resources to manage the mooring fields including: keeping an accurate count, the precise location, and waiting list for moorings, as described in the Harbor Ordinance Mooring Assignment section.

The number of the mooring must be stenciled or somehow affixed to the mooring ball so it is clearly visible above the water.

The harbormaster may approve informal variances to mooring tackle specifications, other than those minimum standards described herein, for specific cases if such specifications are inappropriate for the area in which a mooring will be located. The harbormaster must file such variance with the harbor commission.

The Harbor Commission may amend or add to these Mooring Standards on recommendation of the Harbormaster.

Minimum mooring standards must be established for all moorings. A proposed set of standards is suggested below:

MINIMUM MOORING STANDARDS FOR THE TOWN OF WESTERLY

Winnapaug and Quonochontaug Ponds & Pawcatuck River above N "4"					
Boat Length	Mushroom*	Bottom Chain#	Top Chain#	Pennant-Double\$	Pennant-Single\$
Up to 12 ft	50	3/8"	5/16"		1/2"
Up to 14 ft	75	3/8"	5/16"		1/2"
Up to 17 ft	100	3/8"	3/8"		1/2"
Up to 20 ft	150	1/2"	3/8"		1/2"
Up to 24 ft	200	1/2"	1/2"		5/8"
Up to 29 ft	300	5/8"	1/2"		5/8"
Up to 39 ft	500	3/4"	5/8"	5/8"	3/4"
Up to 49 ft	1000	3/4"	5/8"	3/4"	1"

Little Narragansett Bay, Watch Hill Cove, Foster and Potter Cover and Colonel Willie Cove					
Boat Length	Mushroom*	Bottom Chain#	Top Chain#	Pennant-Double\$	Pennant-Single\$
Under 20 ft	200	5/8"	1/2"	1/2"	5/8"
Under 25 ft	300	3/4"	1/2"	5/8"	3/4"
Under 30 ft	500	3/4"	1/2"	5/8"	3/4"
Under 35 ft	800	3/4"	1/2"	3/4"	1"
Under 40 ft	1000	1"	5/8"	1"	
Under 55 ft	2000	1"	5/8"	1-1/4"	

Mushroom or Pyramid. Any other anchor must be approved by the Harbor Master.

Bottom chain length must equal one and one half times the mean high water depth. Top chain length must equal the water depth. Pennant length must be two and one half times the height of the bow chocks above the water plus the distance to the cleat or mooring bit.

\$ Double pennants or bridles are recommended

A swivel is required between heavy chain and light chain. No other swivels are to be used. All shackles and swivels must be safety wired and be one size bigger than the chain to which they attach. Chafing gear is required on all pennants

POLICIES

There will be equitable and efficient allocation of available mooring space to residents and non-residents, consistent respectively, with the CRMC guidelines of no greater than 3:1 resident to non-resident mooring allocation policy.

The Federal Anchorage area must be accessible to all US Citizens on an equal and equitable basis. Recommendation: De-authorize Watch Hill Cove and bring usage consistent with CRMC's no greater than 3:1 resident to non-resident mooring allocation policy.

Moorings must be located within the defined perimeters of designated mooring fields with the exception of littoral moorings.

Moorings must be occupied as the primary berth for the vessel.

There are two types of moorings in the Town of Westerly; Riparian Moorings and private moorings located within an approved public mooring field.

Mooring areas must be established so, not to interfere with the free and unobstructed use of channels, fairways or shore side facilities within the harbor. Public mooring areas shall provide a 50 foot setback from all residential docks, piers, floats, public launching ramps, federal navigation channels, fairways and anchorages. Setback limits from littoral moorings and shoreline public rights-of-way shall be sufficient to allow for ingress and egress and to prevent interference with the exercise of private or public rights in these areas.

There will be no moorings in Federal Navigation areas. (The Commission will request De-authorization of Watch Hill Cove).

No mooring field will be expanded unless it is ensured that tides and currents can aid in the flushing of the mooring area.

No mooring field will be expanded unless water quality can be ensured.

No swimming and water skiing allowed in designated channels, fairways and mooring areas.

Mooring areas will not be sited in areas where they may substantially interfere with access to designated shellfish management areas, traditional fishing grounds and defined by the CRMC, public recreational areas, and conservation areas.

Mooring areas will not be sited where they may cause significant adverse effects on fish and shell fish resources, wetlands, submerged aquatic vegetation, or other important aquatic habitat areas.

Mooring areas will be sited to ensure adequate and accessible marine pump-out facilities and dump stations which are maintained and operational.

LIMIT OF MOORING TRANSFERS

No private mooring permit shall be sold, assigned or otherwise transferred by a permit holder under any circumstance.

- i. At such time as existing mooring tackle becomes available for sale, the owner shall notify the Harbormaster. The Harbormaster shall assign the associated mooring space to the person next on the waiting list whose boat can be safely secured to and held in place by this mooring tackle per the Minimum Mooring Standards established in this harbor management plan. The mooring tackle owner may then sell the mooring tackle in its location to this person; or, remove the mooring within ten business days at the mooring owner's expense or if this occurs during the winter by May 31.
- ii. The new applicant has 10 business days to complete the permitting process. After 10 business days they will waive their right to the mooring and it will be offered to the next individual on the waiting list.

All requests for relocation of existing permitted moorings in Public Mooring Areas must be submitted to the Harbormaster. Information for such a request must meet the requirements listed for a mooring permit application, show proof of a valid mooring permit issued for the previous or current year and clearly state the reasons for a mooring relocation. The Harbormaster will approve or deny the request based upon availability of space and the type and size characteristics of the vessel involved.

MOORING MANAGEMENT

There are few out hauls located in the Town of Westerly. Out hauls are subjected to the application process as outlined in the Harbor Ordinance.

IMPLEMENTATION – By the Town pending the adoption of the Westerly Harbor Ordinance.

MANAGEMENT OF HARBOR ACTIVITIES

1. FINDINGS

Westerly currently has the Police Chief operating as Harbormaster but with limited authority without an enabling Harbor Ordinance. The town has a 15' Hard Bottom Inflatable with a 40 hp Yamaha. This boat has previously been used for patrol in the ponds, but has not been used for the last three seasons. A second Hard Bottom Inflatable is 22 feet with a 225 hp Mercury (?). This boat has been in use, but not recently. There is no budget for Harbor Management expenses, nor any revenue source to fund them

The Town Council has appointed a Harbor Management Commission to draft a Harbor Management Plan and Ordinance.

Harbor activities take place in three non-contiguous bodies of water. The getting from any one site to either of the others by boat involves traversing several miles of Atlantic Ocean and navigating a breech way that requires local knowledge.

The Harbormaster is currently the Chief of Police. The Harbor Patrol was last manned by the School Resource Officers of the Westerly Police Department. The Harbormaster and the Harbor Patrol will play an important role in harbor management activities, including: enforcement of the Harbor Ordinance; mooring management including managing disputes and placement of moorings; contributing to public safety and emergency response; and, control of wrecks and debris.

2. RECOMMENDATIONS

(a) Per RIGL 46-4-6.17 the Harbormaster will be an employee of the Town, not necessarily the Chief of Police. He/she will be empowered to act for the Town Council and the Harbor Commission to enforce the Policies of the Town and the Harbor Ordinance. Specific duties include, but are not necessarily limited to:

- 1) Administering designated mooring areas.
- 2) Issuing permits for all moorings.
- 3) Keeping records of the location, size, and ownership of all moorings.
- 4) Managing such Assistant Harbormasters as the Council may appoint
- 5) Preparing and making available a current waiting list for mooring permits.
- 6) Enforcing any ordinance or provision of the Harbor Management Plan, the Harbor Ordinance or any state boating laws as applicable.
- 7) Enforcing regulations in the Special Anchorage Area.
- 8) The Harbormaster will be an ex officio, nonvoting member of the Harbor Commission.

This recommendation has been addressed and completed.

(b) Assistant Harbormasters will be volunteers recommended by the Harbor Commission and appointed by the Town Council to assist in the administration of harbor matters in specific areas. When a vacancy arises, areas with an Assistant Harbormaster shall nominate a qualified individual to serve as the Assistant Harbormaster for their area. Initially, it is the recommendation of the Harbor Commission that individuals who currently are acting in an unofficial capacity, be officially appointed, as they are probably the most knowledgeable people within their specific areas. The Assistant Harbormasters or the entities that they represent must own a boat to insure proper enforcement of the Harbor Ordinance.

This recommendation has been addressed and completed.

(c) The Harbor Patrol will be employed by the Town on a per diem basis. The Harbor Patrol will function to assist in enforcement of the Harbor Ordinance under the

supervision of the Harbormaster. Differing from past practice, the Harbor Patrol would operate on a specified schedule throughout the boating season. This recommendation has been addressed and completed.

(d) There will be a permanent Harbor Commission of seven members selected from the community and appointed by the Town Council - 2 year staggered terms.

1) The Harbor Commission will continually review activities in the harbor and develop and recommend additional policies, rules and regulations for the Harbor Management Plan subject to the Town Council approval and CRMC review as appropriate.

2) The Harbor Commission will assist in the management of the harbor through close coordination with the harbormaster and act as Board of Appeals to hear complaints from individuals aggrieved by enforcement of implementation of the Harbor Management Plan

3) Maintaining mooring and enforcing standards.

4) Approval of Inspection Contractors

These recommendations are in process.

PROPOSED BUDGET: - This was originally cost in 12/08 and was based on the current pay of the Town Pump-out boat attendants and fuel prices. Current costs would have to be reevaluated.*

Harbor Master	\$10,000 annually
Harbor Patrol 22'	\$20,000 annually approximate 1200 hours per year
22' HBI	\$ 4,200 fuel
	\$ 1,500 maintenance
Harbor Patrol 15'	\$ 4,500 annually approximate 300 hours per year
15' HBI	\$ 1,000 fuel
	\$ 500 maintenance
	<hr/>
	\$41,700
+10% Capital Expense	\$ 4,170
	<hr/>
Estimated Expense	\$45,870
Estimated Income	\$45,000 approximately 450 moorings @ \$100/yr

Fees to be collected and managed by the Town Clerks Office.

*Note: The proposed budget listed above is outdated and not applicable at this time.

The Harbor Management Budget is intended to be self-sustaining and will be included in the annual Town Budget beginning with the FY 2020/2021 Budget.

STORM PREPAREDNESS

Storm Preparedness

1. Findings

Westerly has been impacted by several types of natural hazards over the years. These hazards include hurricanes, tropical storms, thunder storms, river flooding, and nor'easters, sudden freezes, and winter ice. The most active time for these storms (other than nor'easters and winter ice) is during the boating season. While hurricanes, tropical storms, nor'easters and winter ice typically have several days warning, thunder storms and their damaging winds and lightning can come in a matter of hours.

The identified natural hazards can have damaging effects in the boating community, but to greater degrees. Hurricanes and tropical storms have winds that are in excess of 40 knots and can be in the area for 24hrs. They also have a surge upwards of 18 feet depending on the category of the storm. This surge is usually in and out with a single tide cycle. Nor'easters have strong winds and may last for several days with above normal tides for several tide cycles. Thunder storms are of short duration but their rapid onset and the possibility of downbursts and lightning strikes make these the most difficult to plan for.

In the mooring areas boats are in close proximity to each other so that even one boat either dragging its mooring or parting its line would cause havoc in the mooring field. In the anchorage boats that are improperly anchored or too many rafted together would also have the potential for heavy damage.

Storm surge could have a devastating effect on boats on moorings and at anchor as it decreases the scope and thus the holding power. This surge would also put a much greater strain on piers, pilings, floats and waterfront facilities and structures.

All of Westerly's waters are susceptible to these hazards as they lie in flood zones and velocity zones. Given the uses of the waterways and adjacent properties planning, mitigation, response, and recovery policies are imperative.

2. Risks

The surge and flooding from storms can cause great damage. The height of the water causes decreased scope on boats on moorings or at anchor. The effect of the surge on boats at fixed piers and pilings is on the lines that are set for the normal tide range and thus the lines and cleats are put under great strain. In addition to the height there is an increased flow causing more drag on the boats and structures. As the surge increases the damage increases tenfold. A surge of six feet at time of high tide may over-top the barrier beaches and cause debris to enter the flow. This height will also cause flooding in the marinas, boat yards, and yacht clubs. Most floating piers will remain with their associated pilings but the leverage may cause some to fail. Fixed piers will most likely have their electrical boxes under water. In the storage facilities boats on stands and blocks will most

likely stay in place but there are always loose blocking, dumpsters, and other items that will add to the floating debris. As the height increases floating piers may over-top their pilings and join the debris field.

Wind is another major factor in these storms. As the speed increases, the drag on boats and facilities increases multi-fold. As the duration of the wind increases things like covers, sails, canvas surrounds, and other like items begin to fail. Open face buildings used for storage and work building with large openings will also fail.

Ice from a storm can weigh heavily on standing and running rigging as well as outriggers and deck gear to the point of capsize. A flash freeze can cause damage to exposed waterlines on the wharfs, piers, and floats. A hard freeze can cause damage to all facilities on the water including floats, piles, seawalls, mooring floats, winter stakes and boats.

3. Preparedness, Response, Recovery, Mitigation

The Harbormaster will be responsible for the coordination of harbor activities related to preparedness, response, recovery, and mitigation. This will be done in coordination of the Dir. of Public Safety, Dir. Of Emergency Management, and other department heads. Preparedness, response and recovery – The harbormaster will implement the following preparedness and response plan 96 hours prior to a severe storm event or as necessary for unpredictable events.

Preparedness - The following is a guideline for preparedness assuming the threat is a tropical cyclone. This Emergency Action Plan (EAP) can be altered for use in other natural hazard scenarios.

Level 3 – 96 hours

1. Keep track of time & expenses throughout **entire event**
2. If it is a tropical cyclone (tropical storm or hurricane), begin tracking and monitoring weather reports and releases from the National Weather Service (NWS) at 0500, 1100, 1700, and 2300 hours (forecast/advisory & discussion).
3. Contact any services under contract for after event deployment
4. Ensure that staff have their own houses in order and personal “go packs” are ready
5. Monitor harbor traffic as it increases during marina/boaters preparedness
6. Keep fuel tanks full and spare batteries charged
7. Inventory and update first aid and other onboard supplies (vessels, vehicles, & headquarters)
8. Contact local marinas for status reports and relay to boaters
9. Maintain radio watch
10. Alert boating community, encourage early action to safe harbor, setting storm lines, or hauling.
11. Open Cimalore field lot for trailed boat storage
12. Alert remaining marine interests to impending storm event

13. Advise USCG (United States Coast Guard) MSO (Marine Safety Office) Pvd. (Providence) of the situation
14. Monitor activity on Pawcatuck River
15. Document waterfront with photographs & video
16. Establish communications with the Westerly EOC (Emergency Operations Center)

Level 2 – 48 Hours

1. Continue action items of Level 3
2. Contact mooring owners who are not in compliance with preparedness plan
3. Assist waterfront community with special request if possible
4. Continue to monitor river traffic and document (photograph)
5. Haul Town of Westerly (Town) pump-out boats and confirm when patrol boat will be hauled
6. Confirm assistants have own house in order and confirm emergency work schedule
7. Remove Town storage boxes from flood plain
8. Establish line of communications with Town Department of Public Works (DPW), Police Department (PD), Dunn’s Corners Fire Department (DCFD), Misquamicut Fire Department (MFD), Watch Hill Fire Department (WHFD), & Westerly Fire Department (WFD) through the Westerly EOC (if open)
9. Update boating community to hazardous conditions as required
10. Curtail regular business activities
11. Begin increased patrols of waterways to ensure proper precautions are being taken
12. Update USCG MSO Pvd. as required
13. Document those insisting on remaining with boat during storm

Level 1 – 24 hours

1. Final patrol of area documenting preparations of marine interests
2. Fuel and haul patrol boats
3. Survey & document shoreline marine interests from shore
4. Lay in “comfort” supplies in office
5. Update USCG MSO Pvd. as required
6. Continue level 3 & 2 activities as required
7. Check NWS Taunton weather products for local updates along with National Hurricane Center (NHC) storm products
8. Have all personnel hunker down as winds approach 40kn

Response – The Town of Westerly will not deploy watercraft during any major weather event. The harbormaster will forward calls for assistance to the USCG Point Judith if east of Watch Hill and to USCG New London if to the west. The Harbormaster and staff will make a record of all calls so that they can be addressed when conditions allow re-entry. The Harbormaster shall stay in communications with the Westerly EOC and shall monitor marine frequencies.

Recovery – Once the area can be safely re-entered the harbormaster shall re-establish the office as an operational unit. This will include, but not be limited to, re-launching the unit’s boats, take immediate action to locate and provide aid to survivors, take any and all actions to minimize further risk to life and property, reopen the waterfront for recovery efforts.

To accomplish these goals the following action list is to be followed when possible. Saving a life is the number one priority.

Immediate 24 hours

1. Assess readiness of the unit and correct any deficiencies
2. Complete a rapid assessment of damage and report this to the EOC for possible assistance& forward report to USCG MSO Pvd. Document with photographs and video when practical
3. Contact pre-established contracted services if required
4. Initiate safety/security watches where necessary
5. Alert maritime community to unsafe conditions

Midterm day 2 through 14

1. Complete a comprehensive inventory of damage and document with photographs and video and forward to the EOC and USCG MSO Pvd.
2. Prioritize damaged areas for cleanup
3. Assist emergency situations as appropriate
4. Notify appropriate parties of damage to their property
5. Provide USCG MSO Pvd. with updates as required
6. Assist in moving floating debris staging areas
7. Assist Town, State and Federal agencies as required
8. Maintain communications with EOC

Long term days 15 through 90

1. Assemble staff for after action report for submission to Dir. Of Public Safety and Harbor Commission
2. Review mitigation list and prioritize items for inclusion in recovery actions
3. Complete a survey of damages to ensure all damage is documented
4. Request Harbor Commission have an open meeting to address concerns of the maritime community
5. Review actions taken before, during, and after the storm and adjust EAPs as required
6. Update Hazard Mitigation Plan

Mitigation – There are actions that can be taken on a long term basis that can reduce the effects of natural hazards. Other actions are short term and are taken as the hazard is approaching. While many mitigation actions are the same for most hazards, some are

hazard specific. There are three primary groups involved in mitigation, marina facilities, individuals, and government.

Marina facilities – This group includes all marina facilities as defined by the Coastal Resource Management Council (CRMC) such as boat yards, marinas, yacht clubs, associations, and fire districts with water facilities. These facilities will have 90 days from the passage of this document to provide the Harbormaster with a hazard mitigation plan. These plans will be updated on an annual basis. The Harbormaster will coordinate a meeting with facility personnel so the plans will be consistent with Town policies. These plans shall include, but not be limited to, the following:

1. Name, address, telephone number and e-mail address of facility
2. Primary and secondary contact person with telephone number, cellular telephone number and e-mail address
3. VHF channel that is monitored
4. List of facility staff that will be active during preparation, response, and recovery
5. List of hazardous materials stored on site. This information can be extracted from the facilities Environmental Operations and Maintenance Plan
6. Inventory of equipment that may be used in recovery
7. Debris disposal plan
8. List of preparation, response and recovery activities and timing

Boaters – Mooring owners will be required to submit a storm preparedness plan. The Harbormaster shall create a preparedness questionnaire that is to be sent out with the mooring permit application or renewal and must be completed for the permit to be approved. The Harbormaster shall develop and/or acquire informational pamphlets about preparedness and distribute these to all boaters by various means.

Boat owners are encouraged to leave their boat during a major weather event. **THE TOWN WILL NOT DEPLOY WATERCRAFT DURING A MAJOR WEATHER EVENT.**

The Town has developed mooring standards that maximize safety during normal weather conditions. With impending hazardous weather the mooring owner must decide to either vacate the mooring or take adequate steps to insure the boat will stay with its mooring. These steps would include, but not be limited to, improving the connections between the mooring chain and pennant, extending the scope, installing chafe gear, remove/secure sails and canvas, secure deck gear, clean out scuppers & deck drains, make sure batteries are charged and bilge pumps are in working order.

Boaters who keep their boat in a slip and do not haul, should double up the lines and add slack to account for the higher tides and/or surge, installing chafe gear, remove/secure sails and canvas, secure deck gear, clean out scuppers & deck drains, make sure batteries are charged and bilge pumps are in working order.

Boaters at anchor should consider a multi-point anchoring system along with all the actions of those boats at moorings.

Waterfront property - Waterfront property owners and those in flood zones along the river are expected to take the necessary precautions to protect their property to insure as best as possible that they do not add to the debris field with unsecured items from their property.

Government – The Harbormaster shall assist through educational materials, and other means, in preparing the waterfront community for a major weather event. The Harbormaster shall assist other Town agencies in getting the shoreline interests of the Town in order.

Long term mitigation projects

The Harbormaster shall assist the Town Planner in forming long term mitigation actions consistent with the “Natural Hazard Risk Assessment & Mitigation Strategy” that is currently at FEMA for review. These actions include:

1. Debris management – identifying areas to stage river, harbor, and beach debris for removal to proper facility. In some cases this may require specialized equipment that can grab debris from the water.
2. Seawalls, river walls & jetty – inspect structure on routine basis and repair as needed. Identify grants that may pay for major repair/replacement projects.
3. Barrier beaches and shorefront – replenish dunes, plant vegetation, remove impervious surfaces, plan to plug walk-overs prior to storm Identify grants for funding and conservation groups for manpower for planting projects.

Other mitigation activities for the Harbormaster

1. Maintain contact lists of marinas (etcetera), waterfront businesses, neighboring harbormasters, USCG, towing & salvage companies, and environmental response companies.
2. Develop methods to increase scope within mooring field without losing maximization of the field.
3. Conduct a hurricane workshop prior to June to assess the Storm Preparedness plan of the Town and familiarize participants with the plan and what is expected by the Town and participants.
4. Set up meetings with local yacht clubs and associations to discuss storm preparedness and boating safety. Have printed materials available and demonstrative exhibits that show the effects of weathered chain, chaffed lines, and other pertinent preventable failures.

Town of Westerly Code Chapter 86 “Boats, Waterways and Harbor
Management” **Town Ordinance 2019-1957; May 13, 2019.**

Boats, Waterways and Harbor Management

**Article I
General Provisions**

§ 86-1 Purpose and jurisdiction.

A. The purpose of this chapter is to:

- (1) Act upon the authority conferred upon the Town Council pursuant to RIGL 46-4-6.17;
 - (2) Manage the waters of the Town and balance the diverse uses of the waters and waterfront;
 - (3) Maintain and improve shoreline public access and water quality;
 - (4) Continue to support opportunities for commercial fishing and recreational boating; and
 - (5) Remain consistent with the goals and policies of the Westerly Harbor Management Plan (WHMP), the Town Comprehensive Plan, the State Coastal Resource Management Program, the State Department of Environmental Management, and the U.S. Army Corps of Engineers.
- B. The coastal waters and harbor areas of the Town of Westerly under the jurisdiction of the chapter include those waters within one mile from the Atlantic beaches from the Charlestown line to Sandy point; Quonochontaug Pond west of the Charlestown line; Winnapaug Pond; three miles from Sandy Point and Napatree Point into Fishers Island Sound or to the New York or Connecticut state lines including the fairway from Fishers Island Sound to Little Narragansett Bay; and the Rhode Island side of Little Narragansett Bay and the Pawcatuck River from the head of navigation in downtown Westerly around Pawcatuck Point to the Connecticut border at Sandy Point.

§ 86-2 Definitions.

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

ANCHORING

To secure a vessel temporarily to the bottom by dropping an anchor from a vessel.

ARTISANAL FISHERMAN

A small-scale commercial fisherman harvesting for subsistence or local, small markets, generally using traditional fishing techniques, single handed, and under thirty-foot boats. They are considered vital for sustainable livelihoods and food security.

BOAT LAUNCHING RAMP

Any man-made or natural facility used for the launching or retrieval of boats.

CHANNEL

Any designated and/or maintained water area except for a fairway reserved for unobstructed movement of vessels.

COMMERCIAL FISHERMAN

An active full-time fisherman with a current commercial license and a working commercial vessel.

COMMERCIAL MOORING

The rental, lease, management, maintenance and/or operation for financial compensation or for purposes other than private use.

CUT, THE

The passage from Little Narragansett Bay to Fishers Island Sound. The Cut is specifically defined as that area between the westernmost and easternmost of the fishermen's buoys off the shoals north of Napatree and 200 feet north of them. These buoys are located differently each year as the shoals shift; the location of The Cut shifts accordingly.

FAIRWAY

Any locally designated and/or maintained water area reserved for the unobstructed movement of vessels.

HARBOR COMMISSION

The body established to advise the Town Council on the provisions of this chapter and the management of the harbors.

HARBORMASTER

For the purposes of enforcing any provision of this chapter, including the issuance of summonses for violation of any provision herein, any individual appointed by the Town Manager as Harbormaster pursuant to the Town Charter.

HEADWAY SPEED

The slowest speed at which a personal watercraft or vessel can be operated and maintain steerageway.

MARINA

Any dock, pier, wharf, float, floating business or combination of such facilities that accommodate five or more recreational boats.

MARINA MOORING FIELD

Any mooring area managed by a marina that has applied for and received a permit with a defined marina perimeter from CRMC.

MEAN HIGH WATER (MHW)

The average height of the high waters over an 18.6-year period. Mean high water (MHW) is the average of all the high water heights observed over an 18.6-year period; this period is referred to as the National Tidal Datum Epoch.

MOOR

To permanently secure a vessel to the submerged land of a water body by use of mooring tackle.

MOORING AREA

Any designated area managed by the Town of Westerly where five or more recreational vessels are moored.

MOORING SPACE

The location where a vessel is secured to the submerged land of a waterway by mooring tackle.

MOORING TACKLE

All hardware used to secure a vessel at a mooring.

MOTORBOAT

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

NONRESIDENT

Any individual, business or corporation which does not meet the definition of resident.

OPERATOR

A person who operates or who has charge of the navigation or use of a watercraft.

OUTHHAUL

A recreational boating facility that consists of a non-single-point anchoring device, for the purpose of securing a boat in tidal waters and retrieving it from shore.

PERSONAL WATERCRAFT

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

PRIVATE MOORING

A mooring registered and occupied by the boat owner. Private moorings are not to be used to generate financial or other compensation by permit holder.

PUBLIC MOORING AREA

Mooring areas managed by municipal or state agencies and as delineated in the CRMC approved Westerly Harbor Management Plan.

QUALIFIED INSPECTOR

A corporate entity in the business of inspecting mooring tackle which is in good standing with the Rhode Island Secretary of State and carries the requisite liability insurance.

RECREATIONAL BOATING FACILITY

Marinas, launching ramps, residential and limited recreational boating facilities, recreational wharves, piers, slips, floats or floating docks and recreational mooring areas.

RESIDENT

An individual residing in Westerly a minimum of 183 days per year and verified by either voter identification or a Rhode Island driver's license with a Westerly address.

RIPARIAN

"Riparian mooring" means mooring tackle owned by a riparian property owner under a permit granted by the Harbormaster and located within the coastal waters bordering that property as bounded by the seaward extension of that property's lateral lot lines. Said mooring may or may not be located within a CRMC approved mooring field.

VESSEL

Every description of watercraft, other than a seaplane on water, used or capable of being used as a method of transportation on water. (Specifically excluded by this definition are houseboats.)

WATERWAYS

All navigable lakes, rivers, streams, ponds or other bodies of water located within or partly within the boundaries of the Town including the coastal waters. See § **86-1**.

§ 86-3 Deposit of revenue.

All revenue generated by the Town boat launching fee, mooring permit fees, qualified mooring inspectors, other fees of this chapter, and fines levied under the authority of this chapter shall be deposited in a dedicated account to be used for mooring management and the administration and implementation of the Town Harbor Management Plan and this chapter.

§ 86-4 Liability.

Persons using the coastal waters and the harbor areas of the Town shall assume all risk of personal injury and damage or loss to their property. The Town assumes no risk due to accident, fire, theft, vandalism, wind, storm surge, or acts of God.

§ 86-5 Obedience to Harbormaster and police.

Boat operators shall obey lawful directions given to them by the Harbormaster, Deputy Harbormasters, or by any police officer employed by the Westerly Police Department in enforcement of the provisions of this chapter, as well as all boating laws as are covered under the provisions of the Federal Safe Boating Act of 1971 and such amendments as shall have been made thereto. Such boat operators immediately upon being instructed by the Harbormaster or a police officer employed by the Westerly Police Department, by voice or such sound device as may be used, shall allow boarding by such officer and shall

comply with the lawful direction of such officer. Checking of all required safety equipment, as well as proper registrations of vessels under power, shall be considered a lawful direction of said officers. Any person in violation of this section shall be subject to the fine identified in the violation schedule contained within § 86-6 of this chapter.

§ 86-6 Harbor management uniform violation schedule.

- A. Every owner, master, or person in charge of any vessel who shall neglect or refuse to obey the direction of the Harbormaster or deputy Harbormaster or a police officer employed by the Westerly Police Department, or violates any rule or regulation promulgated under RIGL 1956 §§ 46-4-1 et seq. or 46-22-1 et seq., not specifically set forth in Rhode Island Department of Environmental Management's penalty schedule shall be subject to a fine under this chapter of \$100.
- B. The Town Council herein adopts penalties for boating violations, consistent with state law.

Penalty Schedule For Boating Violations	
Offense	Fine
Vessel registration: RIGL 46-22-3	
Unregistered	Violation. Up to \$100
Numbers not displayed	Violation. Up to \$100
Possession of a vessel with the hull ID number altered, removed, or destroyed	Up to \$500
Vessel operation:	
Excessive speed or wake: RIGL 46-22-9.5	
Up to 10 miles	\$25
11 miles to 15 miles	\$50
16 miles to 20 miles	\$75
21 miles to 25 miles	\$100
Over 25 miles, per mile	\$5
Improper operation in swimming area or restricted area, RIGL 46-22-9	Up to \$1,000

Penalty Schedule For Boating Violations

Offense	Fine
Operation in a reckless manner, RIGL 46-22-9	Up to \$1,000
Refusal to stop when ordered, RIGL 46-22-9	Up to \$1,000
Inadequate boat personnel	Up to \$200
Underaged boat personnel	Up to \$200
Failure to use personal flotation devices	Up to \$200
Operation outside time limits	Up to \$200
Any other personal watercraft offense of RIGL 46-27-2 not specified herein	Up to \$500
Interference with another vessel	Up to \$100
Caused an accident	Up to \$100
Failure to submit accident report	Up to \$100
Interference in SCUBA diving area	Up to \$100
Vessel equipment:	
Improper light installation	Up to \$100
Improper use of lights	Up to \$100
Improper sound producing appliance	Up to \$100
Improper personal flotation devices	Up to \$100
Improper personal flotation devices for children under 10	Up to \$100
Improper fire extinguisher	Up to \$100
Improper muffling device	Up to \$100
Miscellaneous:	

Penalty Schedule For Boating Violations

Offense	Fine
Unmarked SCUBA area	Up to \$100
Unauthorized racing/regatta	Up to \$100
Unauthorized docking/mooring	Up to \$100
Failure to render assistance	Up to \$100
Obstruction of right-of-way	Up to \$100

§ 86-7 Enforcement.

A. Harbormaster and Assistant Harbormaster.

- (1) The Harbormaster shall be appointed by the Town Manager.
- (2) The Assistant Harbormaster shall be appointed by the Harbormaster on an as-needed basis.
- (3) The harbor patrol shall consist of the Harbormaster, Assistant Harbormaster, and any other personnel engaged for enforcement of this chapter, including officers of the Town of Westerly Police Department.
- (4) Each boating season Deputy Harbormasters may be assigned to each of the Town mooring areas by the Harbormaster. The Deputy Harbormasters shall assist the Harbormasters in the safety patrol of each mooring area, but shall not have enforcement authority.

B. The Harbormasters and harbor patrol shall enforce this chapter as follows:

- (1) The Harbormaster and harbor patrol of the Town are authorized to make arrests and to take other steps to enforce the provisions of this chapter and, in the exercise thereof, shall have the authority to stop and board any vessel within the water subject to the jurisdiction of the Town pursuant to RIGL 46-22-17.
- (2) Any patrol boat used for the service of the Town shall keep a log through the police department.
- (3) All regulations relating to the Town's boating regulation program shall be maintained by the offices of the Town Manager and Town Clerk, and all violations shall be processed by the harbor patrol in accordance with provisions of law applicable thereto.

- (4) The Harbormaster shall appoint a designee who shall take charge in the absence of the Harbormaster and shall perform such other duties as delegated by the Harbormaster.
- C. Enforcement of operation and equipping of vessels. Local provisions governing operation of vessels and activities within the waterways shall be consistent with state law.
 - (1) The Town Council adopts all of the provisions of RIGL 1956, 46-22-1 et seq., relating to the operation and equipment of vessels and motorboats within the water subject to the jurisdiction of the Town.
 - (2) The Town Council adopts all of the provisions of RIGL 1956, 46-27-1 et seq., relating to the operation of personal watercrafts.
- D. Hours of operation. The harbor department shall be staffed as determined by the Harbormaster in consultation with the Town Manager.

§ 86-8 Procedure for payment of boating violation fines.

- A. Payment without personal appearance. Any member of the harbor patrol and any other duly authorized enforcement officer who charges any person with an offense as set forth in this chapter, in addition to issuing a summons for the offense, shall provide the offending operator with a form which will allow the offender to dispose of the charge without the necessity of personally appearing before the municipal court, provided that any operator who has been guilty of a third or subsequent boating violation within 12 months of the first offense must appear before the municipal court on the date specified on the summons, and may not dispose of the third or subsequent offense administratively. This section shall apply to both resident and nonresident operators.
- B. Method of payment. If the offending operator elects to dispose of the charge without personally appearing before the municipal court, he or she shall execute the form indicated and return it to the municipal court not later than 20 days from the date of the summons either by mailing or delivering the form and summons to the municipal court clerk or the clerk's designee with a check or money order in the amount indicated by the fine schedule on the form.
- C. Schedule of violations. Those violations set forth in § **86-6** of this chapter may be handled administratively through the method described in this section, provided however that this list is not exclusive, and jurisdiction may be conferred on the municipal court with regard to other violations consistent with the Rhode Island General Laws, and these ordinances.
- D. Failure to answer. In the event an operator fails to answer within 20 days, then he or she shall have waived his or her right to dispose of the offense without personal appearance, and the person charged with such violation must appear before the municipal court on the date specified on the summons.

- E. Adjudication. Adjudication of boating violations contained in this chapter shall be before the municipal court and conducted in the same manner as for cases involving motor vehicle violations as set forth in Chapter **15** of the Westerly Code of Ordinances.

§ 86-9 Pumpouts and out hauls.

- A. The Town shall ensure that all pumpouts, whether land-based or on a vessel, are maintained, accessible, and operational at all times.
- B. Out hauls shall be managed and administered consistent with CRMC regulations.

§ 86-10 Storm preparedness.

The Town Harbormaster and Town Council shall be guided by the Harbor Management Plan and the Town's Emergency Operation Plan when taking action in the event of a storm.

§ 86-11 Harbor Commission.

- A. There shall be a Harbor Commission, which shall perform the duties and exercise the powers conferred upon it by state law or this chapter. The board may consist of five members appointed by the Council to serve for three-year staggered terms. Of the first members appointed under this Charter, two shall be designated to serve one-year terms, two shall be designated to serve two-year terms, and the remaining one shall serve a three-year term.
- B. Harbor Commission membership may represent groups most concerned with management of harbor resources. Members usually include commercial and recreational fishermen, marina operators, riparian property owners, recreational boaters, and commercial waterfront businesses. In addition, the municipal Planning and Zoning Boards, and the Town Council may be represented on the Commission. Consideration may also be given to representatives from other interest groups such as conservation, shellfish, and historical organizations since these agencies frequently regulate activities that affect harbor usage. For municipalities which share a common boundary intersecting a waterbody, there may also be ex-officio representation from each of the adjacent community's Harbor Commissions. Finally, the local Harbormaster may take an active role in Commission activities.
- C. The duties of the Harbor Management Commission are to advise the Town Council on the provisions of Chapter **86** and the management of the harbors.

§ 86-12 through § 86-19. (Reserved)

Article II Supplemental Harbor Regulations

§ 86-20 Violations and penalties.

Any person in violation of a provision of this article shall be subject to the fine identified in the violation schedule contained within § **86-6** of this chapter.

§ 86-21 Special events.

The Harbormaster shall be notified in writing of certain special events, such as swimming races, regattas, marine parades, or other marine and maritime activities that may from time to time be held on or in the coastal waters and harbor areas under the jurisdiction of the Town. No person shall operate a motorboat in a motorboat race in the waters within the Town unless the motorboat race has received a special event license in accordance with Chapter **221** of the Town Code.

§ 86-22 Restrictions within certain waterways.

- A. No motorboat having a rated horsepower exceeding five shall be operated or used on that certain body of water located in said Town known either as Chapman's Pond or Burden's Pond.
- B. No vessel of any description shall be anchored, moored or beached in that area of Little Narragansett Bay adjacent to the public anchorage known as the "Kitchen" and referred to as the "Lagoon" of Napatree Point. Only vessels powered by oar or paddle shall be permitted to navigate in said waters and shall be permitted to embark and disembark passengers for a period not exceeding five minutes.
- C. Speeds within Weekapaug Breachway. Operators of powered craft shall not operate their vessels, ships, boats, jet skis, personal watercraft or the like at a speed greater than five miles per hour or at no wake, whichever is slower, from the entrance to the Weekapaug Breachway at its intersection with the Weekapaug Bridge and continuing down the breachway past its intersection with Winnapaug Pond until a line from the southwestern most point of Lot #5 of Assessor's Plat #142 in a line bisecting Winnapaug Pond due south until it meets Lot #15 of Assessor's Plat #156.
- D. Operation of personal watercraft on Quonochontaug Pond is prohibited.
- E. No person shall swim in the breachway of the Winnapaug Pond, said area defined as being the southernmost extension of said such breachway into the sea and thence running north to its intersection with the Weekapaug Bridge; thereafter, running further north inland from said bridge to a point identified by the conclusion of the breachway wall to the west and the beginning of private homes to the east or in the breachway of Quonochontaug Pond, or in any other breachway within the jurisdiction of the Town.

§ 86-23 Navigation fairways.

The following navigation fairways are established and activity within the fairways conducted in accordance with the parameters to be forwarded to the Coastal Resources Management Council for the U.S. Coast Guard establishment:

- A. From Fishers Island Sound through the privately marked Cut between Napatree Point and Sandy Point, South of Nun D in Little Narragansett Bay, and thence to the entrance to the Pawcatuck River at G23.
- B. From N22 off Pawcatuck Point to R2 and C1 at the entrance to Watch Hill Cove.

§ 86-24 Vessels, water skis and other operations.

- A. No person shall operate a vessel for towing a person or persons on water skis, or a surfboard, or similar device in any designated channels, fairways and mooring areas.
- B. No person shall operate a vessel on any waters of this Town for towing a person or persons on water skis, or a surfboard, or similar device unless there is in the vessel a person at least 12 years of age, in addition to the operator, in a position to observe the progress of the person or persons being towed. There shall be aboard the vessel, in addition to those required for the persons aboard the vessel, at least one life preserver, life belt, or ring buoy for the person or persons being towed.
- C. No person shall operate a vessel on any waters of the Town towing a person or persons on water skis, a surfboard, or similar device, nor shall any person engage in water skiing, surfboarding, or similar activity at any time between the hours from one hour after sunset to one hour before sunrise.
- D. No person shall operate or manipulate any vessel, tow rope, or other device by which the direction or location of water skis, a surfboard, or similar device may be affected or controlled in such a way as to cause the water skis, surfboard, or similar device, or any person thereon to collide with or strike against any object or person.

§ 86-25 Jumping off bridges.

No person shall jump off any bridge traversing any waterway within the Town of Westerly.

§ 86-26 Sanitation and waste disposal.

The owners or operators of all vessels operated, moored or anchored within the waters under the jurisdiction of the Harbormaster shall not permit acts contrary to the public health or sanitary regulations, including such laws, ordinances, rules and regulations as shall be promulgated by the federal, state or local body in authority.

- A. No rubbish, cans, debris, garbage, raw sewage, dead fish or other offal shall be discharged upon or into the waters under the jurisdiction of the Harbormaster.
- B. No petroleum products shall be dumped or pumped onto or into the waters of the Town.

§ 86-27 Houseboats and floating businesses; pollution control requirements.

The use of a motorboat or sailboat as a residence is allowed only within a marina. The operator of a motorboat or sailboat used as residence shall contact the Harbormaster within 16 hours of mooring or docking to ensure compliance with harbor regulations regarding pollution as outlined in this chapter. The owners or operators of all vessels operated, moored, or anchored within the waters and the jurisdiction of the Harbormaster shall not permit acts contrary to the public health or sanitary regulations including such laws, ordinances, rules, and regulations as shall be promulgated by federal, state or local authority.

§ 86-28 Derelict boats, motors and structures.

- A. No derelict boats, motors or piers, wharves or docks shall be allowed in or upon the Town's waters or shores.
- B. The Harbormaster may take custody and control of abandoned vessels, structures and moorings located in the coastal waters and harbor areas of the Town and remove, store or otherwise dispose of such vessel, structure or mooring 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.
- C. The Harbormaster shall assume all the duties and powers of the commissioner of wrecks and shipwrecked goods as detailed in the RIGL 1956, 46-10-1 et seq.

§ 86-29 (Reserved)

Article III Anchoring and Docking

§ 86-30 Violations and penalties.

Any person in violation of a provision of this article shall be subject to the fine identified in the violation schedule contained within § **86-6** of this chapter.

§ 86-31 Anchoring and anchorages.

- A. Every vessel entering a harbor shall be anchored by the person in command thereof according to the direction of the Harbormaster.
- B. All vessels not anchored according to the direction of the Harbormaster shall be forthwith moved by the crew under his direction, and if any such vessel has not sufficient crew to move the same, such vessel shall be moved by the Harbormaster, and the expense thereof shall be paid by the owner or master of such vessel, and may be recovered by the Harbormaster of such owner or master, by an action in the name of the Town before any court of competent jurisdiction.
- C. The following areas are established for use as transient anchorage:
 - (1) Little Narragansett Bay North of Napatree Point but not further north than a line running from the inner exit of the privately marked channel of The Cut from Fishers Island Sound toward the Northern boundary of Foster Cove and between North South lines at 72° 52.600 feet and 500 feet West of R2 at the entrance to Watch Hill Harbor.

- (2) Little Narragansett Bay on the inner (Eastern or Northern) side of Sandy Point South of the Connecticut border and East to a North South line through G13.
- D. A vessel may anchor overnight on its own anchor in the two transient anchorage areas in Little Narragansett Bay defined above. No vessel anchored under such conditions shall be left unattended between 1/2 hour after sunset and 1/2 hour before sunrise. 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's and/or operator's responsibility to remain clear of all moored vessels, and other structures. Vessels staying more than seven nights must get specific approval from the Harbormaster. No permanent live aboards are allowed.

§ 86-32 Rafting.

Vessels may raft on a single mooring or anchor when such activity does not interfere with the proper functioning or safety of adjacent single moorings or vessel anchorages and according to the limits, number and/or length, set by the mooring owner or anchored boat owner.

§ 86-33 Docking and ranking.

- A. The owner or person in charge shall, as soon as may be after such vessel is made fast to any wharf or other vessel, cause the lower yards to be cock-billed and the top sail yards to be braced fore and aft, and the jibboom of any vessel shall be rigged in whenever so directed by the Harbormaster.
- B. Vessels shall not in any case be placed alongside of any wharf in said harbor more than three deep without permission of the Harbormaster.

§ 86-34 Awaiting tide for free passage by deep draft vessels.

Every vessel drawing more than seven feet of water and approaching the harbor at any other time than at high tide shall anchor outside the channel until the tide shall warrant a free passage.

§ 86-35 Obstructing passage of vessels.

- A. No warps, lines or fishing gear shall be in or passed across any channel, fairway or dock and no boat shall be anchored in the channel or fairway in a manner which obstructs vessels passing along the same.
- B. Stakes shall not be driven to be used for mooring any vessel or boat, or for tying up any fish, lobster or bait can unless in the judgment of the Harbormaster their use would not be an obstruction.
- C. Mooring shall not be located so that vessels or boats when lying to the same shall block any channel or approach to any channel, or obstruct the approach to piers, docks or other moorings in the vicinity.
- D. The placement of fish nets is prohibited in all navigation fairways and mooring fields.

- E. No person or persons shall obstruct any channel, fairway or dock in a manner which obstructs vessels passing along same.

§ 86-36 through § 86-39. (Reserved)

Article IV

Public Use and Access to the Water

§ 86-40 A right to public use and access.

One of the key components of the Westerly Harbor Management Plan is securing and maintaining public access to the shore, coastal waters and mooring areas. Public access is possible through rights-of-way that traverse different types of environments and may be of either public or private ownership. The Town of Westerly shall maintain an inventory of rights-of-way and points for public access to the shoreline, coast waters and mooring fields in the Westerly Harbor Management Plan.

§ 86-41 Points of public access to mooring fields.

Locations designated as points of public access to mooring fields are contained in the Westerly Harbor Management Plan.

§ 86-42 Interruption of access prohibited.

- A. No person shall block, barricade or in any way impede the public use of or access to designated public rights-of-way to the water as defined by the RI CRMC or the Town of Westerly.
- B. No person shall store a vessel, vehicle or structure on a designated public right-of-way to the water as defined by the CRMC or the Town of Westerly.
- C. Any vessel, vehicle, structure or debris in violation of this section shall be subject to removal at the direction of the Harbormaster, any assistant Harbormaster or any police officer. The cost of such removal shall be the responsibility of the owner of said vessel, vehicle, structure or debris.

§ 86-43 through § 86-48. (Reserved)

§ 86-49 Violations and penalties.

Any person in violation of a provision of this article shall be subject to the fine identified in the violation schedule contained within § **86-6** of this chapter.

Article V

Mooring Fields and Moorings

§ 86-50 Violations and penalties.

Any person in violation of a provision of this article shall be subject to the fine identified in the violation schedule contained within § **86-6** of this chapter.

§ 86-51 Mooring placement and siting.

- A. Mooring field designations. Certain waters of the Town shall be designated as mooring fields. Those waters authorized for the placement of permitted moorings shall be located in accordance with all policies of the Town's Harbor Management Plan, the policies and requirements of the Coastal Resources Management Council's

guidelines for the development of municipal harbor management plans, and the CRMC's management procedures for siting mooring fields. All moorings shall be placed within the perimeters of each mooring field so that the scope of each mooring and vessel do not extend beyond the mooring field boundaries. Any revisions to the size, and/or location of these mooring field designations shall require the approval of the Town Council with advice from the Harbor Commission, and the Coastal Resources Management Council before the revisions may take effect.

- B. Maximum number of moorings. Based on the findings of the harbor management plan, there shall be a maximum number of moorings in each mooring field.
- C. Moorings associated with residential waterfront properties. Moorings used in conjunction with residential waterfront property may be placed in the coastal water and harbor areas of the Town in those waters immediately adjacent to the upland residential waterfront property with the exception of shellfish transplant areas. The mooring permit holder must comply with all mooring permit application requirements and receive a mooring permit from the Town as described herein, and the mooring must meet all mooring tackle standards and inspections as set forth in this chapter and any applicable regulations before such placement will be permitted. Up to four moorings may be placed in the general vicinity of each residential waterfront property in accordance with the definition for a riparian mooring and this subsection. All mooring placements, including temporary moorings, shall be in accordance with the Harbor Management Plan.
- D. Mooring field siting standards. All designated mooring fields sited within the coastal waters and harbor areas of the Town shall be set back a minimum distance of 50 feet from all piers, floats and public launching ramps; and from riparian moorings and shoreline rights-of-way a distance which is sufficient to allow ingress and egress and to prevent interference with the exercise of private and public rights of access to the waterways.
- E. All new and significantly expanded mooring fields shall be sited to ensure that tides and currents aid in flushing the mooring area.
- F. All new and significantly expanded mooring areas shall be sited to avoid adverse effects on water quality.
- G. Mooring areas shall be sited in a manner which does not substantially interfere with designated shellfish management areas, traditional fishing grounds, public recreational areas and conservation areas.
- H. Mooring area shall be sited in a manner which does not significantly effect finfish and/or shellfish resources, wetlands, submerged aquatic vegetation and aquatic habitat.
- I. Mooring areas shall be adequately serviced by pumpout facilities that are accessible, operational, and maintained.

- J. Pumpout service shall be provided on a published scheduled basis for all moorings and dock slips.
- K. Live aboard activity (such as that which occurs with destination type mooring fields and sheltered harbors) is prohibited in all SA waters. The Harbormaster shall make annual assessments in order to confirm that the use of moorings does not include live aboard activity.
- L. All harbor activities shall be managed in accordance with the regulations, statements, and ordinances contained in the Town's Harbor Management Plan.

§ 86-52 Mooring permits; general requirements.

- A. Mooring permit required. No mooring shall be located, or maintained, in the coastal waters and harbor areas of the Town until a permit has been issued for the use of such moorings by the Harbormaster.
- B. Placement of moorings. The Harbormaster directs the placement of the moorings within the mooring field boundaries and the Harbormaster determines that mooring tackle conforms to the specifications and standards set forth in all applicable regulations and any conditions of the permit.
- C. Transfer of mooring permits. No mooring permit shall be sold, assigned or otherwise transferred by a permit holder. Assignments of all mooring permits shall be made only by the Harbormaster's office.
- D. Reassignment of mooring permits by Harbormaster's office. When an existing mooring permit becomes available, the owner shall notify the Harbormaster and arrange for the inspection of the mooring site within 30 days. The Harbormaster may immediately permit the space to the person next on the waiting list whose boat fits the mooring.
- E. New moorings. Available spaces for new moorings shall be assigned by the Harbormaster to the person next on the waiting list whose boat fits the space.
- F. Change of vessel. Mooring permit holders who plan a change in vessel on their mooring must file a new mooring permit application. Failure to comply with this regulation can result in forfeiture of the mooring.
- G. Request for a mooring permit.
 - (1) All requests for mooring permits shall be submitted to the Harbormaster via the e-permitting system provided by the Town.
 - (2) An application shall be accompanied by the appropriate fee and shall be received by the Office of the Harbormaster.
 - (3) A complete and accurate mooring permit application must be submitted before the Harbormaster can act to approve or deny such application.

- (4) The Harbormaster shall determine if a mooring permit can be issued only after all provisions of the Harbor Management Plan, this article and all applicable regulations are met; provided that mooring space is available.
 - (5) Mooring tackle must be installed by a professional mooring service, and confirmation received by the Harbormaster within 15 days from the date of approval or said mooring permit shall be forfeited.
- H. Permit renewals for all moorings shall occur annually. Applications for renewals of a valid mooring permit shall be submitted to the Harbormaster through the e-permitting system.
- (1) The Harbormaster shall open e-permitting for the renewal of permits by email notice before January 1st of each year to those persons who held valid mooring permits the previous year. Email notice shall be sent to the email address listed on their last e-permit application.
 - (2) Online renewal, accompanied by the appropriate fee and a current copy of the permitted boat's registration and documentation, must be received by March 1. After March 1, a late fee of \$50 will be applied for applications received.
 - (3) It shall be the responsibility of the mooring permit holder to notify the Harbormaster of any change in information reported through e-permitting.
 - (4) If a mooring permit holder does not receive a renewal notice through e-permitting, it is their responsibility to contact the Harbormaster's office.
 - (5) Upon receipt of the complete renewal registration and fee, the Harbormaster's office shall forward to the permit holder the required mooring identification.
- I. Relocation of existing permitted mooring.
- (1) All requests for relocation of existing permitted moorings must be submitted to the Harbormaster. Information for such a request must meet the requirements of the e-permitting system, as well as proof of a valid mooring permit issued for the previous or current year. The reasons for a mooring relocation must be clearly stated in the request.
 - (2) Action on the relocation request will be taken by the Harbormaster based upon availability of space in the desired mooring field, the requirements of this chapter, and the type and size characteristics of the vessel.
 - (3) Any request received by the Harbormaster that is not complete shall be returned to the applicant and no action will be taken on the request.
- J. Failure to renew an existing valid mooring permit. Failure to renew an existing valid mooring permit in accordance with the provisions of these regulations shall result in the permitted owner's forfeiture of all his or her privileges in the previously

permitted mooring space. Upon the written request of the Harbormaster, the permit holder shall immediately remove the mooring tackle from the mooring space. If the permit holder does not remove the mooring tackle within 30 days of the written request, the Harbormaster may remove the now abandoned mooring tackle at the permit holder's expense.

- K. Forfeiture of mooring space. Any permit holder shall be deemed to have forfeited his or her mooring space by reason of any one of the following:
 - (1) Failure to comply with any of the requirements of this chapter;
 - (2) Removal of mooring and mooring tackle and notification to the Harbormaster that the mooring has been forfeited;
 - (3) Failure to respond to the Harbormaster's notice that the mooring does not comply with the mooring tackle standards set forth in this chapter and all applicable regulations, or that the mooring has been displaced or moved from its permitted location without approval.
 - (4) Failure to display the mooring identification on the mooring buoy and boat.
 - (5) Failure to resurface, repair or replace mooring tackle within 60 days after being advised to do so by the Harbormaster.
- L. Removal of mooring from forfeited mooring space. The Harbormaster shall notify the mooring owner advising of the reason for forfeiture as stated above. The mooring owner shall be given 10 business days to comply. If mooring has not been removed in the time frame, the Harbormaster's office shall cause the mooring to be removed at the owner's expense. If a boat is tied to the mooring, the boat will also be removed and stored at the owner's expense.
- M. Available spaces. As of March 1 of each year, the Harbormaster shall determine the number of mooring permits available for mooring placement. The number of permits available shall equal the number of spaces authorized by this article, minus the sum of all acceptable mooring permit renewal applications. The available mooring permits shall be made available first to those persons whose names appear on the waiting list whose boat fits the mooring space.
- N. Initial assignment of mooring permits. In accordance with Town Council resolution 18/19-118, adopted March 25, 2019, a mooring permit shall be issued for existing moorings and any relocated moorings that are verified by a professional mooring service to be capable of safely holding the vessel intended to be secured to the mooring tackle prior to the occupation of such mooring in accordance with the e-permitting procedures established by Council. Through this process of e-permitting, applicants will be identified as either residents or nonresidents and mooring permits will be distributed on a no greater than 3:1 basis (three residents for every one nonresident). The Harbormaster shall at all times maintain a list of all mooring permits assigned.

- O. Waiting list. When no mooring permits are available for existing or relocated moorings, applicants shall be placed on a waiting list for a designated mooring field. The Harbormaster shall mail the forms for the annual waiting list renewal the first week in January. The annual waiting list fee must be received by March 1. If the annual fee is not received by the March 1 deadline the applicant will be removed from the waiting list. The Harbormaster shall submit an updated waiting list to the harbor commission and Town Council twice a year on or near April 15 and October 15. The waiting list shall remain available on the webpage for Harbormaster's office at all times. The waiting list shall show the names of the persons desiring mooring space, the date of application, and the area in which such space is.
- P. Occupancy of mooring.
- (1) No vessel shall occupy a mooring other than the one for which it has been permitted. The Harbormaster shall have the authority to move or cause to be moved any vessel violating the provisions of this section, at the expense and risk of the vessel owner.
 - (2) Temporary guest use. For temporary guest use of a mooring by a vessel other than the one permitted, for a period not exceeding seven days, the mooring owner, or his agent, must notify the Harbormaster upon the vessel's arrival at the mooring. Upon written request by the mooring owner, the Harbormaster may, for good cause, allow a temporary guest use of a mooring for a period greater than seven days.
 - (3) Any mooring which is not used for one year shall be considered abandoned and must be removed by its owner from the mooring area. This period may be extended if extenuating circumstances are presented to the Harbormaster on a timely basis. If the owner fails to remove the mooring upon order of the Harbormaster, the owner will be billed for the cost of the mooring removal and storage if applicable.
 - (4) It shall be a violation for any vessel to attach, use or occupy any mooring that fails to comply with any section of this chapter.
- Q. Preference to Westerly residents. In the assignment of initial mooring space and the reallocation of existing mooring space, Westerly residents shall be given priority over nonresidents. However, a nonresident shall not lose priority to a resident more than three times before such nonresident is given first priority to an appropriate mooring space unless the mooring field is within a federal navigation project that the Town of Westerly has agreed in writing to certain covenants thereto, then mooring allocations shall meet the Army Corps of Engineers requirement of open to all on a fair and equitable basis.
- R. The rate charged for all mooring permits shall be in accordance with the fee schedule in § **121-1** of the Town Code.
- S. The Harbormaster shall have the authority to remove or relocate any mooring in violation of an applicable provision of either Chapter **86** or the Harbor Management Plan.

T. Moorings in violation. The Harbormaster shall notify a mooring permit holder of a violation by certified mail. Any mooring permit holder whose mooring has been deemed in violation must contact the Harbormaster's office within 15 days of the violation notice. No one shall remove, take, discard or dispose of any violation sticker, violation decal or violation pennant from any mooring without the permission of the Westerly Harbormaster.

§ 86-53 Mooring permit application process.

A. All applications for mooring permits shall be made through the e-permitting system maintained by the Town of Westerly and under the administration of the Harbormaster. Each applicant shall provide such information as requested by the Harbormaster, and in the least, the following information:

- (1) Name, address, telephone number (home and cell), and e-mail address (if applicable) of owner;
- (2) Vessel name, active registration number, hull identification number (HIN), length (feet), type, and color and documentation number of the boat to be on the mooring;
- (3) Proof of ownership of the vessel;
- (4) Emergency contact name and telephone;
- (5) Mooring classification, actual anchor weight, mooring type;
- (6) Appropriate registration fee;
- (7) Type of marine sanitation device, if any, and need for pumpout boat pennant (please note that all boats with type 3 MSDs are required to utilize the Town's mooring pumpout boat service and must have a pennant);
- (8) Area(s) where applicant would like to locate mooring, prioritized;
- (9) Proof of waterfront property ownership, if applicable, must include utility bill, plat map and driver's license; and
- (10) Proof of residency (driver's license).

B. The Town may, from time to time, update the e-permitting system.

§ 86-54 Minimum tackle standards, inspections and standards.

Mooring gear and tackle used in the Town shall meet or exceed those specified in the current edition of Chapman's Piloting & Seamanship. The Harbormaster may approve informal variances to mooring tackle specifications, other than those minimum standards described herein, for specific cases if such specifications are inappropriate for the area in which a mooring will be located. The Harbormaster must file such variance with the Harbor Commission. Inspections and services are to be completed as defined in the Westerly Harbor Management Plan.

§ 86-55 through § 86-59. (Reserved)