

No.

CHAPTER
AN ORDINANCE

THE COMMITTEE ON
URBAN REDEVELOPMENT
RENEWAL & PLANNING
Approves Passage of
The Within Ordinance

Clair E. Bartusch
Feb. 23 2000 Clerk

IN CITY COUNCIL
OCT 1 1998
FIRST READING
REFERRED TO COMMITTEE ON U.R.R.P.

Michael K. Almont
Clerk

THE COMMITTEE ON

U.R.R.P.
Recommends *P.H.*

Burlin A. Garrison
Clerk

7/12/99 (Continued)

(1/12/99 P.H. held) 9/21/99 (Continued)

2/3/99 (Continued)

Council President Jarguete (By Request)

SEP 25 2 54 PM '98
DEPT. OF PLANNING
PROVIDENCE, R.I.

FILED

THE COMMITTEE ON
URBAN REDEVELOPMENT
RENEWAL & PLANNING
Approves Passage of
The Within Ordinance

Burlin A. Garrison
Clerk

10/18/99

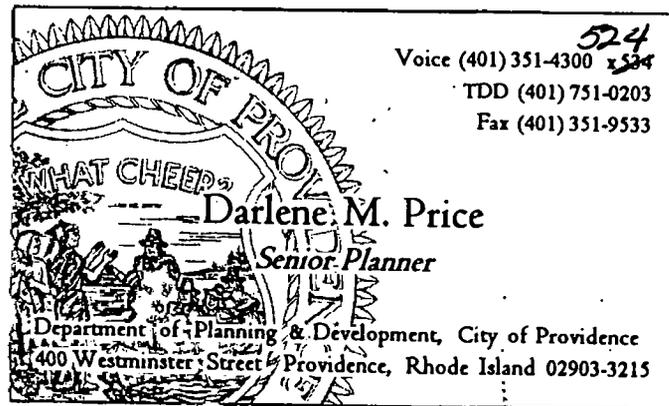
MEMO

DATE: 10/05/98
TO: MICHAEL R. CLEMENT, JR., CITY CLERK
CC: BARBARA PORIER, DEPUTY CLERK
FROM: DARLENE M. PRICE, SENIOR PLANNER, PLANNING DIVISION
RE: PUBLIC COPY OF DRAFT "HARBOR MANAGEMENT PLAN, 1998-2002"

The City Plan Commission will hold a Public Hearing to take public comments on the proposed "Providence Harbor Management Plan, 1998-2002". The hearing is scheduled for Tuesday, October 20, 1998 at 5:00 p.m. in the Department of Planning and Development 4th floor conference room. Enclosed is a copy of the plan. Please return this copy to me after October 7. Thank you.

DP

Attachments



City of Providence, Rhode Island

HARBOR MANAGEMENT PLAN 1998-2002

Vincent A. Cianci, Jr.
Mayor



Providence Department
of Planning and
Development

400 Westminster Street,
Providence, RI 02903

February, 1998

Louis Berger & Associates, Inc.

295 Promenade Street, Providence, RI 02908





Louis Berger & Associates, Inc.

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A MEMBER OF THE BERGER GROUP

ENGINEERS • PLANNERS • SCIENTISTS • ECONOMISTS • ARCHAEOLOGISTS

February 26, 1998

Mr. Thomas Deller, Deputy Director
City of Providence
Department of Planning and Development
400 Westminster Street
Providence RI 02903

Attn: Sam Shamoon

Re: City of Providence - Harbor Management Plan, SAM Plan Update

Dear Thom:

Louis Berger & Associates, Inc. is pleased to submit twenty copies of the Harbor Management Plan/SAM Plan Update. This document reflects review comments received February 2. Also enclosed is Sam's copy of the draft of Section 4 and electronic files of text, photos and graphics.

The objective of this project has been the delivery of a draft Harbor Management Plan. Public participation is a key parameter in CRMC's final approval process. This document will serve as the appropriate first step in developing consensus.

It has been a pleasure compiling this document as the City of Providence plans for future use of its marine resources. I would be pleased to discuss with you any opportunities to serve the city as the plan is submitted for public review.

Sincerely;
LOUIS BERGER & ASSOCIATES, INC.

Pamela Morey Okolita, Project Manager
Principal Environmental Planner

Encl.

cc: Joe Pratt, Louis Berger & Associates, Inc.

Draft
Harbor Management Plan
Providence, Rhode Island

prepared by
Louis Berger & Associates, Inc.

in association with
Pare Engineering Corporation
Barbara Sokoloff Associates
Beckman/Weremay, Ltd.

for
City of Providence
Department of Planning and Development

February 27, 1998

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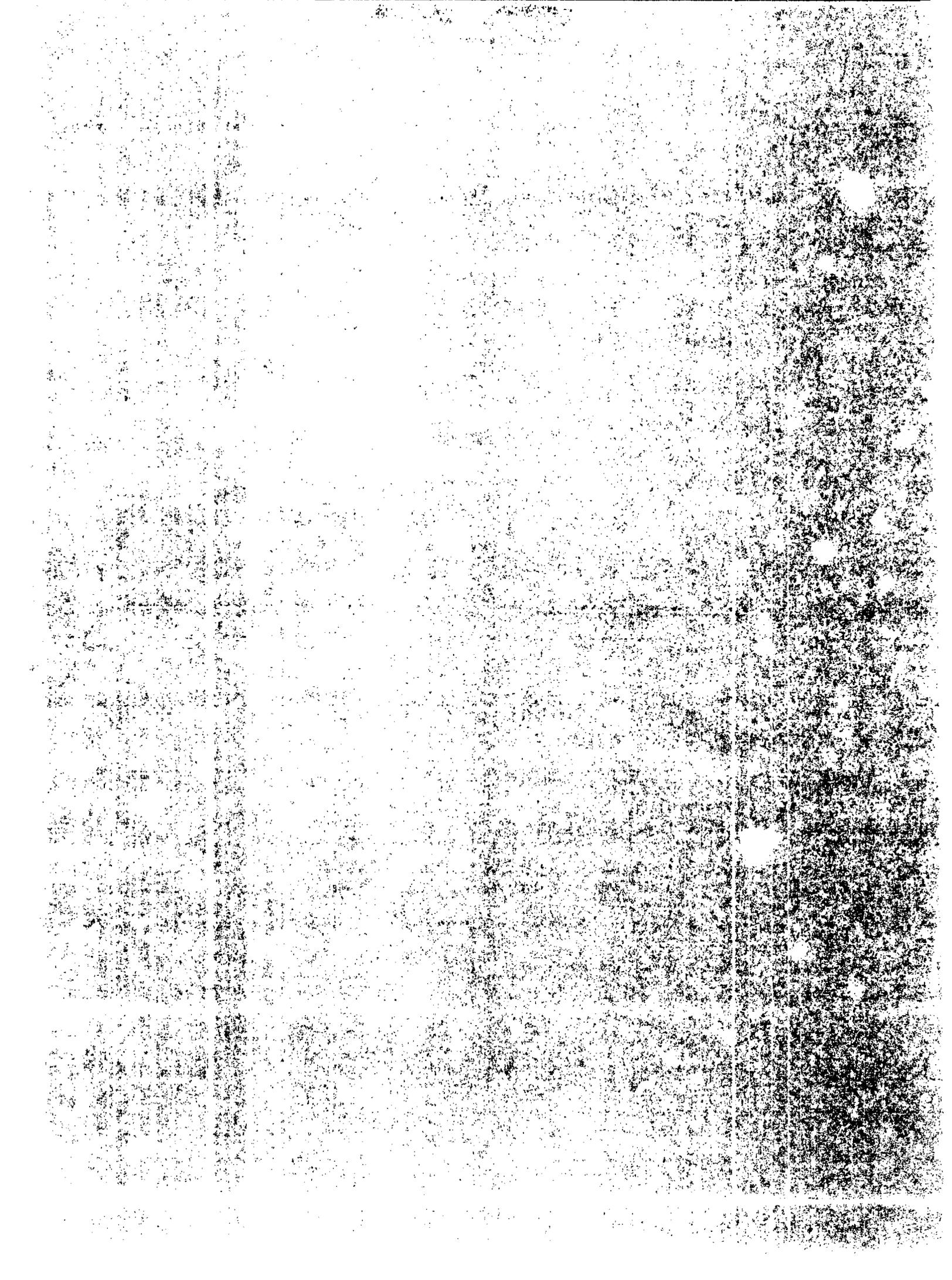
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Section 1

Executive Summary

The City of Providence has made remarkable strides in reinvigorating the water-based resources of this harbor city. Located at the confluence of several rivers, at the head of Narragansett Bay, the City has enjoyed a nautical heritage throughout history. Although this heritage has become less important in previous decades for the movement of cargo, its importance for recreation and marine transportation have increased dramatically in recent years.

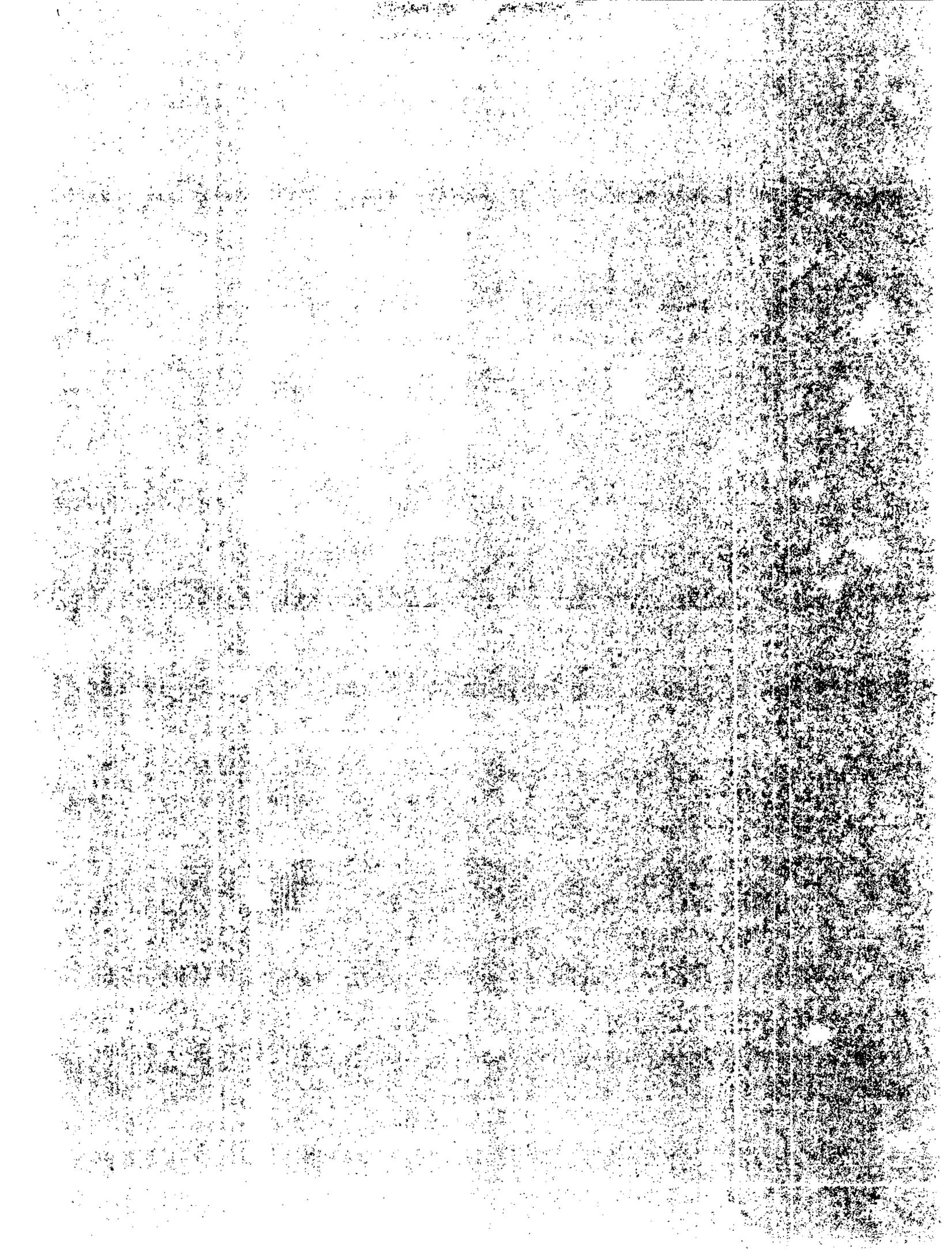
In response to increasing pressures and multiple conflicts over existing water resource uses, the State of Rhode Island has empowered the Coastal Resources Management Council (CRMC) to enact regulations and planning programs designed to proactively stimulate coastal communities to develop comprehensive municipal *harbor management plans* (HMPs). Submerged lands, coastal resources, and tidal waters of the state are subject to the State of Rhode Island's jurisdiction. These areas are owned by the State and held in trust for the public. The approval of municipal harbor management regulations and plans is regulated under Section 300.15 of the Coastal Resource Management Program. This section establishes that "all rules or management functions that apply to the use of tidal waters adjacent to a municipality" are considered municipal Harbor Regulations and are subject to review and approval by the CRMC.

Although CRMC guidance was followed in the crafting of this plan and CRMC approval is necessary for implementation, local participation is key to formulating the recommendations presented. A wide range of harbor users and regulators were consulted in the development of this plan. An active citizen participation effort, directed toward soliciting a broad range of comments, is required to formulate the final harbor management plan.

The key component of the Harbor Management Plan is the formation of the City of Providence Rivers and Harbor Commission, charged with implementing the recommendations of this plan. Other key functions of this commission would be to manage city piers and parks along the waterfront and to update state and local laws and ordinances to reflect current demands on the harbor.

The City of Providence requires a CRMC approved Harbor Management Plan as a tool in directing waterfront growth as it meets challenges for new docks, maintenance dredging, designation of single-use water areas, or improvement of water quality. This Harbor Management Plan offers the City a tool to meet these planning objectives. Appended to this document is an update of the *Providence Harbor Special Area Management (SAM) Plan*. An update of the SAM plan is required for CRMC approval of the Harbor Management Plan.

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Section 2

Vision Statement

Imagine

Spending a day sailing in the outer harbor or rowing on the Seekonk River, followed by a water taxi ride to Corliss Landing for a bite to eat on South Water Street. Imagine a gondola ride to Gardner Jackson Park to pick up a few things at the RISD bookstore, before boarding the Blackstone ferry for the trip back to Pawtucket. Or imagine coming to Newport for a convention and spending the day in Providence, with transportation via a high speed ferry up Narragansett Bay. Imagine taking a Boston whaler up from Warwick to Waterplace to see Water Fire on a beautiful summer evening. Or imagine a barge of new automobiles destined for Providence-area car dealerships or oil being barged directly to tanks along the Port of Providence without being off-loaded in the lower bay because of silting in the federal channel.

... All this will be possible in Providence within the next few years.

This Harbor Management Plan provides the City of Providence a tool to enable current and future waterside users safe, equitable access to open waters, parks, marinas, and piers and wharves in the port. The purpose of this Harbor Management Plan is to manage the in-water activities, in accordance with the CRMC's *Guidelines for the Development of Municipal Harbor Management Plans* and incorporating the City's enabling legislation. The Harbor Management Plan will assist the City's land-side development by virtue of the in-water activities.



Through implementation of this Harbor Management Plan, the City of Providence is providing a framework to guide the rebirth of Providence Harbor. Within the past decade the City has made remarkable progress in implementing a fundamental shift back towards the rivers and the ocean after years of neglect. Those who live, work and visit in the City of Providence can once more claim Narragansett Bay, the Providence River, the Seekonk River, the Woonasquatucket River, and the Moshassuck River as jewels of the Ocean State.

Through the significant public works projects both underway and on the drawing board, the City is poised to strengthen its position as a center of commerce and industry as well as an important tourist destination. And due to the geographical location of the City at the head of Narragansett Bay, it is integral that Providence set the pace for future urban waterfront development for all of Rhode Island's coastal communities.

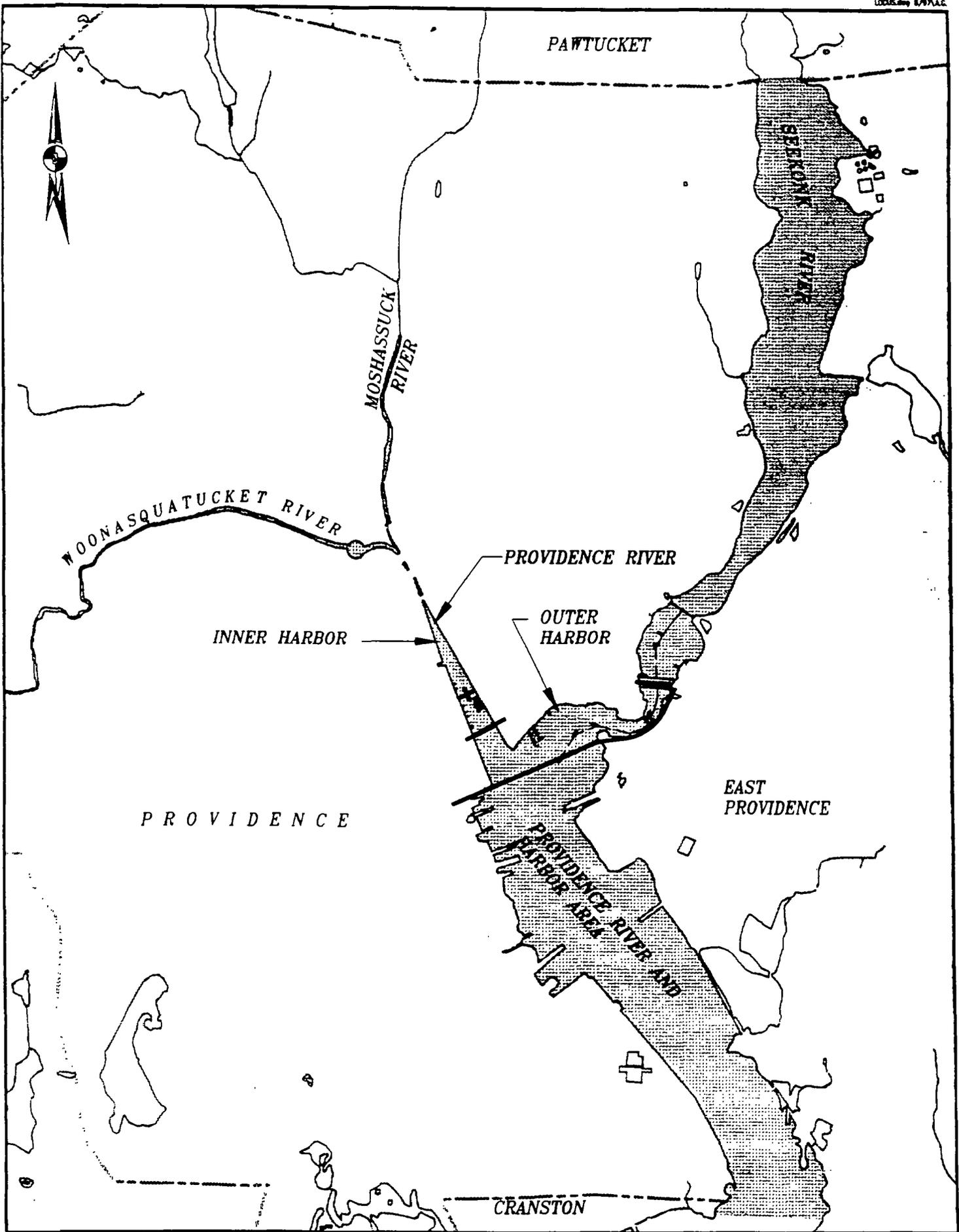
The purpose of the Harbor Management Plan is to control land side and water side development along the Providence, Moshassuck, Woonasquatucket and Seekonk Rivers in four separate yet integral project areas which define the Harbor:

- ▶ **The Seekonk River** This includes the area which is contained by a line which extends from the Pawtucket city line to the north, the East Providence city line to the east, and the Washington Bridge (I-195) to the south.
- ▶ **The Inner Harbor and the Rivers** This area consists of all tidal areas on the interior of the Fox Point Hurricane Barrier, including the Providence River, the Old Harbor area, Waterplace Park, the Woonasquatucket River, and the Moshassuck River.
- ▶ **The Outer Harbor** This includes the area outside of the Fox Point Hurricane Barrier, east along the shoreline of India Point Park to the Washington Bridge, then southerly along the East Providence city line to what is now or formerly known as the Wilkes-Barre Pier. The southern edge of the area is defined by an imaginary line extending from the Wilkes-Barre Pier west to the terminus of Henderson Street.
- ▶ **The Port of Providence and Beyond** This includes all of the area which is legally defined as the responsibility of the City of Providence which lies south of the aforementioned Outer Harbor.

The Harbor Management Plan provides the city with a tool to direct the use of harbor resources, complementing several projects which are already proposed, underway or completed. The proposed relocation and construction of a new Providence River Bridge south of the Hurricane Barrier will re-route interstate traffic out of residential neighborhoods and the Jewelry District downtown, and will re-establish pedestrian access to 45 acres of waterfront.

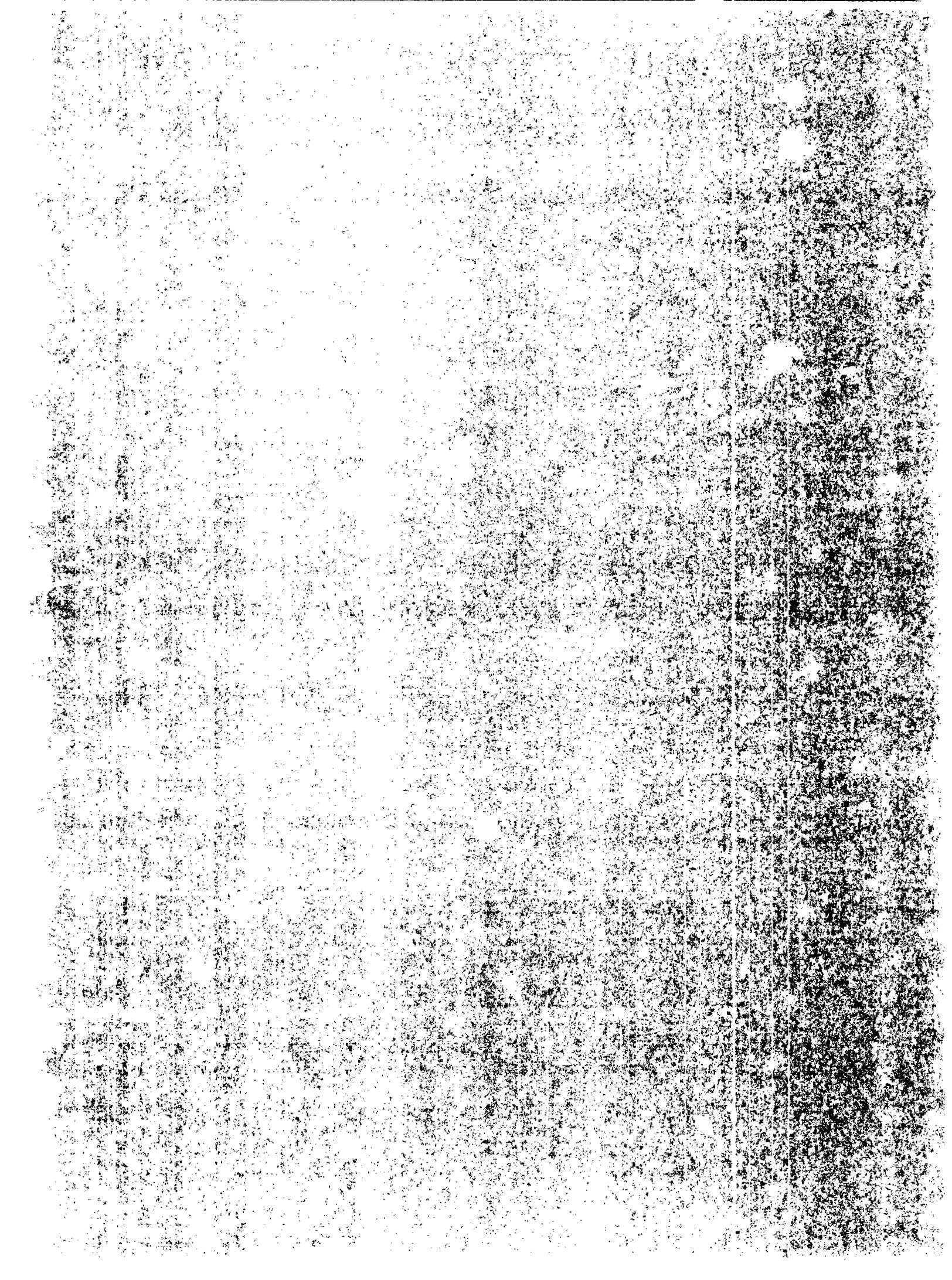
The relocation of Interstate 195 will have a dramatic impact on both waterfront development and on water borne traffic. The redevelopment of the Port of Providence will continue. There will soon be water taxis traveling in and out of the inner harbor area. All of these projects help to fulfill the goals of mitigating traffic congestion and improving air quality in Providence (City of Providence, 1997).

This Harbor Management Plan addresses both immediate and future improvements to water traffic congestion, thereby benefiting short-term and long-term usability of these resources. A goal of the project would be to reduce potential conflicts in water usage while maximizing the benefit for multiple use of the Harbor.



	LOUIS BERGER & ASSOCIATES, INC.	<h2 style="text-align: center;">PROVIDENCE HARBOR PROJECT AREA WATER LIMITS</h2>	<h2 style="text-align: center;">FIGURE 1</h2>	
	CITY OF PROVIDENCE DEPARTMENT OF PLANNING AND DEVELOPMENT			Source: Louis Berger & Associates, Inc.

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Section 3

Implementation Strategy

Formulation of a meaningful Harbor Management Plan for the City of Providence requires that numerous players on the waterfront accept the recommendations of the plan and that various city and state departments and agencies take stewardship for implementation.

The following table summarizes the tasks and the responsibilities required to bring the plan to fruition. Years have also been identified to present a scope on the time frames required. The Rhode Island Coastal Resources Management Council requires that approved Harbor Management Plans be updated every five years; a five year time frame is therefore presented.

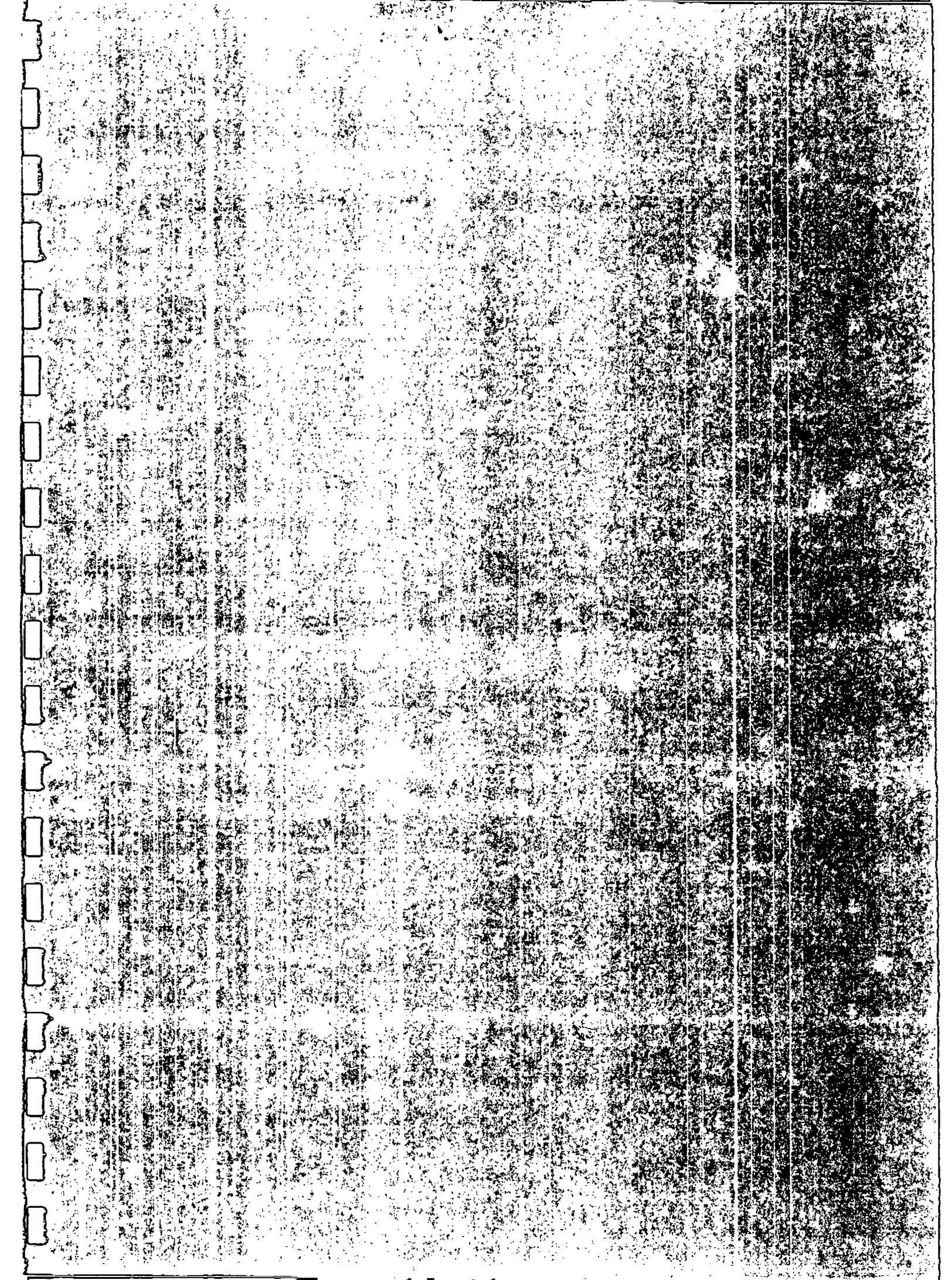
As indicated, formation of a Rivers and Harbor Commission is a key component of the plan. Many tasks are the responsibility of this mayor-appointed commission. Successful implementation of this Harbor Management Plan requires involvement from several key city agencies and departments including the Providence City Council, the Department of Planning and Development, the Department of Public Parks, the Department of Public Works, and the Providence Police Department Harbor Patrol. Participation from key state agencies is also essential to the success of this plan. These agencies include the Rhode Island Department of Environmental Management Office of Law Enforcement and Division of Water Resources, the Coastal Resources Management Council, the Rhode Island Department of Transportation, the Rhode Island Public Transit Authority, and the Public Utilities Commission.

Implementation Items	Responsible Party/Agency	1998	1999	2000	2001	2002
Responsible Party/Agency: R&HC = Rivers and Harbor Commission, PCC = Providence City Council, CS = City Solicitor, HP = Providence Police Department Harbor Patrol, DPP = Department of Public Parks, DPD = Department of Planning and Development, DPW = Department of Public Works, PAD = Providence City Assessors Department, CRMC = Coastal Resources Management Council, CCC = City Charter Commission, PUC = Public Utilities Commission ● = ongoing, ○ = to be implemented						
A. HARBOR COMMISSION						
A-1 Create Providence Rivers and Harbor Commission	PCC	○				
A-2 Consider including the R&HC into the City Charter	CCC					
A-3 Amend Chapter 11 of Municipal Ordinance to reflect HMP	CS, CC		○			

Implementation Items	Responsible Party/Agency	1998	1999	2000	2001	2002
Responsible Party/Agency: R&HC = Rivers and Harbor Commission, PCC = Providence City Council, CS = City Solicitor, HP = Providence Police Department Harbor Patrol, DPP = Department of Public Parks, DPD = Department of Planning and Development, DPW = Department of Public Works, PAD = Providence City Assessors Department, CRMC = Coastal Resources Management Council, CCC = City Charter Commission, PUC = Public Utilities Commission ● = ongoing, ○ = to be implemented						
A-4 Coordinate with CRMC Subcommittee on Urban Ports and Harbors	R&HC	●	●	●	●	●
B. REGULATORY JURISDICTION						
B-1 Update Chapter 11 of Municipal Ordinances to assure marine safety	R&HC		○			
B-2 Establish regulations for waterfront facilities at inner harbor parks	DPP, R&HC		○			
B-3 Revise RIGL to limit Providence jurisdiction to waters north of Cranston	R&HC, State Legislature, CRMC		○			
B-4 Determine jurisdiction in undefined federal channel; develop memorandum of agreement between Providence and East Providence	R&HC, East Providence, PCC			○		
B-5 License water taxi and ferry service	PUC	●	●	●	●	●
C. MULTI-USE OF PROVIDENCE RIVERS						
C-1 Promote and enforce safe boating standards	HP, R&HC, RIDEM Marine Safety	●	●	●	●	●
C-2 Appoint the Rivers and Harbor Commission	Mayor, PCC		○			
C-3 Create pier regulations for multi-use	DPP, R&HC		○			
C-4 Enforce "no wake" speeds	HP, R&HC, RIDEM Marine Safety	●	●	●	●	●
C-5 Investigate need for single use areas	R&HC			○		
C-6 Investigate need and demand for moorings	R&HC				○	
C-7 Investigate need and demand for transient anchorage areas	R&HC					○
C-8 Coordinate with CRMC to delineate locations for Water Fire braziers	R&HC	●	●	●	●	●

Implementation Items	Responsible Party/Agency	1998	1999	2000	2001	2002
Responsible Party/Agency: R&HC = Rivers and Harbor Commission, PCC = Providence City Council, CS = City Solicitor, HP = Providence Police Department Harbor Patrol, DPP = Department of Public Parks, DPD = Department of Planning and Development, DPW = Department of Public Works, PAD = Providence City Assessors Department, CRMC = Coastal Resources Management Council, CCC = City Charter Commission, PUC = Public Utilities Commission ● = ongoing, ○ = to be implemented						
D. PUBLIC ACCESS						
D-1 Investigate legal status of ROW ownership	PAD	○				
D-2 Nominate paper streets to CRMC as designated rights-of-way to tidal areas	R&HC		○			
D-3 Develop public access at designated ROWs	R&HC			○		
D-4 Prevent further abandonment of ROWs to reflect RIGL 46-23-6.2	R&HC, PAD	●	●	●	●	●
D-5 Investigate feasibility of boat launch construction at Oxford Street	R&HC, DPD, DPP			○		
E. WATER QUALITY						
E-1 Develop harbor ordinance to reflect RIGL 46-12-39 through 46-12-41	PCC, CS, R&HC		○			
E-2 Coordinate enforcement of RIGL 46-12-39	R&HC, HP	●	●	●	●	●
E-3 Prohibit liveaboards at marinas without pump-out facilities	PCC, CS, R&HC		○			
E-4 Support RIDEM efforts to establish City waters as a "no discharge zone"	PCC, DPD, DPP, R&HC	●	●	●	●	●
E-5 Develop harbor ordinance to enforce "no discharge zone"	PCC, CS, R&HC		○			
E-6 Require Best Management Practices on land and at marinas	PCC, Building Department		●	●	●	●
E-7 Review and comment on CRMC permits regarding environmental impacts	R&HC, DPD	●	●	●	●	●

Implementation Items	Responsible Party/Agency	1998	1999	2000	2001	2002
Responsible Party/Agency: R&HC = Rivers and Harbor Commission, PCC = Providence City Council, CS = City Solicitor, HP = Providence Police Department Harbor Patrol, DPP = Department of Public Parks, DPD = Department of Planning and Development, DPW = Department of Public Works, PAD = Providence City Assessors Department, CRMC = Coastal Resources Management Council, CCC = City Charter Commission, PUC = Public Utilities Commission ● = ongoing, ○ = to be implemented						
F. WATER USE CONSISTENCY WITH LAND USE						
F-1 Request CRMC designation change east of Park Street and north of the Fox Point Hurricane Barrier on the Woonasquatucket and Providence Rivers	R&HC, PCC		○			
F-2 Request CRMC designation change west of Park Street on Woonasquatucket River	R&HC, PCC		○			
F-3 Create Waterfront Downtown (W-D) zone	DPD		○			
G. NAVIGATION						
G-1 Appoint Commissioner of Wrecks	PCC, R&HC			○		
G-2 Maintenance dredging of Waterplace Park after mall/ramp construction	RIDOT		○			
G-3 Amend municipal harbor ordinance to limit vessel speed	PCC, CS, R&HC, HP, RIDEM		○			
G-4 Support Army Corps of Engineers in demolition of abandoned rail bridge	PCC, DPP, DPD	●	●	●	●	●
G-5 Institute semi-annual street sweeping in Woonasquatucket River watershed.	PCC, DPW			●	●	●
G-6 Institute regularly scheduled catch basin maintenance	PCC, DPW			●	●	●
G-7 Support CSO abatement project	Mayor, PCC, DPD, DPP	●	●	●	●	●
G-8 Investigate dredging upstream of Eagle Street Dam	R&HC, DPW			○		
G-9 Coordinate with CRMC to develop dredging maintenance plan	R&HC				○	



Section 4

Issues, Findings, Policies, Objectives, and Implementation Strategy

Introduction

The Providence Department of Planning and Development has identified a number of issues to be addressed for management of harbor resources in the city. Key among the issues is the question of who sets policy and is in charge of the harbor management area. Many municipal regulations are outdated, reflecting more the days of schooners and tall-masted ships than scullers, gondolas, water taxis and jet skis. Issues facing the City of Providence as the Year 2000 approaches, therefore should be directed toward recognizing the marine resources of the city for recreation, marine transportation, as well as for cargo handling, and protecting these resources for the benefit of all residents and visitors alike.

Outlined below are a series of issues identified through contact with those involved with harbor issues. Input was solicited from municipal departments including the Department of Planning and Development, the Department of Public Parks, the Harbor Patrol of the Providence Police Department, Department of Public Works, Port Commission, ProvPort, Inc. and Emergency Response Committee. On the state level, input was sought from the Rhode Island Department of Environmental Management (RIDEM) Marine Safety Enforcement Division and Water Resources Division, RI Department of Transportation (RIDOT), Capital Center Project, and the Public Utilities Commission. Recreational interests contacted included the Narragansett Boat Club, the Brown University Boat Club, and the Community Boating Center. Commercial marine operations contacted included Capt. Joe Dempsey, local marinas, Baer Canoe Rentals, Interstate Navigation, and port interests.

Concerns expressed by these users of Providence harbor waters were then assessed in accordance with existing state and municipal regulations and policies. The issues identified by this divergent group are identified below. *Findings* or current conditions are documented for each issue, together with municipal *Policies*. *Objectives* are further identified to provide goals for the city to work toward implementing. *Issues* presented frequently address conflicts identified in the *Findings* discussion. *Implementation Strategies*, summarized in Section 3, provide guidance for city departments and others to achieve a viable, attractive, and safe harbor for all marine users in Providence.

The issues discussed below relate directly to CRMC's five major goals identified in the Special Area Management Plan (1983) for Providence Harbor:

- ▶ Balanced and compatible shoreline use (see F. Water Use Consistency with Land Use)
- ▶ Increased recreational opportunities and public access (see C. Multi-use of Providence Waters, D. Public Access)
- ▶ Port development (see C. Multi-use of Providence Waters)
- ▶ Improved water quality (see E. Water Quality)
- ▶ Coordination and consultation (see A. Providence Rivers and Harbor Commission)

A. PROVIDENCE RIVERS AND HARBOR COMMISSION

A1. FINDINGS

Although the City of Providence Home Rule Charter has established a Port Commission with jurisdiction over the municipal wharf, there is no regulatory body with authority over the entire harbor, including the inner harbor and rivers, and the Seekonk River.

In 1994 the City of Providence sold the former municipal wharf at Field's Point to ProvPort, Inc., a private organization. Although the Port Commission was relieved of its responsibilities by the sale, the municipal wharf will revert back to the City of Providence thirty years from that date. In 2024, the Port Commission will once again have jurisdiction over the Field's Point section of the city where its powers and responsibilities include the planning, construction and maintenance of berths, docks, and the management of the port district and all navigable waters.

No regulatory body in the City of Providence is charged with management of harbor resources on all tidal waters. The post of harbormaster remains unfilled and has largely been conducted by the US Coast Guard.

The CRMC Subcommittee on Urban Ports and Harbors is charged with undertaking a debris

The City of Providence must implement its Harbor Management Plan in accordance with the requirements of the Rhode Island Coastal Resources Management Council.

A3. OBJECTIVES

- ▶ Create the Rivers and Harbor Commission by state legislation when the City Charter Commission convenes in 1999.
- ▶ Broaden the powers and responsibilities formerly delegated to the Port Commission to the Rivers and Harbor Commission for all tidal waters under the jurisdiction of the Providence Police Department Harbor Patrol (see 4.B., *Regulatory Jurisdiction*, below).
- ▶ Charge the Rivers and Harbor Commission as the regulatory body for the waters of the City of Providence, responsible for making reasonable rules and regulations for the use of these waters and implementing this Harbor Management Plan.

- ▶ Rivers and Harbor Commission to be a staffed department, responsible for all recreation and marine transportation issues in the harbor management plan area, exclusive of ProvPort activities at Field's Point. Such duties to include operation and maintenance of Waterplace Park, riverwalks and the Gardner Jackson Park, new and proposed docks on the Woonasquatucket and Providence Rivers, and future planning and development of the Woonasquatucket Greenway. Rivers and Harbor Commission to coordinate with Department of Public Parks and Department of Planning and Development.
- ▶ Eliminate the post of harbormaster after creation of the Providence Rivers and Harbor Commission. Rivers and Harbor Commission to coordinate with the Providence Police Department regarding the Harbor Patrol.
- ▶ Specify Providence Rivers and Harbor Commission membership to represent groups most concerned with implementation of the harbor management plan. Rivers and Harbor Commission to consist of seven members representing the recreational boating community, the port industry, the water transportation industry, the environmental community, and three citizens at large who are not affiliated with any of the these groups. Ex-officio representation to be provided from City of Providence departments including Public Parks, Police Harbor Patrol, and Planning and Development. As the need may rise, the Commission shall consult with representatives of adjacent cities.



Tug Roger Williams docked at the west end of India Street, in the Providence River inner harbor.

A4. ISSUES

The Providence Rivers and Harbor Commission would serve as a regulatory body to oversee implementation of the Harbor Management Plan and would act as a Board of Appeals to hear any individual aggrieved by the enforcement or implementation of the applicable portions of the management plan.

A5. PROVIDENCE RIVERS AND HARBOR COMMISSION IMPLEMENTATION STRATEGIES

Note: Numbers for implementation strategies are presented in Section 3.

- A-1 Providence City Council to create by ordinance, the Providence Rivers and Harbor Commission.
- A-2 The City Charter Commission to consider including the Rivers and Harbor Commission within the City Charter when the commission next convenes.
- A-3 Providence City Council to amend Chapter 11 of the Providence Municipal Ordinance to reflect the responsibilities of the Rivers and Harbor Commission in implementation of the Harbor Management Plan.
- A-4 Providence Rivers and Harbor Commission to coordinate with the CRMC Subcommittee on Urban Ports and Harbors to assure compliance with CRMC goals.

B. REGULATORY JURISDICTION

B1. FINDINGS

Providence Harbor Management Area

The Harbor Management Plan area of jurisdiction includes both landside and tidal waters on the Providence, Seekonk, Woonasquatucket and Moshassuck Rivers. Waterside boundaries are not as clearly defined. Landside areas are defined to include land subject to flooding during a storm with the probability to occur at least once within a 100-year period as determined by the Federal Emergency Management Agency. The Providence-East Providence municipal boundary typically follows the easterly side of the Seekonk River. Waterside jurisdiction of the harbormaster (an unfilled position) , however, is determined by Rhode Island General Law (RIGL) §46-4-2 to:

Include all the public waters westerly of the easterly sides of the ship channels in Seekonk River, Providence River and Harbor and Narragansett Bay from the Pawtucket-Providence city line southerly to the point of intersection of the ship-channel side with a straight line drawn from Rumstick Point on the east shore to Rocky Point on the west shore, excluding that area subject to jurisdiction of the City of Cranston, pursuant to the provision of §46-4-5.1.

It is possible, under RIGL §46-23-15.1, for coastal municipalities sharing a common boundary along their public waters to enter into a binding memorandum of agreement allowing harbormasters and other officials responsible for enforcing HMP harbor ordinances from one municipality to enforce the harbor ordinances of the bordering municipality providing that both municipalities have HMPs approved by the CRMC and the memorandum of agreement is approved by the respective town or city councils. Although landside activities can be managed through the harbor management plan, as appropriate local ordinances allow, CRMC's approval of the harbor management plan may not extend to landside jurisdiction. Therefore, certain types of activities may be identified in the harbor management plan, to which the CRMC may not be able to extend approval. CRMC approval is limited to in-water activities which must be consistent with RIGL and the CRMC's regulations.

The area of the Providence Rivers and Harbor Commission's jurisdiction is described as follows for the four planning areas, north to south, and is illustrated in Figure I-A (maps 1 through 3), presented at the end of the Harbor Management Plan:

Seekonk River (north of the Washington Bridge): At the Providence-Pawtucket municipal line, the federal channel is located entirely within Providence municipal waters, as indicated in Figure I-A, (map 1) Jurisdiction extends to the east side of the federal channel (jurisdiction of the waters between the federal channel and the East Providence municipal boundary, although within the City of Providence, is under the jurisdiction of the East Providence harbormaster). At the shipping terminal south of the Bucklin Point Wastewater Treatment Facility (WWTF), the channel crosses into East Providence waters; the City of Providence therefore has jurisdiction up to the shipping



Grotto Brook, view north from River Drive in the vicinity of Irving Street (CRMC designated Right of Way) on Seekonk River. This estuary includes coastal waters designated for preservation by CRMC, and includes soils identified by the Natural Resources Management Council as "additional farmland of statewide importance."

terminal located off Bourne Avenue in East Providence. North of the Henderson Bridge in the vicinity of the Narragansett Boat Club the federal channel is located off the west shore but the municipal boundary continues to follow the east side of the river; the City of East Providence therefore has jurisdiction of much of the open water of the Seekonk River in this stretch including waters within the municipal boundary of the City of Providence. At the Henderson Bridge the east side of the channel parallels the municipal boundary; each city has jurisdiction of its waters in this area.

The federal channel south of the location of the former red bridge at Waterman Square is undefined by the US Army Corps of Engineers. The municipal boundary closely follows the shoreline; the east approach for the abandoned bascule bridge at Crook Point is within the City of Providence. The Twin Islands, located off the east shore, are located within the City of Providence.

Outer Harbor (south of the Washington Bridge, south of the Fox Point Hurricane Barrier and north of Henderson Street): As indicated in the Figure I-A (map 2) entitled *Providence River and Outer Harbor Area*, south of the I-195 Washington Bridge the municipal boundary extends onshore to Pier Road and the railroad tracks, and includes the East Providence Yacht Club and part of the Compassionate Friends of Bold Point Park, both commonly considered to be located in East Providence. The federal channel is undefined in the Outer Harbor east of Fox Point to the Washington Bridge. The Fox Point Reach of the federal channel extends south from the vicinity of Henderson Street and Fox Point south to open waters of Narragansett Bay.

Inner Harbor and the Rivers (north of Fox Point Hurricane Barrier): The inner harbor portion of the harbor management area extends through downtown Providence, up the Providence River to the relocated Woonasquatucket and Moshassuck Rivers as indicated in Figure I-A (map 2). Key features of this portion include the area constructed as part of the Capital Center Special Development District, including Waterplace Park. Jurisdiction extends west on the Woonasquatucket River, along Kinsley Street to a dam near Eagle Street, and north on the Moshassuck River to Smith Street, south of a dam near Mill Street.

Port of Providence and Beyond (south of Henderson Street): The west side of the federal channel extends to the harbor line, at the end of piers on the Providence side of the Providence River; the east side of the channel extends to the harbor line and the end of piers on the East Providence side. See Figure I-A (map 3). The jurisdiction of the Providence Rivers and Harbor Commission therefore extends to the west end of piers on the east side. The municipal boundary, however, follows an irregular path across the end of the Wilkes Barre Pier, shifting into and out of the Fox Point Reach of the channel to Kettle Point in East Providence where the municipal boundary follows the shoreline. Jurisdiction of the Providence Rivers and Harbor Commission extends only to the east side of the channel and not the municipal line along the shoreline.

South of the Providence-Cranston municipal line the Providence Rivers and Harbor Commission continues to have jurisdiction of the federal channel only, approximately seven miles south to a line drawn between Rocky Point in Warwick and Rumstick Point in Barrington. The Cranston harbormaster has jurisdiction to the west side of the channel, the East Providence and Barrington harbormasters have jurisdiction east of the channel.

The Cities of East Providence and Warwick have approved harbor management plans and have harbormasters charged with enforcement. The City of Cranston is currently preparing a harbor management plan; the City of Pawtucket has no current intentions to prepare a plan. It is critical that the City of Providence work with the Cities of East Providence and Cranston in the management of harbor issues, in accordance with RIGL §46-23-15.1. This is especially important along the Seekonk River and along the federal channel in the Providence River. With jurisdiction south to the vicinity of Rocky Point and Rumstick Point it is important that all cities cooperate in enforcement actions.

Current Regulations

Regulations relating to use of Providence waters are promulgated in Rhode Island General Laws and Chapter 11 of the Providence Municipal Ordinances, as discussed in Appendix 1, *Regulations and Jurisdiction*. Many of these regulations are not current and require amendment to bring the City of Providence into compliance with Coastal Resources Management Council (CRMC) water type designation and current use of Providence waters to reflect the growth of recreation and marine transportation in the city.

The Providence Port Commission, established in Section 1016 of the Providence Home Rule Charter, is charged with developing the Port of Providence through the planning, construction and

maintenance of harbor facilities as outlined in Appendix 1, *Regulations and Jurisdiction*. These duties, however, have largely been assumed by ProvPort, Inc., a private non-profit organization. The commission meets irregularly and has few current objectives.

Enforcement

The US Coast Guard (USCG) has enforcement authority on federal waters (generally costal waters and rivers and lakes with area in more than one state). In addition, Department of Environmental Management Conservation and Boating Safety Officers, harbormasters, and police officers have authority to enforce state laws and regulations on all state tidal waters.

The position of harbormaster is currently unfilled in Providence. One officer of the Providence Police Department is assigned as a harbor patrol with jurisdiction including the Seekonk River, Waterplace Park on the Woonasquatucket River, Fox Point, and Upper Bay to ProvPort at Field's Point. The harbor patrol is charged with enforcement of state and municipal regulations including a five mile per hour vessel speed limit between the Crawford Street bridge and Sassafras Point (north of Field's Point) and no more than forty-five miles per hour speed limit during daylight. No wake signs are posted on the Narragansett Boat Club on the Seekonk River. Speed is not limited in other water areas.

Although the Providence harbormaster has jurisdiction of the federal channel extending south to Warwick and Barrington (according to RIGL), in reality these duties are performed by the USCG. The movement of cargo vessels in the federal channel is monitored by the USCG. It is no longer relevant to burden the City of Providence with responsibility for activities in the channel south of its municipal boundary with Cranston.

The City of Providence Department of Public Parks has no regulations in place for use of four proposed docks at Waterplace Park, Citizens Bank, Gardner Jackson Park, and Dyer Street. Currently maintenance personnel are on site during the weekday shift. Personnel notify the Providence Police Department when needed for enforcement. No staff is posted during evening or weekend periods. Permits are currently issued by the Department of Public Parks for use of the two docks at India Point Park, the ferry dock used by the Block Island Ferry, and the Ceremonial Dock, used by visiting tall ships.

The Rhode Island Department of Environmental Management (RIDEM) Marine Safety Enforcement Division coordinates with the Providence Harbor Patrol for enforcement and rescues. RIDEM is responsible for procuring federal permits for navigation speed zones and is responsible for deploying "no wake" buoys and posting speed and warning signs. The US Coast Guard maintains all non-private navigational buoys. According to RIDEM, speed zones exist from Fox to India Point, between Henderson and Washington Bridges, and zones are proposed between India and Bold Point Parks (signs are being made and permits reviewed). RIDEM issues permits for boat parades and regattas.

Narragansett Electric operates parks at Collier Point and two landings at Point Street. Both have posted rules and regulations which are enforced by a security guard.

Licensing

The Public Utilities Commission (PUC) is charged under Title 39, Chapter 13, with licensing any company providing motorized transportation service for hire, operating between fixed points or over regular routes of the state. To protect public welfare, regulated carriers are required to maintain adequate insurance. The route of the Providence to Newport to Block Island ferry is therefore subject to PUC licensing, as is any water taxi service operating to and from any piers in the inner or outer harbor. The gondola is not subject to PUC licensing as it is not motorized; excursion service is not licensed as it returns to the same dock. The PUC also regulates fares.



View south on River Drive, of Seekonk River and Blackstone Park.

B2. POLICIES

The Cities of Providence and East Providence must work closely to manage use of Seekonk and Providence River waters where harbormaster jurisdiction extends beyond municipal boundaries.

Safety is the primary concern for use of all Providence waters.

Boating regulations must be enforced consistently by all enforcement agencies on the municipal, state and federal level.

B3. OBJECTIVES

- ▶ Amend RI General Law to remove Providence harbormaster jurisdiction in the federal shipping channel south of the Providence-Cranston municipal boundary.
- ▶ Define Providence and East Providence jurisdiction in the undefined federal channel between the Seekonk federal channel in the vicinity of Waterman Square (former red bridge crossing) and the Fox Point Reach of the Providence River federal channel.
- ▶ Establish regulations for the commercial, marine transportation, and recreational use of the Seekonk River for rowing sculls, personal watercraft, other recreational boating, the proposed Blackstone ferry, and commercial vessels in the federal channel.
- ▶ Establish regulations for joint commercial and recreational use of Providence River (including Old Harbor Plan) piers for commercial excursion boat / water taxi, high speed ferry service to Newport, ferry service to Pawtucket, Block Island ferry as well as recreational craft. Consider limiting recreational use to hours commercial use is not scheduled.
- ▶ Establish regulations prohibiting overnight recreational docking at public facilities (docks, floats and ornamental rings) in the inner harbor.
- ▶ Establish regulations for the joint commercial and recreational use of the Providence River in the Port of Providence area.
- ▶ Establish harbor regulations regarding vessel speed, vessel speed zones, vessel operations, and addressing swimming (prohibited), fishing, shellfishing (prohibited), use of vessels as abodes, etc.
- ▶ Enforce regulations.

B4. ISSUES

Although RIDEM considers the upper Providence River and Waterplace Park subject to harbor speeds of 5 MPH, no wake, the Providence harbor patrol has indicated that no speed zones apply unless posted visibly (signs near the Hurricane Barrier are missing, one near Doubloon Landing faces landward). The RIDEM Marine Safety Enforcement Division has expressed concerns about visiting boaters and jet skiers in upper Providence River and Waterplace Park (according to RIGL §46-27-2, Regulations of Personal Watercraft, a person may not operate a personal watercraft within two hundred feet of shore except at headway speed, thereby preventing use of jet skis and other personal craft at speeds producing wakes in the inner harbor).

According to Chapter 11 of the Providence City Ordinances, the duty of the Providence harbormaster is to manage the movement of commercial vessels in the federal shipping channel. This jurisdiction is specified in RIGL §46-4-2, extending seven miles south of Field's Point, through the municipalities of Cranston, East Providence, to Warwick and Barrington. The USCG, however, manages most commercial traffic in the federal channel. Currently the harbormaster's position is unfilled by the City of Providence.

B5. REGULATORY JURISDICTION IMPLEMENTATION STRATEGIES

- B-1 Rivers and Harbor Commission to update municipal port ordinance to assure safety of all marine uses.
- B-2 Providence Parks Department to collaborate with the Rivers and Harbor Commission on the establishment of regulations for use of waterfront facilities at inner harbor parks.
- B-3 State legislature to amend RIGL to eliminate position of harbormaster and transfer responsibilities to the Providence Rivers and Harbors Commission, and to limit Providence Rivers and Harbor Commission jurisdiction to the area south of the Pawtucket-Providence municipal boundary and north of the Providence-Cranston municipal boundary.
- B-4 Rivers and Harbor Commission to work with the City of East Providence to determine jurisdiction in the undefined channel between the Seekonk and Providence Rivers federal channels and to develop a memorandum of agreement between Providence and East Providence.
- B-5 The Public Utilities Commission to license water taxi service and any future ferry service in the inner harbor.

C. MULTI-USE OF PROVIDENCE WATERS

C1. FINDINGS

Although historically much of Providence's use of the harbor and rivers has been for limited recreation dominated by commercial movements of fuel, lumber, automobiles, etc., as the city rediscovers its rivers through construction of parks in the downcity area, potential use has broadened substantially. With completion of facilities which have already been funded, use of the inner harbor and rivers will grow to include recreational and marine transportation use as well. It may be expected that as more tourists and residents of Rhode Island discover the Old Harbor, pressures upon its use will increase.

The CRMC identified five major goals in the Special Area Management Plan (1983) for Providence Harbor. Increased recreational opportunities and public access was one of the goals identified; port development was also identified as a CRMC goal. Multi-use of the harbor is key to achieving these goals.

Recreation

The City of Providence Parks Department has an active schedule of events for the waterfront parks within the City. The two major municipal waterfront parks are Waterplace Park, to be operated by the Rivers and Harbor Commission, and India Point Park, operated by the Department of Public Parks. At Waterplace Park, a number of boating uses are being considered, concerts are scheduled, a celebrity boat race for canoes and kayaks are planned as well. Additional events at this outer harbor park include boat parades, display of art work in the park, an on river art boat parade, and a steamboat rally. The Community Boating Center, located at India Point Park, also affords youth of the city an opportunity to learn to sail in the Outer Harbor. Blackstone Park, a passive recreational park, is accessed by scenic River Drive and pedestrian walks. This park also provides scenic views of the Seekonk River. See Appendix 4, *Public Access*.

Water Fire Providence, a multisensory environmental art event, has been scheduled for several evenings in 1997, following up its successful inauguration the preceding year. Designed by artist Barnaby Evans, the event features a series of bonfires along segments of the Providence and Woonasquatucket Rivers, augmented with rhythmic, syncopated music broadcast from speakers along the length of the display. As flames weave in the sea breeze, warming those on shore, and timbers crackle, a bonfire aroma pervades. Spectators of all ages come together to stroll the river's walkways or sit on the river's edge, creating a vibrant and dynamic evening display. Throngs of people have witnessed these events, bringing nightlife to the river's edge.

The CRMC has granted assent (A97-5-42) to moor up to thirty braziers in which the fires are laid for a period of one year from the date of assent issuance (May 16, 1997). All braziers are to be removed from tidal waters no later than one year from that date (May 16, 1998). A new CRMC

assent is required to maintain the braziers beyond the expiration date. Should navigational or other unanticipated impacts be realized prior to the expiration date of the assent, the CRMC is empowered to require the removal of all assented structures within a reasonable time frame.

The popular 14-mile East Bay Bike path which traverses through five East Bay communities between Bristol and Providence, has its northern terminus at India Point near the Gano Street exit of I-195. The RIDOT planned statewide bicycle facility network includes the vision of connecting the East Bay bikeway to the state's approximately 22-mile Blackstone River Bikeway project which would extend to the Massachusetts state line in North Smithfield. Currently segments of the Blackstone River Bikeway are under design. The routing for the bikeway through northern Providence has not yet been determined.



Water Fire, an environmental art performance, draws thousands to the Providence and Woonasquatucket Rivers.

The Woonasquatucket Greenway project, a pedestrian walkway, interpretive trail and bike path extending from Waterplace Park upstream to Dyerville on the Johnston line is being planned and funding has been identified for implementation. The ultimate goal is to create a greenway extending from India Point Park, up the Providence River to the Woonasquatucket River. Although a primary focus of the project is to enable Olneyville neighborhood residents to reclaim ownership of the Woonasquatucket River through education, awareness, and pride, the greenway also extends along the riverside promenade along Kinsley and Promenade Streets. This project, under the direction of the Providence Plan, is funded by the City and several national funds and involves multi agency coordination on the municipal, state and federal level. The Woonasquatucket Greenway project conforms with the City's Comprehensive Plan goal to create greenways and pedestrian pathways along all water bodies in the city.

Two rowing facilities, the Narragansett Boat Club on River Drive, and the Brown University rowing team with a boathouse south of the Washington Bridge adjacent to India Point Park, use

the Seekonk River to practice and race. The rowing season extends from March through November. On a nice day in September up to sixty Narragansett Boat Club members could be out rowing a total of 400 miles on the Seekonk. Two regattas are held each year with courses extending from Swan Point off Providence to the Getty Pier in East Providence. The Narragansett Boat Club offers rowing lessons to the public from May to October.

Baer Canoe Sales and Rental both sells and rents kayaks and canoes from its shop near Doubloon Landing, on South Water Street. See Map 2 of 3 of Figure I-A. Joe Baer also runs tours and instructional programs and coordinates races in other marine events.

Two marinas are located in Providence. The Old Harbor Marina, located north of the Fox Point Hurricane Barrier on the east shore, has slips for 56 boats with additional capacity for transients. Landside facilities include showers, restrooms, and wash/dry facilities. No gas or pumpouts are available at the Old Harbor Marina. Approximately 12 boats are used by liveaboards (as dwellings) during the summer months. Bootleggers Marina, located at the former Shooters Restaurant at Fox Point, provides slips for 10 to 15 boats. Restrooms, showers, ice, gas and a marine pumpout are available at this seasonal marina. This marina is not used by liveaboards. The East Providence Yacht Club, located south of the I-195 Washington Bridge, is actually located within the Providence municipal boundary.

There are no designated mooring fields in waters of the City of Providence. Sufficient depth and protection from exposure to wind and waves is not available at locations providing existing suitable landside use (including access, compatibility with zoning, and parking).

There are no swimming beaches along tidal rivers in the City of Providence. Neither the Seekonk nor the Providence Rivers have water quality suitable for swimming although people have been observed swimming at the Compassionate Friends of Bold Point Park, on the East Providence side of the river (actually within the Providence municipal boundary).

The Providence Harbor Management Plan area is rich in history. See Appendix 2 for further information on the historical maritime heritage of the city. The Blackstone River Valley National Heritage Corridor (BVNHC) includes certain historic and cultural lands, waterways and structures within the Blackstone River Valley. The BVNHC begins on the shores of the Seekonk River just north of the Washington Bridge in Providence and extends northerly along the shores of the Blackstone River into Worcester. The BVNHC Commission emphasizes the public use of valley resources through high-visibility recreational activities and programs, including the development of bikeways, greenways, and other recreational opportunities focusing on the river's edge.

Marine Transportation

Marine transportation has recently enjoyed a resurgence in Providence. Although Providence historically served as a major harbor for steamship travel, service virtually halted over the past fifty years. Today marine transportation ranges from gondolas and excursion service to ferry service to Block Island. Both the Rhode Island Department of Transportation (RIDOT) and the

Rhode Island Public Transit Authority (RIPTA) continue to explore the feasibility of instituting ferry service to Pawtucket and Narragansett Bay harbors in Bristol, Warren, and Newport.

Interstate Navigation operates a passenger ferry with seasonal service to Block Island via Newport. One round trip daily departs from India Point Park. A docking permit is issued by the Providence Parks Department. A pump out facility is available at the India Point dock to discharge sanitary sewerage to the municipal sewer system.

Excursion service is provided by Capt. Joe Dempsey on South Water Street, north of the Hurricane Barrier. Capt. Joe has previously submitted proposals to the Public Utilities Commission to operate a water taxi service in the inner harbor. He currently operates one 12-passenger vessel from May to September, weather permitting.



Marco's gondola on the Providence River provides a world-class tour.

Gondola service, with "Marco" at the helm, has recently been initiated in the inner harbor and rivers with a dock at Citizens Bank. This tourist-oriented service provides a scenic tour from Waterplace to the Hurricane Barrier from May to September.

The Blackstone Valley Tourism Council offers excursion tours on the *Blackstone Explorer*, a 49-passenger, shallow draft, no wake river boat. For a six-week period, in either the spring and fall or summer and fall, the *Blackstone Explorer* offers 45-minute tours from the Point Street Landing, up river to Waterplace Park, down river through the Hurricane Barrier, and back. Four or five tours are scheduled daily. The Council has a license with the PUC and an agreement with Narragansett Electric to utilize the dock. Parking is available at the adjacent lot at Davol Square.

RIDOT continues to play an instrumental role in supporting multimodal marine transportation in Providence as demonstrated by the several key project involving provision of high speed

commuter ferry service to Newport, dock construction of the Providence and Woonasquatucket rivers, and ferry service to Pawtucket.

RIDOT, in joint venture with RIPTA, recently was awarded a federal Congestion Management/Air Quality (CMAQ) grant for a two phase project for high speed commuter ferry service to Newport and other Narragansett Bay points. CMAQ grants are awarded by the Federal Highway Administration to maintain or create air quality improvements through use of high occupancy vehicles such as ferry boats. The first phase of RIDOT's CMAQ grant entails planning and travel demand forecasting, to be conducted within the first year. The second phase is a service contract for the operation, marketing, and servicing of the ferry. Although RIDOT/RIPTA would oversee this federal grant, the intent is to subsidize the private operation of initial ferry operation.

Potential ferry landing sites identified in Providence include India Point Park, inside the Hurricane Barrier at Corliss Landing on the east shore or the Point Street Landing on the west side. If sufficient clearance were available under the Point Street bridge, the ferry could travel upstream to Waterplace Park or intermittent wharves. RIPTA would provide shuttle service from any Providence Harbor ferry landing to the downtown area.

Four vessel size ranges will be considered during the first phase of the CMAQ grant: up to 49 passengers, 49 to 75 passengers, 75 to 125 passengers, and over 125 passengers. The size would be dependent upon findings of the marketing study and on the capacities of existing waterfront infrastructure to accommodate vessels of the size proposed. Proposed vessel dimensions are 8 foot clearance and 14 foot beam (width), with shallow draft.

RIDOT recently received authorization for construction of floats along the Providence and Woonasquatucket Rivers at Waterplace, Citizens Bank, Gardner Jackson Park, and Dyer Street as part of Memorial Boulevard Contract 7. These floats are funded for commercial purposes; recreation would be a secondary use. RIDOT is not aware of any use regulations for these Capital Center Project sites. As part of Contract 7, the Providence River will be dredged from Crawford Street, near the Gardner Jackson Park, to the Point Street Bridge. A 30-foot wide channel will be dredged along the west side of the Providence River from the Crawford Street bridge south to the vicinity of the former Narragansett Electric South Street Station. Dredging is scheduled for 1998.

RIDOT's South Water Street project, Phase I of the I-195 relocation project, is scheduled for construction in 1998/99. Waterfront features include a riverwalk along the east bank of the Providence River and replacement of the temporary Doubloon Landing canoe/kayak dock with a 350-foot dock and a boardwalk adjacent to three parcels identified for development at Doubloon Landing.

RIDOT has received a \$1.08 million (80/20 federal/state split) grant from the FHWA Ferry Boat Discretionary Fund for development of a service agreement for the proposed Blackstone Ferry. This agreement will cover service, marketing and operation of the Blackstone Ferry which would have rights to operate on the Seekonk and Providence Rivers between Pawtucket and downtown

Providence. Year round operation is proposed. It is anticipated that the grant would fund subsidized operation for three to five years.

The Blackstone Ferry project envisions two 48-passenger commuter shuttles which would serve the 5,500 people who currently commute from Pawtucket to Providence. During off-peak hours, the vessels would carry tourists to historic Pawtucket and the Blackstone Valley National Heritage Corridor. This project is noted in the State's Water Transportation Plan for the Year 2010 to be incorporated into the State Guide Plan. The project is consistent with the City of Providence Comprehensive Plan. It is also consistent with City of Pawtucket and East Providence Harbor Development Plans and other water-related studies.

The Blackstone ferries are proposed as shallow-draft vessels with an air-draft allowing for safe navigation under the Point Street Bridge, other Providence canal bridges, and if possible, into Waterplace Park. Each shuttle's speed would be approximately 18-22 knots for total trip time of 25 minutes. School Street Pier or would provide the northern terminus in Pawtucket with a possible intermediary stop at Bold Point in East Providence. If clearance beneath the Point Street Bridge is not possible, Narragansett Electric docks on the West Side of the Providence River would likely be the docks used for ferry service.



Port of Providence at Fields Point on Providence River.

Port of Providence

Historically the Port of Providence served as the principal cargo-handling area in the city. Ships calling at Providence include tankers, dry bulk carriers, roll-on roll-off ships, break bulk carriers, container ships and other freight carriers. A tug boat company and a ferry service operate out of the Fox Point/India Point area. Naval and Coast Guard vessels, cruise ships, and tall sailing ships may also visit periodically.

may also visit periodically.

Approximately eleven different operating port terminals line the west side of the Providence River between Field's Point to the south and Henderson Street (Collier Point) to the north as illustrated on Figure III-1A. In addition, two terminals are located in Providence on the north side of the mouth of the Seekonk River. Commercial shipping piers and wharves handle oil and petroleum products, scrap metal, cement, chemicals, liquified gas, salt, lumber, automobiles, and ship repair.

The Municipal Wharf, formerly owned by the City of Providence and consisting of six ship berths along Field's Point, is now owned and operated by ProvPort, Inc., a private non-profit organization. Six ship berths labeled berth one through berth six at the municipal wharf are grouped into two terminals according to function and use.

Primary imports at Providence include petroleum products, liquified natural gas, cement, lumber, chemicals, salt and automobiles. Primary exports are scrap metal and waste paper. Ship repair services are available, and two marine contractors have equipment yards and docks within the port area.

C2. POLICY

The City of Providence supports the multiple use of its rivers for recreation, marine transportation, and port development.

Single use designation of areas should only be identified to protect the safety of those in smaller vessels.

Multiple use should be encouraged through enactment of adequate regulations and enforcement.

C3. OBJECTIVE

- ▶ Maximize safe use of harbor and river resources for recreation, marine transportation, and port purposes.
- ▶ Encourage use of marine resources by populations of all city neighborhoods.
- ▶ Encourage tourism and opportunities to enjoy Providence's waterfront heritage.
- ▶ Encourage port development.
- ▶ Improve air quality by providing a high-occupancy vehicle (vessels) alternative for commuters and tourists.

C4. ISSUES

As the city's waterfront becomes more popular, conflicts will arise between user groups with diverse needs. Safety must not be compromised as multiple use is encouraged. Funding for inner harbor and river piers prioritizes use for commercial over recreational use.

Currently there are no mooring fields in the City of Providence. If the need for moorings and mooring fields is identified through public participation and input, this must be addressed in the HMP. CRMC guidelines for the *Development of Municipal Harbor Management Plans* outline mooring requirements. As indicated, sufficient depth and protection from wind are not available at locations providing existing suitable landside use for development of mooring fields.

Port use for transport of heavy cargo is severely limited by shoaling in the federal Providence River channel. See Section 4.G, *Navigation*.

C5. MULTI-USE OF PROVIDENCE WATERS IMPLEMENTATION STRATEGIES

- C-1 The Providence Harbor Patrol to promote and enforce safe boating standards pursuant to RIGL §46-22 and proposed harbor regulations (see Appendix 1).
- C-2 The Rivers and Harbor Commission to provide overall management of all tidal waters as defined by RIGL.
- C-3 The Providence Parks Department and the Rivers and Harbor Commission to create regulations for use of piers and floats in the inner harbor area which enable multiple use for recreation when not in conflict with commercial (marine transportation) use as specified in grant applications for these facilities.
- C-4 The Harbor Patrol to be charged with enforcement of speed and operation regulations in the inner harbor and rivers where wakes reflect off of walls and bridges, creating dangerous conditions for canoes and kayaks and in posted reaches of the Seekonk River where scullers and rowers area easily capsized by wakes.
- C-5 The Providence Rivers and Harbor Commission (see Section 4.A) to investigate the need to initiate single-use areas for such uses as sculling, rowing, canoeing, and kayaking to protect the safety of participants, or to establish "no wake" zones in areas of adequate expanse for safety of small boats.
- C-6 The Providence Rivers and Harbor Commission to investigate the need and demand for public mooring fields in the harbor management area. If warranted, the Providence Rivers and Harbor Commission is to conduct site feasibility studies, and, if feasible, establish regulations and create a municipal mooring field.

- C-7 The Providence Rivers and Harbor Commission to investigate the need and demand for transient anchorage areas in the harbor management area. If warranted, the Providence Rivers and Harbor Commission to designate mooring or dock space near pump-out facilities.

- C-8 The Providence Rivers and Harbor Commission to coordinate with the CRMC to delineate appropriate locations for the Water Fire braziers to minimize potential conflicts with navigation.

D. PUBLIC ACCESS

D1. FINDINGS

Public access is provided at numerous public parks including Waterplace Park, Gardner Jackson Park, Doubloon Landing, and Corliss Landing in the inner harbor, Gano Street Playground (no developed waterfront), and Blackstone Park along the Seekonk River, and India Point Park in the outer harbor. Facilities range from passive recreation opportunities with paths and seating, to ball fields for active recreation and provide scenic waterfront vistas. Floats and piers provide dock space at several parks. See Appendix IV, *Public Access* for a description of facilities at each site. Additional public access is provided at parks constructed and operated by Narragansett Electric at Collier Point Park and Point Street Landings. Facilities include those for passive recreation, the only boat ramp on the Providence side of the river, and docks.

Public access is also provided through rowing classes offered by the Narragansett Boat Club and sailing classes at the Community Boating Center.



Piers at Collier Point Park; owned and operated by Narragansett Electric.

Numerous unpaved or paper streets are listed by the Providence Assessor's office as providing potential access to the shoreline. The CRMC subcommittee on Rights-of-Ways publishes a listing of all CRMC designated Rights-of-Way to tidal areas of the state, including two with access to the Seekonk River in Providence: Butler Avenue and Irving Avenue.

Property currently privately-owned but vacant may have the potential to provide public access to the shore. A vacant parcel located along Oxford Street, in the vicinity of the former Shepard

warehouse, may be suitable for construction of a boat launch. See Figure II-5, Possible Locations for a First Class Boat Launch.

The CRMC identified five major goals in the Special Area Management Plan (1983) for Providence Harbor. Increased recreational opportunities and public access was one of the goals identified.

D2. POLICY

The public has the right to use the City's waters.

All the citizens of the City have the right of access to the shoreline.

D3. OBJECTIVES

- ▶ Ensure that there are usable rights-of-way to the shoreline in each area of the City. The City should investigate vacant shorefront private property for suitability of constructing a public boat ramp.

D4. ISSUES

There are many rights-of-way in Providence which are listed by the Assessor's office which have not been documented, designated or marked as CRMC rights-of-way. Many are littered, overgrown, or obstructed by expansion of adjacent private property.

D5. PUBLIC ACCESS IMPLEMENTATION STRATEGIES

- D-1 The Assessor's Department to investigate legal status of ownership of rights-of-way listed on assessor's plans (Appendix 4, *Public Access*), especially at East Transit Street, India Street, Public Street, and Thurbers Avenue.
- D-2 The Rivers and Harbor Commission to investigate the potential for nominating these paper streets to CRMC for designation on the listing of designated public rights of way to tidal areas. This is especially important in the Port of Providence area where limited access to the shoreline is possible at this time.
- D-3 The Providence Rivers and Harbor Commission to investigate development potential of recreational access at ROWs and apply for grants for funding.
- D-4 The City of Providence to prevent further abandonment of public rights-of-way to the shoreline. In accordance with RIGL §46-23-6.2, no city shall abandon a right-of-way designated as such by the CRMC, (Irving St. and Butler Ave.) unless the council approved the abandonment.

D-5 Rivers and Harbor Commission to investigate the need and feasibility of constructing a boat launch at the eastern end of Oxford Street, an available right-of-way to the harborfront.

E. WATER QUALITY

E1. FINDINGS

The Providence and Seekonk Rivers are currently unsuitable for swimming or shellfishing (see Appendix 3, *Resource Inventory*). These rivers and their tributaries within the project area are characterized as "not attainable," "threatened," or "not supported" for the aforementioned activities in "The State of the State's Waters" (1994). The Providence River and all of its tributaries have been permanently closed by RIDEM to shellfishing north of Conimicut Point. The Field's Point and Bucklin Point Waste Water Treatment Facilities (WWTFs) have point source outlets which discharge into these waters. Upstream sources of degradation include non-point source discharge of pollutants from storm drains, ISDS leaching, and overland runoff.

The Narragansett Bay Commission (NBC) is currently undertaking a combined sewer overflow (CSO) abatement program to reduce the discharge of untreated storm and sanitary flow into the Woonasquatucket, Moshassuck, Seekonk and Providence Rivers. The Field's Point WWTF has been upgraded to improve the quality of effluent discharged to the Providence River. The NBC flies a red flag at the Bucklin Point WWTF when untreated CSOs are discharged to receiving waters during a storm event. This flag is visible for rowers on the Seekonk River.

Although federal law requires all recreational boats with an installed toilet to be equipped with approved marine sanitation devices (MSDs), boats continue to discharge treated wastes legally and untreated wastes illegally into coastal waters. RIDEM is currently in the process of filing a permit with the US Environmental Protection Agency (EPA) to establish Narragansett Bay as a "no discharge zone" for marine sanitary waste. Bootleggers Marina, located behind the former Shooters Restaurant at Fox Point, operates a marine pump-out facility which discharges to the NBC sewer system. A pump-out at the India Point Park dock serves commercial users such as the Block Island ferry and excursion boats. Additional recreational pump-outs are located in Cranston, immediately south of Field's Point. Approximately 12 boats are used by liveaboards at the Old Harbor Marina which does not operate a pump-out facility.

Oil terminal operators and hazardous material storage facility owners are bound by federal and state laws to have response plans available for immediate implementation in the event of a petroleum or hazardous material spill. Primary response plans prepared by terminal operators include an Emergency Response Action Plan and a Spill Prevention Control and Countermeasure Plan.

In the event of an oil or hazardous material spill at the waterfront, notification and contingency plans are immediately set into place. The US Coast Guard acts as the Federal-on-Scene Coordinator (for a spill on land, the US EPA may assume the federal role), and will make a determination as to the adequacy of the response. The Federal-On-Scene coordinator may "federalize" the spill response and assume control if this federal agency determines that the terminal operator's response is inadequate.

The CRMC identified five major goals in the Special Area Management Plan (1983) for Providence Harbor. Improved water quality is one of the goals.

E2. POLICY

The City of Providence supports actions to improve water quality, including the Narragansett Bay Commission's Combined Sewer Overflow (CSO) abatement program.

The City of Providence supports efforts to minimize public and private discharges of pollutants into the City's waters.

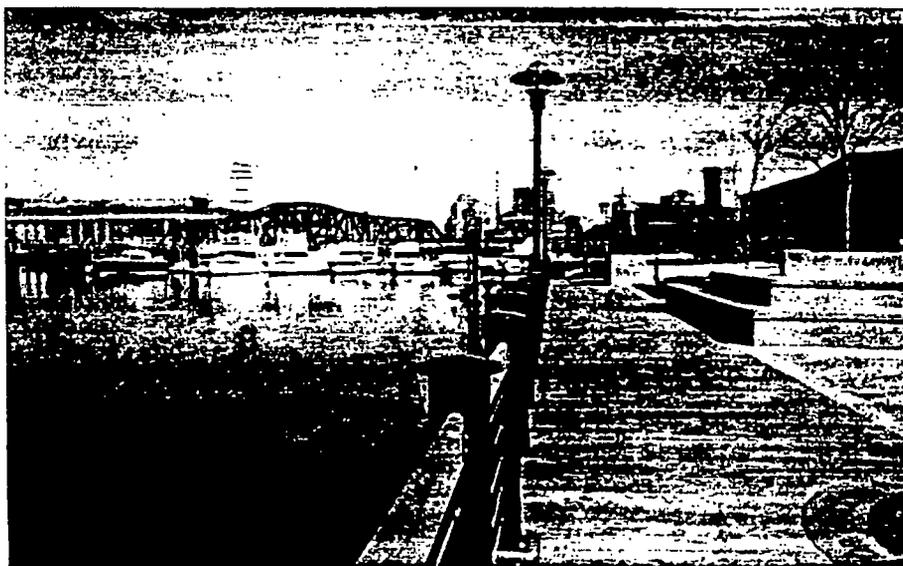
The City must enforce the prohibition of sanitary waste discharges from MSDs while in the harbor management area per RIGL §46-12-39.

The City of Providence supports the CRMC policy insuring that marinas with liveboards provide pumpout facilities.

The City sanctions CRMC designations of coastal wetlands and other such marine habitats.

E3. OBJECTIVES

- ▶ Encourage the installation and use of Best Management Practices at marinas and waterfront commercial properties.



Corliss Landing Park on the Providence with Old Harbor Marina and the Point Street Bridge in the background.

- ▶ The City supports the policies of the CRMC regarding the requirements for the installation and use of pump-out stations at marinas and any future public mooring fields.
- ▶ Promote the designation of the Narragansett Bay as a "no discharge" zone.

E4. ISSUES

Historical use of rivers for water power and industrial processing has degraded the quality of Providence waters. Clean Water Act implementation has improved the quality of water in the city. CSO abatement will further lead to water quality improvements. Marinas and mooring fields have not historically degraded the water quality, but are viewed by water quality regulatory programs as being potential polluters and therefore, require up-front mitigation. Hence, CRMC policies requires that all new marinas and significant expansion of marinas install pumpout facilities.

E5. WATER QUALITY IMPLEMENTATION STRATEGIES

- E-1 Rivers and Harbor Commission to develop a Harbor Ordinance reflecting state water pollution regulations, RIGL §46-12-39 through §46-12-41 (discharge of sewage from boats).
- E-2 Rivers and Harbor Commission to coordinate with the Providence Police Department Harbor Patrol to enforce RIGL §46-12-39.
- E-3 The City to prohibit liveaboards at existing marinas without pump-outs through Harbor Ordinance or seek funding for construction of a pumpout at Old Harbor Marina; the City shall continue to support the CRMC policies regarding pumpout facilities at new and expanding marinas.
- E-4 The City of Providence to support RIDEM in establishing the designation of a "No Discharge Zone" for the City's waters.
- E-5 Rivers and Harbor Commission to develop a Harbor Ordinance to enforce the future designation of a no discharge zone.
- E-6 The City, through the City Building Code, to require the implementation of Best Management Practices (BMPs) on land and at marinas in accordance with CRMC regulations.
- E-7 The Rivers and Harbor Commission to review and supply comment to the City Plan Commission on CRMC permits regarding the impact of proposed development on coastal lands and environments.

F. WATER USE CONSISTENCY WITH LAND USE

F1. FINDINGS

Coastal Resources Management Council (CRMC)

According to RIGL §46-23, it shall be the policy of the state to preserve, protect, develop, and where possible, restore the coastal resources of the state for this and succeeding generations through comprehensive and coordinated long-range planning and management designed to produce the maximum benefit for society from these coastal resources. See Appendix 3, *Resource Inventory*, for further description of CRMC definitions and allowable activities in its designated type waters.

The CRMC identified five major goals in the Special Area Management Plan (1983) for Providence Harbor. Balanced and compatible shoreline use is identified as one of the major goals.

CRMC has designated the waters of Providence as two water types as indicated in Figure II-2B, existing CRMC water use map:

- ▶ Providence and Woonasquatucket Rivers are Type 6, Industrial Waterfronts and Commercial Navigation Channels.
- ▶ Seekonk River outside of the federal channel is Type 4, Multipurpose Waters; the channel is Type 6. A wetland along Grotto Brook near Gulf Avenue south of Butler Hospital is a coastal wetland in Type 4 waters designated for protection.

Type 4 Waters - Multipurpose Areas: The CRMC policies for multi-purpose waters are to maintain a balance among the diverse activities that coexist in Type 4 waters (as described in Appendix 3); therefore, allowable and non-allowable uses for these areas will be measured against the degree to which they impair other activities such as fishing, water quality, navigation and recreational uses.

Type 5 Waters - 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. 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 are allowable uses in Type 5 waters. There are currently no Type 5 waters designated in the Providence harbor management area.

Type 6 - Industrial Waterfronts & Commercial Navigational Channels: The Council's goal for Type 6 waters and adjacent lands under Council jurisdiction is to encourage and support modernization and increased commercial activity related to shipping and commercial fisheries. These water areas are extensively altered in order to accommodate commercial and industrial water-dependent and water-enhanced activities.

Modernization and increased industrial fisheries, berthing, loading and unloading, and servicing of commercial vessels, construction and maintenance of port facilities, navigational channels and berths, and construction and maintenance of support facilities for commercial fishing are allowable uses in Type 6 waters. Activities which substantially detract from or interfere with the above listed priority use are prohibited in Type 6 waters.



Waterplace Park provides a dramatic link between the city and the Woonasquatucket River.

Providence Land and Water Use

When original CRMC water types were determined in the 1970's, land use in the inner and outer harbor of Providence was significantly different than today. Since that time, major public works efforts have produced a vibrant downtown with the rivers as a focal point of the city. Where previously bridges and rail yards dominated the rivers, now parks and promenades dominate. As indicated in Figure II-1, General Shoreline Use, current land use adjacent to the Providence River north of the Fox Point Hurricane Barrier is mixed recreational and office/retail with adjacent roadways; west of I-95 the Woonasquatucket River is paralleled by local streets with an existing promenade. Moshassuck River frontage is undeveloped to the west (parcel 6 of the Capital Center Project), and local streets to the east. The outer harbor between Fox and India Points now includes a park, community boating center, and a marina in addition to more traditional port uses such as the tug and ferry docks. These changes in land use are in accordance with Providence 2000: the Comprehensive Plan, and the Old Harbor Plan.

The existing zoning found along the Providence, Seekonk, Moshassuck, Woonasquatucket Rivers reflects the current land uses as indicated in Figure II-2A, Municipal Zoning. The City created three Waterfront Zoning Districts which recognize the value and dynamic nature of the coastal features and river-fronts as well as their values as unique and valuable natural resources:

- ▶ W-1, Waterfront - Commercial / Residential District promotes waterfront access and uses which improve the integration of the waterfront and the neighborhoods adjacent to the waterfront
- ▶ W-2, Waterfront - Mixed Use District enhances and creates public access to the waterfront as a public resource for the benefit of present and future generations
- ▶ W-3, Waterfront - Port / Maritime Industrial District promotes the Port of Providence and related maritime industrial and commercial uses within the areas of Providence's waterfront

Few land use changes have occurred along the Seekonk River over the previous twenty years. Land use continues to be dominated by mixed commercial development south of Waterman Square and parkland with adjacent residential development north to Grotto Brook. Butler Hospital and Swan Point Cemetery continue to dominate land use along the northern shoreline. Commercial cargo transport to industrial establishments in Pawtucket and East Providence which utilized the Seekonk River federal channel, has declined over the years. Land uses along the Port of Providence continue to be dominated today, as in the past, by port activities.

In a decision on denying a marina permit for a project on the Seekonk River, the CRMC cited that the river between the Henderson and Washington Bridges is unique, providing the only location in the state with suitable rowing conditions for crew teams. CRMC indicated that existing multi-use should not be jeopardized by a proposed use.

See Appendix 3, *Resource Inventory*, Land Use and Zoning for further information on municipal land use, zoning and proposed development in the Providence harbor management area. See Figure II-3 for a compilation of proposals and plans for the use of Providence harbor shore.

F2. POLICY

The City of Providence must petition CRMC to maintain consistency between the designated water type and adjacent land use on shore. Critical areas include waters north of the Fox Point Hurricane Barrier proposed for development upon relocation of the I-195 bridge.

The City of Providence shall continue to review proposed development projects for consistency with CRMC's policies.

The City of Providence supports revision of zoning regulations in accordance with Old Harbor Plan recommendations.

F3. OBJECTIVES

- ▶ Maintain consistency between CRMC designation and land use.
- ▶ Protect the riverfront areas reclaimed while providing the framework for compatible economic development within the coastal zone.
- ▶ Support future water-oriented development along the rivers and harbor area of Providence. The waterfront is a valuable resource to the City of Providence and should be enhanced at every opportunity.

F4. ISSUES

Waterfront along the Providence and Woonasquatucket Rivers north of the Hurricane Barrier is no longer considered industrial as defined by CRMC. CRMC designation should be revised to reflect this change in use and to protect recent restoration efforts made on these rivers. It is recommended that the Providence and Woonasquatucket Rivers north of the Fox Point Hurricane Barrier and south and east of Park Street (at the Providence Place Mall) be reclassified as Type 5 Commercial and Recreational Harbors, and that waters upstream of Park Street on the Woonasquatucket River be reclassified as Type 4 Multi-purpose Areas, as described above. See Figure II-2C, Proposed CRMC map of water use.

- ▶ Type 4 waters are consistent with the City's efforts, through the Providence Plan, to construct the Woonasquatucket Greenway along the riverfront, stressing the importance of water quality improvements for adjacent and downstream land use.
- ▶ Type 5 waters are adjacent to waterfront areas that support a variety of tourist, recreational, and commercial activities while protecting the scenic characteristics that make these areas valuable to tourism. Berthing, servicing of recreational crafts, commercial fishing vessels or ferries, water-dependent, water-enhanced commerce, maintenance of navigational channels and removal of obstructions to navigation are allowable uses in Type 5 waters.

The waterfront is a valuable resource to the City of Providence and should be enhanced at every opportunity. The existing zoning and land use are in compliance with the City's Comprehensive Plan, dated May 1992. Subsequent to the Comprehensive Plan, the I-195 Old Harbor Plan was prepared in October 1992. In light of the City's existing waterfront districts, the proposed relocation of I-195, and the implementation of the Old Harbor Plan, it is recommended that a Waterfront Downtown (W-D) district be created. This district would include the area between the relocated I-195 and the split of the Woonasquatucket and Moshassuck Rivers. This new zone would assist in future development of the area and enhance its water-oriented appeal. The W-D zone would be a combination of the D-1 (Downtown: Central Business District) and the W-2 (Waterfront: Mixed Use District) zones.

F5. WATER USE CONSISTENCY WITH LAND USE IMPLEMENTATION STRATEGIES

- F-1 Request that CRMC change water use designation from Type 6 to Type 5 Commercial and Recreational Harbors north of the Fox Point Hurricane Barrier on the Providence River and east of Park Street on the Woonasquatucket River.
- F-2 Request that CRMC change water use designation from Type 6 to Type 4 Multi-purpose Waters west of Park Street on the Woonasquatucket River.
- F-3 Revise Providence municipal zoning ordinance to create a Waterfront Downtown (W-D) zone as follows: *This zone is intended to encourage revitalization and restoration of the historic business area and to accommodate appropriate expansion of the downtown area while enhancing and creating public access to the waterfront as a public resource. Uses of the D-1 zone are permitted under this zone.*

G. NAVIGATION

G1. FINDINGS

Navigational hazards have been identified within the Providence harbor management area using information on NOAA nautical charts, supplemented with analysis of aerial photography and site visits. These hazards include abandoned bridges, shallow waterways, abandoned wharves, piers and rotting piles, and derelict vessels (see Appendix 5, *Navigation*).

Reaches of the rivers in the inner harbor are relatively narrow and have bulkheaded sides. Severe wakes may be generated in these reaches which continue to reverberate off the walls long after a vessel which has generated the wake has passed. Kayaks and canoes, most common users of these waters, find this situation to be extremely dangerous. The sculls on the Seekonk River are also susceptible to wakes created by motored vessels.

Navigation is constrained by silting of the federal channel extending to the Crawford Street bridge over the Providence River. The courses used by rowers on the Seekonk River area dependent upon the tides. Waterplace Park is also experiencing severe silting problems (see Appendix 5, *Navigation*).

The City of Providence has acquired its portion of the funds to remove the abandoned railroad swing bridge at India Point. An abandoned bascule bridge located on the Seekonk River between the Gano Street ballfields and Crook Point also constrains navigation and is a safety hazard.

Warning signs currently posted within the harbor management area include those prohibiting anchoring in the vicinity of electric cables near the Point Street Bridge, warning of low clearance beneath Providence River bridges, limiting speed limits to "no wake" north of the Fox Point Hurricane Barrier (reported by RIDEM to be missing) and in the vicinity of Doubloon Landing (where the sign faces landward), and a sign posted on the Washington Bridge warning of scullers and rowers in the Seekonk River.

Debris in rivers includes pilings, abandoned piers, and a sunken barge as documented in the August 1984 *Debris Removal Feasibility Report including Environmental Assessment prepared for the Providence River and Harbor and The Seekonk River Rhode Island*. During low tide sculls on the Seekonk River navigate in the federal channel to avoid debris exposed or close to the surface.

The US Army Corps of Engineers (ACOE) is responsible for maintaining the federal channels within the Seekonk and Providence Rivers. While the Port of Providence is supposed to service ships up to 40 feet in draft, restrictions have been imposed due to siltation which has occurred in the federal channel leading to Providence. By the late 1980s Providence River channel shoaling had become a serious problem which ultimately necessitated the restriction by the US Coast Guard of navigation in the Providence Harbor shipping channel. Furthermore, several berths have silted in and need maintenance dredging to be restored to full service.



Power boaters on the Providence River cruise by Doubloon Landing.

G2. POLICIES

The City must investigate maintenance dredging options for Waterplace Park.

The City supports the US Army Corps of Engineers efforts to dredge the Providence River up to Crawford Street.

The City must clear all debris as soon as practical in accordance with §11-21(21) of the current Municipal Ordinance.

The City supports the demolition of the abandoned rail bridge at India Point as demonstrated by securing the necessary funds for the City's portion of the removal costs.

The City must clearly mark any hazards or debris that cannot be removed or corrected to insure the safety of the recreational and commercial users of the harbor.

The City supports the efforts of RIDEM to post speed signs/buoys and establish no wake zones in the inner harbor and Seekonk River.

The City must post clearance signs on all structures that might impede safe navigation of commercial and recreational vessels.

G3. OBJECTIVES

- ▶ Provide for safe navigation for both commercial and recreational users of the City waters.
- ▶ Protect and beautify the City waters and shoreline environment.

G4. ISSUES

Derelict vessels, rotted piles, and other debris are unsightly and may be difficult to remove and dispose of properly. Funding the removal of such debris may be substantial.

RIDEM requires City assistance in posting and maintaining speed limit buoys and signs.

High sediment loads in the Woonasquatucket River have settled out in the basin at Waterplace Park, significantly reducing available draft for navigation and depth required for operation of the fountain. Construction of the park, itself, is likely to have contributed to deposition of sediment in the waterway. Since 1994 when the park was opened, many adjacent parcels located upstream of the basin have remained unpaved, potentially contributing sediment via overland flow.

In the segment of the Woonasquatucket between Eagle Street and Waterplace Park, sediment loading is generated several ways: deteriorating pavement in old mill complexes exposes soil to erosion, lack of street sweeping on streets and in private parking lots contributes to a high volume of trash carried into storm drains during the "first flush" of a storm, and highway runoff from I-95 is directed into the river at this location.

Several projects have been proposed which could ameliorate the rate of sediment deposition at Waterplace:

- ▶ With completion of construction of Providence Place Mall and the accompanying I-95 ramp system, overland storm flow will be minimized. With implementation of stormwater management plans for these projects, required by CRMC, Total Suspended Solids (TSS) deposited in the Woonasquatucket River will decrease. It is recommended that Waterplace Park be dredged following completion of construction of the mall/ramps to mitigate any deposition resulting during construction.
- ▶ Current Narragansett Bay Commission plans to abate CSOs on the river through construction of sedimentation/disinfection facilities and construction of increased interceptors to divert stormflow from the river to the WWTF at Field's Point will reduce sediment loading. By diverting the "first flush" of stormflow from the river it may be anticipated that less debris and sediment will be carried by the river and deposited downstream.

It is anticipated that, following completion of the mall/ramps and implementation of NBC CSO abatement measures on the Woonasquatucket, maintenance dredging of Waterplace Park will be required much more infrequently. It may also be anticipated that contaminant levels of dredged material would be lower than when the rivers were relocated in the early 1990's and that disposal of dredged material would be less difficult to accomplish. It may be presumed that some of the sediment load of the river is deposited upstream of the dam at Eagle Street. Routine dredging behind the Eagle Street dam would increase available space for deposition of sediment, resulting in reduced sediment loading west of Waterplace.

Dredging of the federal channel downstream of the Crawford Street bridge in Providence River entails disposal of the dredged materials. These sediments are known to be contaminated with potentially hazardous substances and must be disposed of in accordance with state and federal law.

In the early 1990's the ACOE commenced work necessary for a proposed maintenance dredging project for the federal shipping channel in the Providence River. Currently, a Draft Environmental Impact Statement (EIS) for the Providence River and associated harbor terminals dredging project is scheduled to be completed in the spring of 1998. The Final EIS is expected to be ready in the fall of 1998. The ACOE may commence the dredging as early as the fall of 1999.

G5. NAVIGATION IMPLEMENTATION STRATEGIES

- G-1 On the recommendation of the Providence Rivers and Harbor Commission, the Providence City Council to appoint a Commissioner of Wrecks in accordance with RIGL §46-10. The Commissioner of Wrecks would be responsible for identification of abandoned vessels, loose floating debris and docks, notification of owners, initiation of wreck removal, notification and scheduling of Providence Department of Public Works and RIDEM to assist in removal as needed, and initiating efforts to recover from property owners the costs expended for the purpose of debris and wreck removal.
- G-2 City of Providence to require that maintenance dredging of Waterplace Park be conducted upon completion of construction at the Providence Place Mall and highway ramps.
- G-3 The City shall amend the municipal harbor ordinance to limit vessel speeds (and/or wake) in the inner harbor, outer harbor, Seekonk River and the federal channel (see Appendix 1, *Regulations and Jurisdiction*).
- G-4 The City shall continue to support the efforts of the US Army Corps of Engineers to demolish the abandoned rail bridge at India Point and ensure safe navigation of the Seekonk River.
- G-5 The City shall institute semi-annual street sweeping in the Woonasquatucket River watershed to reduce sediment load in the river and resultant deposition in Waterplace Park.

- G-6 The City shall institute catch basin maintenance in the Woonasquatucket River watershed to reduce sediment load in the river and resultant deposition in Waterplace Park.
- G-7 The City shall support CSO abatement efforts, placing priority on abating the ten outfalls located between Eagle Street and Waterplace Park.
- G-8 The City shall investigate the potential of dredging immediately upstream of the Eagle Street bridge to increase sediment storage capacity.
- G-9 The Rivers and Harbor Commission shall coordinate with the CRMC to develop an appropriate dredging maintenance plan and obtain necessary permit(s) for Waterplace Park and the Providence River.

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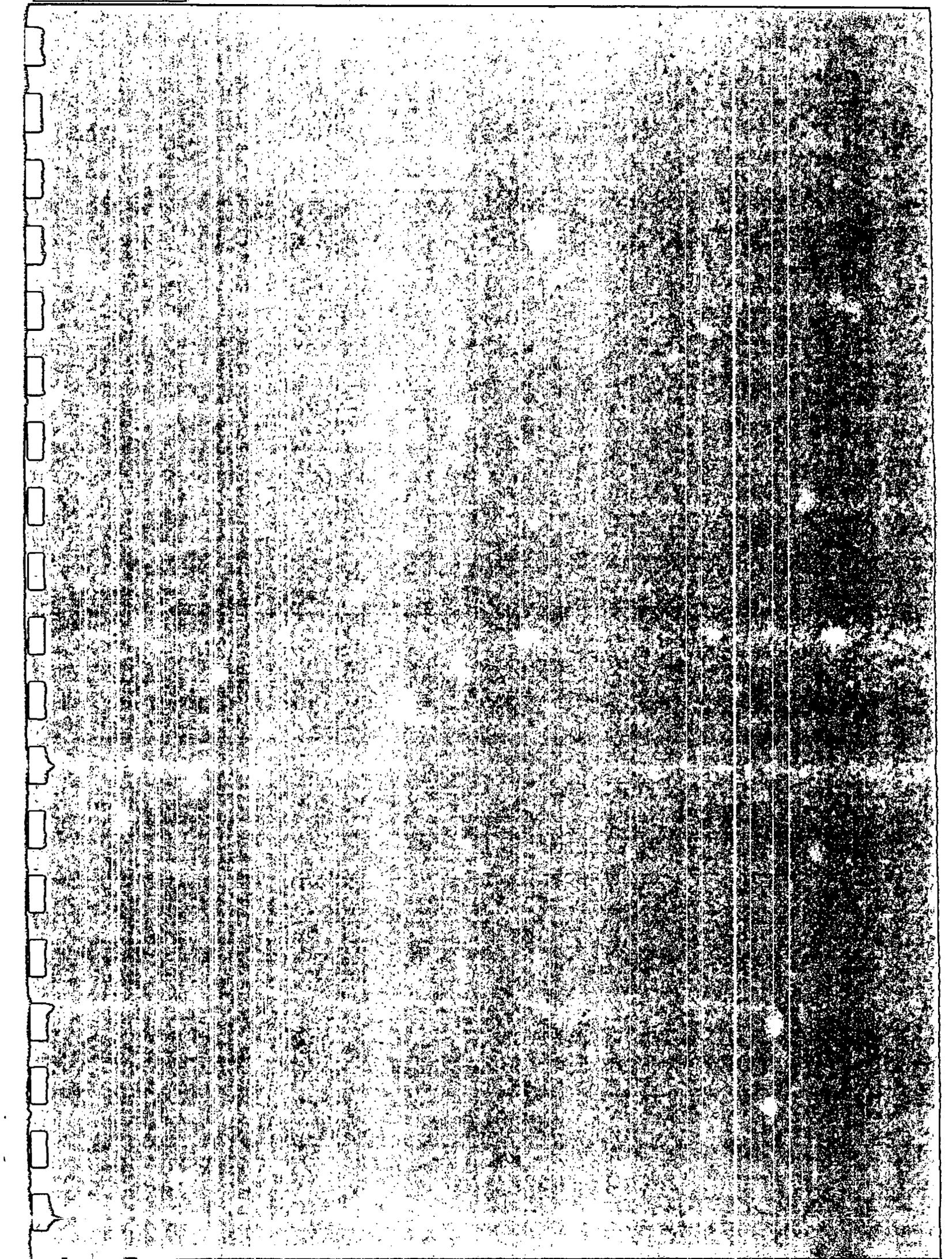
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Appendix 1 REGULATIONS AND JURISDICTION

Regulations for use of open waters of Providence are specified by both municipal ordinance and Rhode Island General Law (RIGL). Many of these regulations predate current marine use of the harbor and therefore amendments and/or replacement of ordinances and law are required to bring current use into compliance. For ease of interpretation, regulations no longer relevant have been indicated with strikeouts (~~strikeouts~~); updates are indicated in redline (~~redline~~).

1.1 EXISTING REGULATION AND ORDINANCES

1.1.1 Rhode Island General Law

RIGL §46-4-2 authorizes ~~the~~ and empowers the City of Providence to appoint a harbormaster and to ordain and establish ordinances necessary to carry out the provisions of this sections, as indicated below. Note that the position of harbormaster (with jurisdiction seven miles south of the city) is currently unfilled; the US Coast Guard currently coordinates use of the channel for shipping. Redline and strike-out text proposed changes to redefine the jurisdiction of the Providence Rivers and Harbor Commission (assuming the duties of the harbormaster) to reflect current conditions.

TITLE 46 WATERS AND NAVIGATION CHAPTER 46-4 HARBORS AND HARBOR LINES

§ 46-4-2 City and town control of harbors --Harbor masters --Extension of Providence jurisdiction. - The council of any city or town is hereby authorized and empowered to appoint a harbor master for the harbors within the confines of the city or town, and to ordain and establish such bylaws and ordinances and establish such fees and compensation as the city council or town council may deem necessary and expedient for carrying out the provisions of this section: provided, that the jurisdiction, powers, and duties of the harbor master of the city of Providence shall include all the public waters westerly of the easterly sides of the ship channels in Seekonk River, Providence River and Harbor and Narragansett Bay from the Pawtucket-Providence city line southerly to ~~the point of intersection of the ship channel side with a straight line drawn from Rumstick Point on the east shore to Rocky Point on the west shore, excluding that area subject to jurisdiction of the city of Cranston, pursuant to the provisions of § 46-4-5.~~ the municipal boundary of the cities of Providence and Cranston, and all acts of the general assembly and ordinances of the city of Providence, now or hereafter passed, relative to the harbor of the city of Providence. shall apply to and be in force relative to the public waters. The council of the town of Little Compton is hereby authorized and empowered to enact ordinances to regulate or ban the setting of lobster pots, fish nets, or cribs, within the harbor at Little Compton to prevent interference with the use of moorings or navigation therein.

Several lines have been established over time on the open waters of the Providence and Seekonk Rivers. Harbor lines represent the lines to which piers and wharfs could be extended in the harbor. Prior to initiation of environmental laws prohibiting placement of fill along shorelines, municipal regulations established the point beyond which filling or pier construction was prohibited. Property lines frequently extended to the harbor lines; adjacent parcels included both land and water landward of the harbor line. Harbor lines are indicated on City of Providence assessor's plans for both Providence and East Providence. See attached figures.

The federal ship channel is located in deeper water of the Seekonk and Providence Rivers (See Appendix V, *Navigation*). RIGL §46-4-2 references the jurisdiction of the harbor master as extending from the Providence shoreline to the east side of the ship channel. As discussed in Section 4.A, this line does not necessarily coincide with the municipal boundaries of the two cities. The municipal line favors the East Providence shore; the federal channel on the Seekonk River swings from shore to shore. As indicated in RIGL §46-4-2, the Providence harbor master's jurisdiction extends south along the federal channel only, through Cranston, East Providence, Warwick, and Barrington. Management of the shipping channel by one harbor master from the open waters of Narragansett Bay to the Port of Providence was critical in the days when cargo movement by water was a major mode of transport; this mode has since been superseded by rail and highway transport although, with dredging of the channel, larger vessels will be accommodated in the future.

1.1.2 Summary of Historic Regulations

The following table summarizes RIGL, Providence City Council Resolutions, and references in historic Harbor Commissioners' Reports regarding harbor lines.

**Table 1-1
Summary of Harbor Line Regulations**

<i>DATE</i>	<i>SOURCE</i>	<i>DESCRIPTION</i>
1996	RI General Laws 46-5-1	<i>Power to acquire land along tidewater</i> The department of environmental management is hereby authorized to acquire in fee simple in the name of the state for the use and benefit of the public, by purchase or condemnation or by lease from time to time, any portion of real property, tide-flowed lands, plats, terms, easements, privileges, foreshore, riparian, and littoral rights of the owner or owners thereof, bordering on tidewater in the state and as much of the uplands adjacent thereto as the director of environmental management shall deem expedient.
1996	RI General Laws 46-4-8	Authority reserved to the state director of environmental management: The provisions of 46-4-5 – 46-4-7 shall not supersede the authority and jurisdiction over the public tidewaters of this state which are vested in the state director of environmental management under this title
1996	RI General Laws 46-4-5.1	<i>Cranston harbor lines -jurisdiction</i> The jurisdiction of the city of Cranston shall include all of the public waters westerly of the westerly sides of the ship channels in the Providence River and harbor from the Providence - Cranston city line southerly to the Cranston - Warwick city line.

DATE	SOURCE	DESCRIPTION
1996	RI General Laws 46-4-5	<i>East Providence harbor lines -jurisdiction</i> The jurisdiction of the city of East Providence shall include all of the public waters easterly of the easterly sides of the ship channels in the Seekonk River, Providence River and Harbor, and Narragansett Bay from the Pawtucket - East Providence city line southerly to the point of intersection of those ship channel sides with a straight line drawn from Gaspee Point on the west shore to Nayatt Point on the east shore; and all of the public waters on the northerly side of a line running sixty-five degrees (65°) true from the intersection formed by the straight line drawn from Gaspee Point to Nayatt Point and the ship channel side to the point of intersection with the East Providence - Barrington boundary line; and all of the public waters, westerly and northerly, in Bullock Cove, of the East Providence - Barrington boundary line to the point of intersection of the boundary line and the mean high water line.
1996	RI General Laws 46-4-2	<i>City and town control of harbors - Harbor masters - Extension of Providence jurisdiction</i> Jurisdiction, powers, and duties of the harbor master of the city of Providence shall include all the public waters westerly of the easterly sides of the ship channels in Seekonk River, Providence River and Harbor and Narragansett Bay from the Pawtucket - Providence city line southerly to the point of intersection of the ship-channel side with a straight line drawn from Rumstick Point on the east shore to Rocky Point on the west shore, excluding that area subject to jurisdiction of the city of Cranston. Pursuant to the provisions of 46-4-5.1, and all acts of the general assembly and ordinances of the city of Providence, now or hereafter passed, relative to the harbor of the city of Providence, shall apply to and be in force relative to the public waters.
1991	RI General Laws 46-4-5.1	Same as 1996, RI General Laws 46-4-5.1 Cranston harbor lines -jurisdiction
1991	RI General Laws 46-4-5	Same as 1996, RI General Laws 46-4-5 East Providence harbor lines -jurisdiction
1991	RI General Laws 46-4-2	Same as 1996, RI General Laws 46-4-2 City and town control of harbors - Harbor masters - Extension of Providence jurisdiction
January 9, 1918	Providence City Council Resolution No. 28	Request General Assembly to change Harbor Line substantially as indicated on City Engineer's plan 043051
July 12, 1910	Providence City Council Resolution No. 280	Cranberry Island purchased by the Squantum Association from the City
January 14, 1910	Providence City Council Resolution No. 30	Request Congress to extend the Channel of the Providence River to the Westerly Harbor Line between a point just above Harbor Pier Junction and the southerly side of Field's Point
		No new harbor lines established in the State during this year.

DATE	SOURCE	DESCRIPTION
1906 30th Harbor Commis sioners Report	Year 1905	<p>The commissioners recommend that the harbor line established by the war department, between India Point and Fox Point in Providence, which differs in some places from the harbor line established by the State, be adopted and established by the State.</p> <p>War department adopted the line suggested by this board, which is the more desirable as a limiting line for the channel, but was objected to by riparian owners because of possible complications in determining the proper boundary lines between their riparian rights in occupying the territory outwardly from the old harbor line to the newly proposed line.</p> <p>Local objection to a change no longer exists for the reason that nearly the whole shore has come under one control or ownership, and the interests of all concerned would seem to be better served by an adoption of the new line.</p>
1904 28th Harbor Commis sioners Report	March 30, 1903	<p>Harbor lines in Providence harbor established by the state were approved by US Sec. of War.</p> <p>These lines covered the territory from Red Bridge and Crawford Street Bridge to Field's Point, and the approved lines coincided entirely with the lines previously established by the State, except near India Street from the wharf of the railroad company at India Point to the Fox Point wharf, where a line changing the old line was formerly recommended to the General Assembly by the Harbor Commissioners but only partially adopted.</p>

	Act by General Assembly passed 3/18/1903	Jurisdiction of the Providence Harbor Master extended to Rocky Point. Providence Harbor Master's duty is to regulate the anchoring of vessels in the harbor of Providence.
1900 24th Harbor Commis sioners Report	Public Hearing 12/2/1899 US statute passed 1899 US River and Harbor Act approved 3/3/1899	<p>Lines established by State generally commended except short length easterly from India Street, from near Fox Point to near Benefit Street, where the old line established before harbor commissioners had been appointed was thought to be less desirable than the line which had been recommended in place of it by the harbor commissioners, but not adopted by the General Assembly.</p> <p>Within harbor lines established by Sec. of war, the construction of wharves and other structures is left to the State Board of Harbor Commissioners.</p> <p>No harbor line established by a State is valid unless formally approved by the Secretary of War. Submit for approval the harbor lines established in our harbors by the laws of RI</p>
April 19, 1892	RI General Assembly	Harbor Line - Seekonk River in East Providence

DATE	SOURCE	DESCRIPTION
1879 Harbor Commi sioners Report	(approved 4/27/1878 by General Assembly)	Harbor line on the west side of the Providence River between Crawford Street Bridge and Point Street Bridge
	(approved 4/8/1878 by General Assembly)	Harbor lines in Pawtucket, from the falls to Bensley's Point to Bass rock. Also harbor lines on the west side of Seekonk River from Bower Street to Central or Red Bridge
	under consideration by the Board	Harbor line from Sassafras Point to Field's Point
	Public Hearing	Establishment of harbor lines on the east side of the Seekonk River and Providence Harbor
	Public Hearing	Establishment of harbor lines from Field's Point to Pawtuxet beacon
	under consideration by General Assembly	Harbor line on the east side of the Providence River from Crawford Street Bridge to Fox Point
Feb. 9, 1874	Providence City Council Resolution No. 431	Recommend that harbor line on east and west side of Providence River be fixed after report is made by engineers of the US coast survey

1.1.3 Providence Home Rule Charter

The following Section 1016 outlines the responsibilities of the Port Commission. Many of these responsibilities have since been taken over by the formation of ProvPort, Inc. The Charter should remain in effect until such time as ProvPort reverts to the City.

1016. Port Commission.

There shall be a Port commission for the Port of Providence of seven (7) members, five (5) of whom shall be appointed by the mayor to serve for staggered three-year terms, and two (2) of whom shall be elected by the city council from among its own members to serve for four-year terms. The initial appointments by the mayor shall be made during the month of January, 1983 in such manner that two (2) such appointees shall serve for terms of three (3) years, two (2) for terms of two (2) years, and one for a term of one year. In each succeeding January the mayor shall make such appointments as may be required to fill the places of commissioners who terms are due to expire during that month. The commission members elected by the city council shall be chosen in January of 1983 and every fourth year thereafter. In the event of vacancies in the membership of the commission, such vacancies shall be filled by the mayor or by the city council, as the case may require, for the unexpired term or terms. The commission shall, at its first meeting in February of each year, elect its chairperson and such other officers as it may see fit, and shall have the authority to make and amend rules for the conduct of its business.

- (a) The port commission shall have the following powers and responsibilities:
 - (1) To develop the Port of Providence through the planing, construction and maintenance of all needful berths, docks, structures and facilities, and through the encouragement to the maximum extent possible of use of the same by shippers and the maritime industry generally;

- (2) To manage, supervise and control the port district and all navigable waters, tidelands and all lands and interests within it, subject to applicable provisions of state law;
- (3) To appoint and contract for a period not to exceed five (5) years with a director for the port of Providence, who shall serve as the executive officer of the commission, and to remove the port director for official misconduct or failure to perform the duties of the office, after notice and hearing, by a majority of its members;
- (4) To make and enforce all necessary rules and regulations governing the port district, including the fixing of rates for an use of facilities or services owned or provided by the city in the port district;
- (5) To adopt annual budget for submission to the mayor for inclusion in the operating budget of the city, and to make recommendations for inclusion in the capital budget of the city, pursuant to the provisions of this Charter;
- (6) To specify the requirements and/or restrictions for the leasing of lands and facilities, forfeiting of leases, fixing or rentals, applications for franchises, permits, leases, licenses and expenditures of funds by the commission. All leases entered into by the commission must be approved by the city council before taking effect.

(b) The city council shall define, by ordinance, the boundaries of the port district of the Port of Providence which shall be under the jurisdiction of the port commission. The city council may, by ordinance, add any tidelands, submerged lands, waterfront or adjacent lands acquired by the city to the port district. The authority conferred by this subsection shall be exercised subject to applicable state law.

Cross references - Boards and commissions, Art XI: general provisions for boards, authorities and commissions.

1.1.4 Providence Code of Ordinances

Chapter 11 HARBOR AND PORT*

- Sec. 11-1. Harbor lines on west side of river from Dorrance Street wharf to Sassafras Point.
- Sec. 11-2. Authority of harbormaster as to anchorage station, management and control of vessels.
- Sec. 11-3. Records of arrivals and departures to be kept.
- Sec. 11-4. Anchoring according to direction of harbormaster.
- Sec. 11-5. Moving vessels not properly anchored.
- Sec. 11-6. Removal of vessels not receiving or discharging cargoes; extending accommodations.
- Sec. 11-7. Harbormaster to have control and management of city ships, public landings.
- Sec. 11-8. Anchoring vessels drawing more than twenty feet.
- Sec. 11-9. Vessels at wharf more than three deep.
- Sec. 11-10. Making fast square-rigged vessels.
- Sec. 11-11. Unloading lumber.
- Sec. 11-12. Use of launch by police, fire departments.
- Sec. 11-13. Speed of ships between Sassafras Point and Crawford Street Bridge.
- Sec. 11-14. Channel not to be obstructed by warp or line.
- Sec. 11-15. Office and office hours of harbormaster.
- Sec. 11-16. Quarterly reports of harbormaster.
- Sec. 11-17. Uniform of harbormaster.
- Sec. 11-18. Port agent; appointment, powers and general duties.
- Sec. 11-19. Port agent to solicit business for port.

- Sec.. 11-20. Definition of the boundaries of the port district of the port of Providence.
 Sec. 11-21. Prohibited activities on and within the waters of the city.

***Charter laws reference** - Powers of city, sec. 2.1 et seq.

Cross references - Obstructing streets leading to, adjoining harbor or river, sec. 23-3; bridges, sec. 23-154 et seq.; operation of vessels under, through bridges, sec. 23-160 et seq.

State law references - Treatment of shipping and navigation under state law, chapters 46-1 – 46-11, Gen. Laws 1956; according to sec. 46-10-1, commissioner of wrecks and shipwrecked goods shall be appointed annually by council, but no such ordinance has been enacted; shore development, ch. 46-3, Gen. Laws 1956; harbor, harbor lines, ch. 46-4, Gen. Laws 1956; construction of port facilities, ch. 46-5, Gen. Laws 1956; obstructions to navigation, ch. 46-6, Gen. Laws 1956.

Special act relative to harbor and public waters of Town of Providence, see digest of 1822, as amended by Act of Jan. 21, 1837, Act of Oct. 27, 1841, Act of May 9, 1845, and Act of May 4, 1888; special act establishing harbor line on westerly side of Providence River south of Fields point and authorizing city to take riparian rights, P.L. 1940, c. 839; special act establishing harbor line between Fox Point and railroad bridge at India Point, P.L. 1865, c. 557, as amended by P.L. 1928, c. 1241; special act establish harbor lines on easterly side of river from Crawford Street Bridge to Fox Point, P.L. 1879, c. 758, as amended by P.L. 1928, c. 1241; other special acts authorizing establishment of harbor lines, Acts of March 3, 1855; P.L. 1885, c. 476; P.L. 1890, c. 914; P.L. 1892, c. 1096; P.L. 1896, c. 424.

Sec. 11-1. Harbor lines on west side of river from Dorrance Street wharf to Sassafras Point.

The harbor line on the west side of the river, from Dorrance Street wharf to Sassafras Point, is hereby established as follows:

Beginning at the southeast corner of Dorrance Street wharf, and running south, thirty-five degrees east, six thousand six hundred and fifty-five feet, to a point one hundred and sixty feet west of the center of the first dolphin north of Sassafras Point; thence turning and running in a direction south, about fifty-one and one-fourth degrees east, eighteen hundred and forty feet, to the edge of the channel near Sassafras Point, and passing one hundred and twenty-five feet west of the center of the dolphin at Sassafras Point; the position of these dolphins and of Dorrance Street wharf being determined by Rosecrans' harbor chart in the city clerk's office.

(Ord. 1914, ch. 26, sec. 1; Rev. Ords. 1946, ch. 16, sec. 18)

Sec. 11-2. Authority of harbormaster as to anchorage station, management and control of vessels.

The harbormaster shall have full power and authority to prescribe regulations and give directions regarding the anchorage station, management and control of all vessels within the harbor of Providence.

(Ord. 1914, ch. 27, sec. 1; Rev. Ords. 1946, ch. 16, sec. 1)

State law references-Authority of council to appoint harbormaster and prescribing territorial extent of his powers and duties, Section 46-4-2, Gen. Laws 1956; duty of harbormaster to give notice of wrecks, Section 46-6-15, Gen. Laws 1956; special act authorizing council to pass ordinances relative to harbormaster, Act of March 11, 1859; special act relative to jurisdiction of harbormaster, P.L. 1923, c. 1121.

Sec. 11-3. Records of arrivals and departures to be kept.

The harbormaster shall keep an accurate daily record in a suitable book of the arrival and departure of vessels at the port of Providence, specifying the ports from which vessels arrive as well as the ports for which vessels sailing from this port are bound, and, so far as possible, a record of the principal items of merchandise comprising the cargoes of such vessels. This record of the arrival and departure of vessels shall be open to public inspection.

(Ord. No. 1914, ch. 27, sec. 13; Rev. Ords. 1946, ch. 16, sec. 15)

Sec. 11-4. Anchoring according to direction of harbormaster.

Every vessel entering the city harbor shall be anchored by the master or person in command thereof, according to the directions of the harbor master.

(Ord. 1914, ch. 27, sec. 2; Rev. Ords. 1946, ch. 16, sec. 2)

Sec. 11-5. Moving vessels not properly anchored.

All vessels not anchored according to the directions of the harbor master shall be forthwith moved by their crews under his direction. If any such vessel not have sufficient crew to move the same, such vessel shall be moved by the harbor master, and the expense thereof shall be paid by the owner or master of said vessel, and may be recovered by the harbor master of such owner or master by an action, in the name of the city, before any court of competent jurisdiction.

(Ord. 1914, ch. 27, sec. 3; Rev. Ords. 1946, ch. 16, sec. 3)

Sec. 11-6. Removal of vessels not receiving or discharging cargoes; extending accommodations.

The harbor master may remove, from time to time, any vessel not employed in receiving or discharging cargo, to make room for others requiring to be accommodated, and shall by the sole judge of the fact of any vessel's being fairly and legitimately engaged in receiving or discharging the cargo. He may also determine the extent, time and manner of accommodation respecting the stations of vessels, which should be extended by the owners or masters thereof to each other, and to required such accommodation to be extended.

(Ord. 1914, ch. 27, sec. 7; Rev. Ords. 1946, ch. 16, sec. 7)

Sec. 11-7. Harbormaster to have control and management of city ships, public landings.

The harbor master shall have the care, control and management of the city ships and of any public landings or floats maintained by the city.

(Ord. 1914, ch. 27, sec. 13; Rev. Ords. 1946, ch. 16, sec. 13)

~~Sec. 11-8. Anchoring vessels drawing more than twenty feet:~~

~~Every vessel drawing more than twenty (20) feet of water, and approaching the harbor at any time other than high tide shall anchor below "The Crook" (so-called) until the tide shall warrant a free passage:~~

~~(Ord. 1914, ch. 27, sec. 9; Rev. Ords. 1946, ch. 16, sec. 9)~~

~~Sec. 11-9. Vessels at wharf more than three deep:~~

~~Vessels shall not in any case be placed alongside of any wharf in said harbor more than three (3) deep, without permission of the harbor master:~~

~~(Ord. 1914, ch. 27, sec. 5; Rev. Ords. 1946, ch. 16, sec. 5)~~

~~Sec. 11-10. Making fast square-rigged vessels:~~

~~The master, owners or persons in charge of any square-rigged vessel shall, as soon as may be after such vessel is made fast to any wharf or other vessel, cause the lower yards to be cockbilled, and the topsail yards to be braced fore and aft, and the jib boom of any vessel shall be rigged in, whenever so directed by the harbor master:~~

~~(Ord. 1914, ch. 27, sec. 6; Rev. Ords. 1946, ch. 16, sec. 6)~~

~~Sec. 11-11. Unloading lumber:~~

~~The master, person in command or consignee of every vessel intending to unload lumber in the stream shall first obtain from the harbor master a permit designating the locality where such lumber may be rafted, but no vessel shall obstruct the channel in so doing:~~

~~(Ord. 1914, ch. 27, sec. 8; Rev. Ords. 1946, ch. 16, sec. 8)~~

Sec. 11-12. Use of launch by police, fire departments.

The police and fire departments may use the city launch at night, when not required for use by the harbor master in the performance of his duties, for the purpose of patrol of the harbor and other public waters within the city, and may employ a night engineer on said launch, the expense thereof and any other expenses of running said launch at night for paid purpose to be paid from the appropriation for said departments.

(Ord. 1914, ch. 27, sec. 14; Rev. Ords. 1946, ch., 16, sec. 17)

~~Sec. 11-13. Speed of ships between Sassafras Point and Crawford Street Bridge:~~

~~No ship shall proceed at a greater speed than five (5) miles an hour, between Sassafras Point and Crawford Street Bridge, in entering or leaving or moving within the harbor:~~

~~(Ord. 1914, ch. 27, sec. 19; Rev. Ords. 1946, ch. 16, sec. 10)~~

~~Sec. 11-14. Channel not to be obstructed by warp or line:~~

~~No warp or line shall be passed across the channel so as to obstruct vessels passing along the same:~~

~~(Ord. 1914, ch. 27, sec. 4; Rev. Ords. 1946, ch. 16, sec. 4)~~

~~Sec. 11-15. Office and office hours of harbormaster:~~

~~The harbormaster shall attend daily at an office to be provided by the city and shall have regular office hours:~~

~~(Ord. 1914, ch. 27, sec. 13; Rev. Ords. 1946, ch. 16, sec. 14)~~

~~Sec. 11-16. Quarterly reports of harbormaster.~~

~~The harbormaster shall make a quarterly report to the council including therein the total statistics of the commerce of the port of Providence shown by his daily record book and such other information as he shall deem advisable.~~

~~(Ord. 1914, ch. 27, sec. 13; Rev. Ords. 1946, ch. 16, sec. 16)~~

~~Sec. 11-17. Uniform of harbormaster.~~

~~The harbormaster shall at his own expense, provide himself with a uniform consisting of a dark blue double-breasted sack coat, with brass buttons and shoulder straps with the words "harbormaster" inscribed thereon, dark blue vest and dark blue trousers. He shall also wear a blue cloth navy cap with the words "harbormaster" inscribed thereon. This uniform shall be worn by the harbormaster when on duty.~~

~~(Ord. 1914, ch. 27, sec. 12; Rev. Ords. 1946, ch. 16, sec. 12)~~

~~Sec. 11-18. Port agent; appointment, powers and general duties.~~

~~The director of public works as soon as may be after his appointment and qualification shall appoint, subject to the approval of the mayor, a port agent. Such port agent, subject to the control of the director of public works, shall have full and complete charge, direction, supervision, management, care and control of the municipal wharf or terminal. Subject to such civil service provisions as may be enacted by ordinance, the port agent shall, subject to the approval of the director of public works, have the appointment and removal of all deputies, clerks, assistants, and other subordinates serving under his direction.~~

~~(Ord. 1941, ch. 1050, sec. 1, Rev. Ords. 1946, ch. 16, sec. 19)~~

~~Sec. 11-19. Port agent to solicit business for port.~~

~~In addition to his other duties it shall be the duty of the port agent to seek out, solicit, and interest ship officials, manufacturers, shippers and others, who have occasion to use transportation, in the facilities and advantages of the port of Providence.~~

~~(Ord. 1941, ch. 1050, sec. 2, Rev. Ords. 1946, ch. 16, sec. 20)~~

Sec. 11-20. Definition of the boundaries of the port district of the port of Providence.

[The boundaries of the port district of the port of Providence are as follows:] Beginning at the division line of Plat 101 and Plat 56, said point being a point on Terminal Road and the range of the westerly property line of lot 5 on City of Providence Assessor's Plat 56; thence in generally northerly direction, along the division line of Plat 101 and Plat 56, to an angle in the plat division line; thence turning an interior angle of 142 degrees, 10 minutes, 35 seconds and running northerly along the plat division line to the center of the Providence River channel; thence following the centerline of the channel in a generally southeasterly direction and parallel with the harbor line to the division line between the City of Providence and the City of Cranston; thence generally westerly along the city division line of Providence and Cranston line to the southwesterly corner of Lot 300 on City of Providence Assessor's Plat 56; thence generally northerly along the westerly line of lot 300 to the northwesterly corner of lot 300 on City of Providence Assessor's Plat 56; thence easterly along the northerly line of lot 300 to an angle; thence southerly twenty (20) feet to a corner; thence easterly along the northerly line of Lot 300 to the easterly street line of Michigan Avenue; thence northerly along the easterly street line of Michigan Avenue to the southeasterly intersection of California Avenue and Michigan Avenue; thence easterly along the southerly street line of California Avenue to the plat division line of Plat 56 and Plat 87; thence northwesterly along the plat division line of Plat 56 to the northerly street line of Ernest Street; thence westerly along the northerly street line of Ernest Street to the southeasterly intersection of Ellis and Ernest Streets; thence northeasterly along the easterly street line of Ellis Street to the southeasterly intersection of Ellis Street and Terminal Road; thence running in a generally northwesterly direction across Terminal Road to the northwesterly intersection of Ellis Street and Terminal Road; thence westerly along the northerly line of Terminal Road to the intersection with the range of the westerly property line of Lot 5 on City of Providence Assessor's Plat 56, said line also being the plat division line of Plat 101 and Plat 56, said point being the point and place of beginning.

(Ord. 1984, ch. 84-66, sec. 1, 9-27-84; Ord. 1993, ch. 93-30, sec. 2, 9-24-93)

Editor's note - Section 1 of ch. 93-30, adopted Sept. 24, 1993, repealed sec. 11-20, which pertained to violations and penalties and derived from Ord. 1914, ch. 27, sec. 11 and Rev. Ords. 1946, ch. 16, sec. 11. Section 2 of ch. 93-30 renumbered sec. 11-21 as sec. 11-20 and Section 3 of ch. 93-30 added a new sec. 11-21.

Sec. 11-21. Prohibited activities on and within the waters of the city.

- (a) **Prohibited activities.** It shall be unlawful for any person operating a motorboat or vessel on and within the waters of the City of Providence to:
- (1) Operate an unregistered and/or unnumbered motorboat or vessel; See revisions in proposed municipal ordinance
 - (2) Operate a motorboat or vessel within a water area which has been clearly marked by buoys or some other distinguishing device, as a bathing, swimming or otherwise restricted area; provided, however, that this section shall not apply in the case of an emergency, or to patrol or rescue craft;
 - (3)
 - a. Operate a motorboat or vessel at a speed of greater than five (5) miles per hour no wake within the areas designated by the Port Commission;
 - b. Operate a motorboat or vessel within non-designated areas at a speed greater than forty-five (45) miles per hour during the hours from sunrise to sunset and twenty-five (25) miles per hour during periods of darkness or other periods of restricted visibility;
 - (4) Operate a motorboat or vessel in a manner which shall unreasonably or unnecessarily interfere with any other motorboat or vessel, or with the free and proper navigation of the waters of the city;
 - (5) Fail to stop and render assistance in the event of a collision, accident or other casualty, and/or fail to provide identification, in writing, to any person injured and to the owner of any property damaged in the collision, accident or other casualty, so far as the operator of any motorboat or vessel involved in a collision, accident or other casualty can do so without serious damage to his or her own vessel, crew and passengers;
 - (6) Fail to report any accident, casualty, vandalism or theft to the Department of Environmental Management or the police department where such accident, casualty, vandalism or theft involving a motorboat or vessel is in excess of five hundred dollars (\$500.00);
 - (7) Operate a motorboat or vessel with improper:
 - a. Light installation;
 - b. Use of lights;
 - c. Sound-producing devices;
 - d. Personal flotation devices (PFD);
 - e. Fire extinguishers; and
 - f. Muffling devicesas set forth in state law.
 - (8) Operate a motorboat or vessel, or manipulate water skis, surfboards or similar devices in a reckless manner so as to endanger the life, limb or property of another;
 - (9) Operate a motorboat or vessel, or manipulate water skis, surfboards or similar devices while intoxicated or under the influence of any narcotic drug, barbiturate or marijuana.
A person arrested and charge with operating any motorboat or vessel, or manipulating any water skis, surfboard or similar device while under the influence of intoxicating liquor or narcotic or habit-forming drugs shall have the right to be examined at his or her own expense immediately after his or her arrest, by a physician selected by him or her, and the officer so arresting or so charging that person shall immediately inform that person of this right and afford him or her a reasonable opportunity to exercise the same, and at the trial of that person, the prosecution must prove that he or she was so informed and was afforded such opportunity;
 - (10) Dock or otherwise make fast any motorboat or vessel to any pier, channel marker, buoy, wharf or other shore structure without the consent of the owner, except in the case of an emergency;
 - (11) Operate a motorboat or vessel on and within the waters of the city for towing a person or persons on water skis, or a surfboard or similar device unless there is in the motorboat or vessel (i) a person at least twelve (12) years of age, in addition to the operator, in a position to observe the progress of the person or persons being towed; (ii) at least one (1) personal flotation device (PFD) for each person being towed;

- (12) Operate a motorboat or vessel on and within any waters of the city towing a person or persons on water skis, a surfboard or similar device beginning at one (1) hour after sunset and ending at one (1) hour before sunrise;
- (13) Engage in water skiing, surfboarding, or similar activity at any time between the hours beginning at one (1) hour after sunset and ending at one (1) hour before sunrise, or within areas in which said activities are prohibited;
- (14) Operate or manipulate any motorboat, 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;
- (15) Conduct a regatta, motorboat, or other boat race, marine parade, tournament, or exhibition, except on the terms and conditions specifically set forth by the port commission;
- (16) Refuse to move or stop on oral command of the, assistant harbormaster, or police officer operating from a patrol boat identified as such, and exercising the duties lawfully assigned to him or her;
- (17) Engage in scuba diving, skin diving, or snorkeling in an area where power or motorboats are operated, unless the proper warning flags, as set forth in state law, are posted;
- (18) Operate a motorboat or vessel within fifty (50) feet of any warning flag as set forth in state law;
- (19) Construct and/or place a mooring without a permit issued by the port commission;
- (20) Throw, dispose of, deposit, or cause to be thrown, disposed of, or deposited, bottles, glass crockery, cans, scrap metal, junk, paper, garbage, refuse or debris of any nature, or any noxious substance in or upon any of the waters within the city;
- (21) Deposit or abandon a vessel or structure upon the shore, a public right-of-way or on and within the waters of the city. When any vessel or structure is deposited or abandoned in the waters of the city, the same may be removed by the police department, or its lawfully authorized agent.
 - a. *Notice of removal of vessel/harbor structures.* If the person who owns, has an interest in, or exercises any control over the vessel or structure, or otherwise is known, the chief of police, or his lawfully designated agent, shall give written notice by certified mail to said person to remove the vessel or structure within a specified time.
 - b. *Removal of vessel/harbor structures.* If the vessel or structure is not removed within the time specified in the notice and in a manner and to a place satisfactory to the chief of police, or his lawfully designated agent, or if no such person is known to the chief of Police, or his lawfully designated agent, upon whom the notice can be served, then the chief of police, or his lawfully designated agent, may proceed to remove, or cause the vessel or structure to be removed, in a manner and to a place the chief of police, or his lawfully designated agent, shall deem appropriate.
 - c. *Liability.* In the event that such person identified in paragraph (1) above, shall allow a vessel or structure to be removed by the chief of police, or his lawfully designated agent, in accordance with this ordinance, then such person shall be liable to pay the cost and expenses of the removal and storage, or to repay the same when paid by the city. The expense may be recovered in an action brought by the city solicitor against the owner(s). If the owner(s) are unknown or the vessel or structure is unclaimed within ninety (90) days of the removal. The city may sell the vessel or structure. The proceeds from the sale shall be used to defray the cost the city incurred in the removal and storage of the vessel or structure, and in the administration of this section.
- (22) Engage in rafting on a single mooring or anchor, unless such rafting does not unreasonably interfere with any adjacent single moorings or anchorages. Motorboats and/or vessels in a raft shall be manned at all times;
- (23) Operate a marine toilet at any time so as to cause or permit to pass or to be discharged into harbor waters, any untreated sewage, or other waste matter or contaminant of any kind, and/or dumping of holding tanks containing anything other than fresh water or sea water into harbor waters;
- (24) Moor or anchor a houseboat unless such mooring or anchoring is done within designated areas.

(b) **Miscellaneous provisions.** Any time the chief of police, or his lawfully designated agent, directs that a motorboat or vessel be towed pursuant to this ordinance, there shall be a fee assessed to the owner of said motorboat or vessel for said towing. Said fee shall be one hundred dollars (\$100.00) and shall be subject to annual revision by the commissioner of public safety, or his lawfully designated agent. Should the towing be performed by a commercial towing service, this fee shall be in addition to the towing charged by the towing service. See revisions in proposed municipal ordinance

(c) **Definitions.** As used in this section, unless the context clearly requires a different meaning:

Houseboat means a building constructed on a raft, barge or hull that is used primarily habitation.

Motorboat means any vessel whether or not the vessel is propelled by machinery. For the purposes of this chapter, motorboat shall not include houseboats as defined in the General Laws of Rhode Island, any ferry, canoes, and rowboats twelve (12) feet in length or less.

Operate means to navigate or otherwise use a motorboat or vessel.

Person means an individual, partnership, firm, corporation, association, or other entity.

Vessel means every description of watercraft other than a seaplane on the water, used or capable of being used as a means of transportation on water.

(d) **Enforcement authority.**

(1) The city or its lawful agent shall have the authority to enforce the provisions of this section and in the exercise thereof, shall have the authority to stop and board any motorboat or vessel subject to this section.

(2) Such enforcement authority as set forth in (1) above shall be concurrent with that possessed by the department of environmental management, pursuant to section 46-22-17 of the General Laws of Rhode Island.

(e) **Penalties for violation.**

(1) The general penalties provided for by section 1-10 of the Code of Ordinances shall apply to violations of this chapter, except that any person electing to appear before the clerk of the court, or in lieu of a personal appearance electing to enter an appearance by mail, and admitting the violations charged shall be punished by a fine as set forth for each violation as follows:

a. Any person who violates any provision of subsections (a)(3)a., (7) or (18) of this section shall be subject to a fine of fifty dollars (\$50.00) for each violation.

b. Any person who violates any provision of subsections (a)(1), (5), (7), (15) or (16) of this section shall be subject to a fine of one hundred dollars (\$100.00) for each violation.

c. Any person who violates any provision of subsections (a)(11), (12), (13) or (14) of this section shall be subject to a fine not to exceed two hundred dollars (\$200.00) for each violation.

d. Any person who violates the provisions of subsection (a)(3)b. of this section shall be subject to the following fines:

<u>MPH In Excess of Speed Limit</u>	<u>Fine</u>
1 - 10.....	\$ 25.00
11 - 15.....	50.00
16 - 20.....	75.00
21 - 25.....	100.00
26 and above.....	5.00 per mile in excess of speed limit

e. Any person who violates the provisions of subsection (a)(3)b of this section shall be required to attend a boating safety course in addition to the payment of any fine. In the event a fine as set forth for each violation is not paid or a pleas of not guilty is not entered by any person charged with any violation prior to the fourteenth day after the date of the violation, said fine shall be doubled. In the event a fine as-set forth for each violation is not paid or a plea of not guilty is not entered subsequent to the fourteenth day after the date of violation, said fine shall be tripled.

(2) Any person who violates any provisions of subsections (a)(6), (19), (20), (21), (22) or (23) of this section shall be guilty of a petty misdemeanor and shall be subject to a fine not to exceed five hundred dollars (\$500.00), or imprisonment not to exceed thirty (30) days, or both for each violation.

- (3) Any person who violates any provision of subsections (a)(2), (4), (8), (9), (10) or (24) of this section shall be guilty of a misdemeanor and shall be subject to a fine not to exceed one thousand dollars (\$1,000.00), or imprisonment not to exceed one (1) year, or both for each violation.
- (4) Any person charged with any violation set forth in subsections (a)(3)a., b., (5), (7), (11), (12), (13), (14), (15), (16), (17) or (18) of this section and notified in writing by a police officer to appear to answer such charge before the Providence Municipal Court may, in lieu of such appearance, elect to appear in person or by one duly authorized by him in writing, before the clerk of said court, admit the truth of said charge, and pay to said clerk the designated fine; provided that such appearance, admission and payment be made at the office of said clerk during regular business office hours, within sixty (60) days of such notification, and failure to so appear shall be deemed a waiver of the right to dispose of such charge without personal appearance in court.
- (5) In those cases where mail is used for payment of such fine, the payment shall be by check or by money order, and in those cases where payment is attempted with a check drawn against insufficient funds, an additional payment of twenty-five dollars (\$25.00) shall be imposed against the violator to defray administrative costs.
- (6) The payment of a fine to the clerk of the municipal court as herein provided for any violation set forth in subsections (a)(3)a., (5), (7), (11), (12), (13), (14), (15), (16), (17) and (18) shall operate as a final disposition of the charge.
- (7) Notice of any violation set forth in subsections (a)(3)a., (5), (7), (11), (12), (13), (14), (15), (16), (17) and (18) shall indicate the offense charged, a schedule of fines for such violation, the time within which such fine by mail may be exercised, the place to which such fine may be mailed and such other information as well enable the person charged to take advantage of the provisions hereof.

(Ord. 1993, ch. 93-30, sec. 3, 9-24-93)

In Section 11-1, harborlines are taken to mean boundary areas, as opposed to the boundary of the Port as defined in Section 11-20. State litigation is currently underway that may definitely settle the jurisdiction of the allowances of an approved harborline. At present, the term harborline carries the meaning of the right to access navigation (as in "out to the harbor") to engage in commerce. Ultimately, the CRMC is the regulatory body that decides what activities can be conducted within the tidal waters of the state regardless of the presence of a harborline.

1.2 PROPOSED LAWS AND ORDINANCES

1.2.1 Revised Rhode Island General Law

Create the Providence Rivers and Harbor Commission by amending RIGL to establish enabling legislation for the City of Providence. RIGL §46-4-2 should be revised as indicated on page I-1 to eliminate jurisdiction of the Providence harbormaster south of the Providence-Cranston municipal boundary (a duty largely conducted by the US Coast Guard).

The following RIGL enabling legislation is recommended to reflect the need to establish a regulatory body in the City with jurisdiction of all tidal waters of the city under the jurisdiction of the Harbor Management Plan, as afforded by RIGL §46-4 and the CRMC's *Guidelines for the Development of Municipal Harbor Management Plans*, March 1997 draft.

RIGL §46-4

Providence Rivers and Harbor Commission.

There shall be a Rivers and Harbor Commission for the City of Providence of seven (7) members, including one representative from each of the following groups: the recreational boating community, the port industry, the water transportation industry, the environmental community, and three (3) citizens at large who are not affiliated with any of the above groups.

Term of office. Members shall be appointed by the mayor for three-year terms. The initial appointments to the Commission will be three members with three-year terms, two members with two-year terms, and two members with one-year terms. This initial staggering will allow for consistency to be established on the Commission.

Vacancies. All members shall serve until their successors are duly appointed. If a vacancy occurs, the mayor shall appoint a member to fill the remainder of the unexpired term.

Chairperson. The chairperson, vice chairperson and secretary shall be elected by the members of the Commission. Meetings shall be called by the Director or at the request of three (3) members of the Commission. The chairperson shall conduct the meetings of the Commission. In the absence of the chairperson, the vice chairperson shall assume those responsibilities. The secretary shall keep the minutes of all meetings.

Powers and Duties. The Commission shall be the primary advisory group for the management of the waters of the City of Providence. The Commission shall adopt rules of procedure and operation for its meetings and is authorized to:

1. Recommend to the City Council for adoption: rules, fees, and penalties for activities which may be necessary to fulfill the goals of the city Harbor Management Plan and the requirements of this chapter;
2. Prepare an annual budget and capital improvement program accordance with the provisions of the city to direct implementation of the Harbor Management Plan;
3. Sit as a board of appeals to hear any person aggrieved by any decision, act or failure to act in the enforcement of this chapter and any rules and regulations adopted by the City pursuant to this chapter; and
4. Review and revise, as necessary, the Harbor Management Plan for City Council and CRMC approval. The plan shall be reviewed and revised at least once every five years.

Compensation of Members. Commission members may be compensated for their time and for expenses incurred in the performance of their duties.

1.2.2 Proposed Providence Municipal Ordinance Revision

The following ordinance is proposed to meet regulatory requirements of Coastal Resources Management Council (CRMC), to define the responsibilities of the Providence Rivers and Harbor Commission, to specify that the harbormaster reports to the Rivers and Harbor Commission, to meet needs for speed limits in the Harbor Management area, to reflect requirements for marine sanitation devices (MSDs) and pumpouts, and to prohibit swimming areas in Providence waters. This ordinance reflects the issues presented in the Section 4 of the Harbor Management Plan.

This ordinance requires that the Providence Code of Ordinance be amended to:

AN ORDINANCE AMENDING CHAPTER 11 OF THE CODE OF THE CITY OF PROVIDENCE, RHODE ISLAND, 1995, ENTITLED "HARBOR AND PORT"

Chapter 11 HARBOR AND PORT*

Chapter 11 of the Code of the City of Providence, Rhode Island, 1995, as amended, is hereby amended by deleting therefrom the full text of the chapter in its entirety and by substituting therefore, the following:

*Charter laws reference - Powers of city, sec. 2.1 et seq.

City Ordinances - Ord. 1993, ch. 93-30, sec. 3, 9-24-93; Ord. 1914, ch. 26, sec. 1; Rev. Ords. 1946, ch. 16, sec. 18; Ord. 1914, ch. 27, sec. 1; Rev. Ords. 1946, ch. 16, sec. 1; Ord. No. 1914, ch. 27, sec. 13; Rev. Ords. 1946, ch. 16, sec. 15; Ord. 1914, ch. 27, sec. 2; Rev. Ords. 1946, ch. 16, sec. 2; Ord. 1914, ch. 27, sec. 2; Rev. Ords. 1946, ch. 16, sec. 2; Ord. 1914, ch. 27, sec. 3; Rev. Ords. 1946, ch. 16, sec. 3; Ord. 1914, ch. 27, sec. 7; Rev. Ords. 1946, ch. 16, sec. 7; Ord. 1914, ch. 27, sec. 13; Rev. Ords. 1946, ch. 16, sec. 13; Ord. 1914, ch. 27, sec. 9; Rev. Ords. 1946, ch. 16, sec. 9; Ord. 1914, ch. 27, sec. 5; Rev. Ords. 1946, ch. 16, sec. 5; Ord. 1914, ch. 27, sec. 6; Rev. Ords. 1946, ch. 16, sec. 6; Ord. 1914, ch. 27, sec. 8; Rev. Ords. 1946, ch. 16, sec. 8; Ord. 1914, ch. 27, sec. 14; Rev. Ords. 1946, ch. 16, sec. 17; Ord. 1914, ch. 27, sec. 19; Rev. Ords. 1946, ch. 16, sec. 10; Ord. 1914, ch. 27, sec. 4; Rev. Ords. 1946, ch. 16, sec. 4; Ord. 1914, ch. 27, sec. 13; Rev. Ords. 1946, ch. 16, sec. 14; Ord. 1914, ch. 27, sec. 13; Rev. Ords. 1946, ch. 16, sec. 16; Ord. 1984, ch. 84-66, sec. 1, 9-27-84; Ord. 1993, ch. 93-30, sec. 2, 9-24-93.

Cross references - Obstructing streets leading to, adjoining harbor or river, sec. 23-3; bridges, sec. 23-154 et seq.; operation of vessels under, through bridges, sec. 23-160 et seq.

State law references - Treatment of shipping and navigation under state law, chapters 46-1 – 46-11, Gen. Laws 1956; according to sec. 46-10-1, commissioner of wrecks and shipwrecked goods shall be appointed annually by council, but no such ordinance has been enacted; shore development, ch. 46-3, Gen. Laws 1956; harbor, harbor lines, ch. 46-4, Gen. Laws 1956; construction of port facilities, ch. 46-5, Gen. Laws 1956; obstructions to navigation, ch. 46-6, Gen. Laws 1956.

Special act relative to harbor and public waters of Town of Providence, see digest of 1822, as amended by Act of Jan. 21, 1837, Act of Oct. 27, 1841, Act of May 9, 1845, and Act of May 4, 1888; special act establishing harbor line on westerly side of Providence River south of Fields point and authorizing city to take riparian rights, P.L. 1940, c. 839; special act establishing harbor line between Fox Point and railroad bridge at India Point, P.L. 1865, c. 557, as amended by P.L. 1928, c. 1241; special act establish harbor lines on easterly side of river from Crawford Street Bridge to Fox Point, P.L. 1879, c. 758, as amended by P.L. 1928, c. 1241; other special acts authorizing establishment of harbor lines, Acts of March 3, 1855; P.L. 1885, c. 476; P.L. 1890, c. 914; P.L. 1892, c. 1096; P.L. 1896, c. 424.

State law references-Authority of council to appoint harbormaster and prescribing territorial extent of his powers and duties, Section 46-4-2, Gen. Laws 1956; duty of harbormaster to give notice of wrecks, Section 46-6-15, Gen. Laws 1956; special act authorizing council to pass ordinances relative to harbormaster, Act of March 11, 1859; special act relative to jurisdiction of harbormaster, P.L. 1923, c. 1121.

Editor's note - Section 1 of ch. 93-30, adopted Sept. 24, 1993, repealed sec. 11-20, which pertained to violations and penalties and derived from Ord. 1914, ch. 27, sec. 11 and Rev. Ords. 1946, ch. 16, sec. 11. Section 2 of ch. 93-30 renumbered sec. 11-21 as sec. 11-20 and Section 3 of ch. 93-30 added a new sec. 11-21.

Sec. 11-1 Purpose and Applicability

Sec. 11-2 Policy

Sec. 11-3 Definitions

Sec. 11-4 Area of Jurisdiction

Sec. 11-5 Administration and Enforcement; Rivers and Harbor Commission

Sec. 11-6 Regulated Activities

Sec. 11-7 Fees; Harbor Management Fund

Sec. 11-8 Penalty

Sec. 11-9 Disclaimer of Liability

Sec. 11-1 Purpose and Applicability

(a) Purpose.

The regulations set forth in this chapter are made in accordance with the city harbor management plan for the purpose of promoting the public health, safety and general welfare of the citizens of the City and the general public at large that uses the City's waterfront. These regulations are designed to implement the harbor management plan, to provide for the safe harbor and use of boats, and to provide for the proper disposal of waste. These regulations are made with specific consideration given to the fragile resources existing in and along the City's waterfront while permitting its safe and reasonable use by people.

(b) Applicability.

The provisions of this chapter, and any rules and regulations adopted pursuant thereto, shall be applicable to and shall govern the use of harbor lands, waters, facilities and activities under the jurisdiction of the City of Providence. This

chapter shall be subordinate to all existing federal and state statutes and regulations and is not intended to preempt or conflict with any other valid laws. Specific objectives of the City of Providence are:

1. To manage the coastal waters and harbor areas of the City of Providence, as described herein and hereafter referred to as the City, by establishing regulations that balance and manage the diverse uses of the waters, harbor areas, and waterfront and to minimize user conflicts;
2. To provide a mechanism to ensure the administration and operational costs of this ordinance and the Harbor Management Plan are shared by the City of Providence, commercial port owners, and other groups or individuals as may be identified by the Rivers and Harbor Commission, described herein;
3. To maintain, improve, and develop public access opportunities to the coastal waters of the City of Providence for the benefit of all user groups;
4. To remain consistent with the goals and regulations of the Coastal Resources Management Council, the Rhode Island Department of Environmental Management, the State Guide Plan, and the United States Army Corps of Engineers; and
5. To maintain compliance with the City of Providence Comprehensive Plan.

(c) Scope.

It is not the intent of this chapter to have the City supersede the powers and duties of the Coastal Resources Management Council or the Rhode Island Department of Environmental Management. This chapter only sets forth rules and regulations for the use of the waters of the City.

Sec. 11-2 Policy

It shall be the policy of the City of Providence that:

1. The public has the right to use the City's waters and that the City has the right to regulate the waters' use;
2. All the citizens of the City have the right of access to the shoreline;
3. Riparian landowners shall be given due consideration in the establishment of new moorings, docks or slip placements;
4. In order to achieve an equitable balance between private and public use of the water resource within the type 4 and type 6 waters, the City promotes a balance of private and public access. The City recognizes the role of marinas as providing public access through private enterprise while reserving for public use federally maintained anchorages;
5. Recreational boating, water transportation, and port related industry are valuable resources for the City;
6. The maintenance or upgrading of present water quality designations is essential for the continuation of the recreational boating, water transportation, and port industries;
7. Every effort will be made to maintain or upgrade the present water quality designations assigned by the state;
8. No discharge of untreated sanitary waste into the waters of the City shall be permitted;
9. The use of the water shall be balanced so that its environmental quality is protected;
10. The enjoyment of the waters of the City through all types of recreational activity is encouraged;
11. The various recreational activities shall be managed by the City of Providence Rivers and Harbor Commission so as to minimize their impact on each other;
12. A balance between the demands of the port industry, water transportation, and the recreational boating industry must be developed;
13. The port industry, water transportation, and recreational boating are valuable components of the City economy and must be protected and encouraged to grow;
14. Activities of mutual concern will be coordinated with the cities of Pawtucket, East Providence, and Cranston.

Sec. 11-3 Definitions

For the purpose of this chapter, the following terms shall have the meanings designated in this section. Words used in the present tense include the future, the singular includes the plural and the plural the singular. The word "used" includes "designed, intended or arranged to be used".

Abode - The principal, non water-dependent use of a structure or vessel as a dwelling or home.

Anchoring - To secure a vessel temporarily to the bottom of a water body by dropping an anchor or anchors or other ground tackle from a vessel.

Channel - Any water areas that are federally maintained and reserved for unobstructed movement of vessels.

Commission - The Rivers and Harbor Commission.

CRMC - The Coastal Resources Management Council.

Director - The Director of the Rivers and Harbor Commission.

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

Rivers and Harbor Commission - The commission established or designated in accordance with this chapter to carry out responsibilities associated with the development, oversight, and administration of municipal harbor programs.

Harbor Management Plan (HMP) - The City of Providence master plan for development, maintenance, and conservation of its waterfront resources.

Harbormaster - An official appointed in accordance with this chapter to carry out the provisions of this chapter. There shall be a chief harbormaster who is responsible for the supervision and direction of all other harbormasters. If this position is not filled, the duties of the harbormaster shall become the responsibility of the Rivers and Harbor Commission.

Houseboat / Floating Home - A building constructed on a raft, barge or hull that is used primarily for single family habitation. Houseboats may only be anchored in a permitted marina. Discharge of sanitary waste from houseboats into the waters of the City is prohibited.

Launching Ramp - Any man-made or natural facility used for the launching and retrieval of boats (Sec. 300.4, Coastal Resources Management Program)

Marina - Any dock, pier, wharf, float, floating business or combination of such facilities that service five or more recreational boats as a commercial enterprise or in association with a club (Sec. 300.4, Coastal Resources Management Program)

Motorboat - Any vessel whether or not the vessel is propelled by machinery. for the purposes of this chapter, motorboat shall not include houseboats as defined in the General Laws of Rhode Island, any ferry, canoes, and rowboats twelve (12) feet in length or less.

Operate - To navigate or otherwise use a motorboat or vessel.

Person - An individual, group of people, partnership, firm, corporation, association, organization, trust, company, or other entity.

Resident - Any person whose legal residence or place of principal operation is the City.

Vessel - Every description of watercraft, other than a seaplane on water, used or capable of being used as a means of transportation on water. Specifically excluded by this definition are floating homes or houseboats.

Wake - A wave generated by a vessel.

Water Dependent Use - Activities or uses that can only be conducted on, in, over, or adjacent to tidal waters or coastal ponds because the use requires access to the water for transportation, recreation, energy production or source of water; also includes non-water dependent activities that provide access to the shore to broad segments of the public.

Sec. 11-4 Area of Jurisdiction

All waterfront areas, as detailed in the Harbor Management Plan for the City of Providence, shall fall under the jurisdiction of the city and shall be governed by this chapter and any rules and regulations adopted by the city. More specifically, it is that area of the waters of the city encompassed by the following description:

all the public waters westerly of the easterly sides of the ship channels in Seekonk River, Providence River and Harbor and Narragansett Bay from the Pawtucket - Providence city line southerly to the point of intersection of the ship-channel side with a straight line drawn from Rumstick Point on the east shore to Rocky Point on the west shore, excluding that area subject to jurisdiction of the city of Cranston;

[The boundaries of the port district of the port of Providence are as follows:] Beginning at the division line of Plat 101 and Plat 56, said point being a point on Terminal Road and the range of the westerly property line of lot 5 on City of Providence Assessor's Plat 56; thence in generally northerly direction, along the division line of Plat 101 and Plat 56, to an angle in the plat division line; thence turning an interior angle of

142 degrees, 10 minutes, 35 seconds and running northerly along the plat division line to the center of the Providence River channel; thence following the centerline of the channel in a generally southeasterly direction and parallel with the harbor line to the division line between the City of Providence and the City of Cranston; thence generally westerly along the city division line of Providence and Cranston line to the southwesterly corner of Lot 300 on City of Providence Assessor's Plat 56; thence generally northerly along the westerly line of lot 300 to the northwesterly corner of lot 300 on City of Providence Assessor's Plat 56; thence easterly along the northerly line of lot 300 to an angle; thence southerly twenty (20) feet to a corner; thence easterly along the northerly line of Lot 300 to the easterly street line of Michigan Avenue; thence northerly along the easterly street line of Michigan Avenue to the southeasterly intersection of California Avenue and Michigan Avenue; thence easterly along the southerly street line of California Avenue to the plat division line of Plat 56 and Plat 87; thence northwesterly along the plat division line of Plat 56 to the northerly street line of Ernest Street; thence westerly along the northerly street line of Ernest Street to the southeasterly intersection of Ellis and Ernest Streets; thence northeasterly along the easterly street line of Ellis Street to the southeasterly intersection of Ellis Street and Terminal Road; thence running in a generally northwesterly direction across Terminal Road to the northwesterly intersection of Ellis Street and Terminal Road; thence westerly along the northerly line of Terminal Road to the intersection with the range of the westerly property line of Lot 5 on City of Providence Assessor's Plat 56, said line also being the plat division line of Plat 101 and Plat 56, said point being the point and place of beginning.

Sec. 11-5 Administration and Enforcement; Rivers and Harbor Commission

The city may regulate uses and activities within the tidal waters of the state that are within the corporate boundaries of the city consistent with the authorities granted the city by RIGL 1956, 46-4-1 et seq., to minimize user conflicts and to maximize the efficient use of both the water space and the city-owned waterfront. In order to regulate the uses and activities with the city's tidal waters, enforcement of the provisions of this chapter shall be completed as follows:

(a) **Rivers and Harbor Commission** The Rivers and Harbor Commission shall be the local regulatory body for the waters of the City of Providence. The Commission shall enforce this chapter promulgated by the City Council and may adopt any rules and regulations, subject to CRMC approval, for the implementation of this chapter and perform all acts necessary and consistent with the purpose of this chapter. The Rivers and Harbor Commission shall enforce the provisions and ordinances of the Harbor Management Plan as well as adopt additional policies, rules and regulations for the implementation of the Harbor Management Plan and subsequent ordinances and perform all acts necessary and consistent with the Harbor Management Plan and such ordinances, subject to the approval of the City Council and the Coastal Resources Management Council. The Rivers and Harbor Commission shall direct the Providence Harbormaster (if the position is filled) and shall consist of seven (7) members.

(b) Harbormasters

Chief Harbormaster. There shall be a chief harbormaster for the City of Providence, who shall be appointed by the mayor and serve at the pleasure of the mayor. The chief harbormaster shall report to the Director of the Rivers and Harbor Commission and shall have the power and duties delegated to him / her by the Director. If this position is not filled, the duties of chief harbormaster shall become the responsibility of the Rivers and Harbor Commission. His/her duties shall include:

1. Full power and authority to prescribe regulations and give directions regarding the anchorage station, management and control of all vessels within the harbor of Providence.
2. Keep an accurate daily record in a suitable book of the arrival and departure of vessels at the port of Providence, specifying the ports from which vessels arrive as well as the ports for which vessels sailing from this port are bound, and, so far as possible, a record of the principal items of merchandise comprising the cargoes of such vessels. This record of the arrival and departure of vessels shall be open to public inspection.
3. Every vessel entering the city harbor shall be anchored by the master or person in command thereof, according to the directions of the harbormaster.
4. All vessels not anchored according to the directions of the harbormaster shall be forthwith moved by their crews under his direction. If any such vessel not have sufficient crew to move the same, such vessel shall be moved by the harbor master, and the expense thereof shall be paid by the owner or master of said vessel, and may be

recovered by the harbormaster of such owner or master by an action, in the name of the city, before any court of competent jurisdiction.

5. Remove, from time to time, any vessel not employed in receiving or discharging cargo, to make room for others requiring to be accommodated, and shall by the sole judge of the fact of any vessel's being fairly and legitimately engaged in receiving or discharging the cargo. He / she may also determine the extent, time and manner of accommodation respecting the stations of vessels, which should be extended by the owners or masters thereof to each other, and to required such accommodation to be extended.
6. Have the care, control and management of the city ships and of any public landings or floats maintained by the city.
7. Carry out all other powers and duties authorized to the harbormaster under various state and federal marine laws, including but not limited to Marine Sanitation Device (MSD) inspection and discharge responsibilities afforded through the U.S. coast Guard, MARPOL ANNEX V, Section 312 of the Clean Water Act, Title 46-22 of the General Laws of Rhode Island, and future laws to be enacted.
8. The harbormaster shall make a quarterly report to the council including therein the total statistics of the commerce of the port of Providence shown by his daily record book and such other information as he shall deem advisable.
9. The harbormaster shall attend daily at an office to be provided by the city and shall have regular office hours.

Other Harbormasters. There shall be other harbormasters as needed determined by the chief harbormaster, who shall be appointed by the mayor and serve at the pleasure of the mayor. The harbormaster(s) shall work for the chief harbormaster and shall have the power and duties delegated to them by the Director.

Compensation. The chief harbormaster and the harbormaster(s) shall receive an annual stipend and shall be compensated for expenses incurred in the performance of their duties. All compensation shall be included in the Commission's budget, and acted upon by the City Council.

Qualifications. The chief harbormaster and the harbormaster(s) shall be required to possess knowledge of harbormaster management techniques such as those offered through the Rhode Island Harbormaster Association training program. The chief harbormaster shall, at minimum, show and maintain proficiency in: basic First Aid and CPR; seamanship / towing; boating safety enforcement; law enforcement / probable cause; liability; harbor management; pollution control / fisheries; oil spill response; and water quality. Other qualifications include small boat handling, navigation, oral and written communication, budgeting, and administrative procedures.

Sec. 11-6 Regulated activities

(a) Moorings

If the need for public moorings is determined through public participation, regulations will be proposed.

(b) Guest Anchorage

A boat may anchor on its own anchor up to 48 hours in the public waters of the City. Written consent of the chief harbormaster is necessary for extended visits of more than 48 hours. No vessel will be allowed to anchor in the city waters utilizing his / her own ground tackle and be left unattended. The owner or operator and party may go ashore, but shall not leave the area. They shall be available to tend to the vessel in the event of heavy weather.

(c) Vessel Speed

1. The operation of any vessel within the coastal water and harbor areas of the City of Providence shall proceed in a manner which protects all persons and property from damage from waves, wake, and operation. Operators of vessels within the coastal waters and harbor areas of the City of Providence shall comply with state regulations on vessel speeds and wake which establishes a maximum speed for vessels at five (5) miles per hour, no wake (RIGL §46-22-9).
2. No person shall operate a motorboat or vessel at a speed of greater than five (5) miles per hour no wake within the areas designated by the Commission;
3. No person shall operate a motorboat or vessel within non-designated areas at a speed greater than forty-five (45) miles per hour during the hours from sunrise to sunset and twenty-five (25) miles per hour during periods of darkness or other periods of restricted visibility;
4. The City hereby designates the following vessel speed zones, to be established and marked immediately by City Council petition to the Rhode Island Department of Environmental Management Division of Boating Safety:

Note: the following is recommended in the Providence Harbor Management Plan:

(a) Federal Navigation Channels:

- (1) Vessel speed in the Federal Navigation Channel south of Fox Point in the Providence River shall not exceed 45 miles per hour during the hours from sunrise to sunset and 25 miles per hour during periods of darkness or other periods of restricted visibility. Vessel speed in the Federal Navigation Channel north of Waterman Square at Cold Spring Point on the Seekonk River shall not exceed 20 miles per hour assuming one way vessel traffic; ten (10) miles per hour for passing oncoming traffic.
- (2) Providence River north of the Fox Point Hurricane Barrier: Vessel speed shall not exceed five (5) miles per hour nor create wake.
- (3) Seekonk River Channel, as described herein: Vessel speed shall not exceed five (5) miles per hour nor create wake.
- (4) Providence River Channel, as described herein: Within 200 feet of shore vessel speed shall not exceed five (5) miles per hour nor create wake; 200 feet or greater from shore, vessel speed shall not exceed ten (10) miles per hour.

(b) River Channels:

- (1) Seekonk River Channel: 150 foot wide channel beginning at the south end of the Seekonk River Federal Navigation Channel in the vicinity of Waterman Square and Cold Spring Point and extending 0.50 nautical miles southwest, past the bascule bridge at Crook Point with an east channel edge at R N"2" west of Twin Island and GC"1", thence extending 0.27 nautical miles south to the India Point Swing Bridge, and thence 0.09 nautical miles southwest to the overhead power cables, and thence 0.10 nautical miles west to a line extending from Bold Point northeast to the electrical tower at India Point.
- (2) Providence River Channel: a channel varying in width from 100 feet between India and Bold Points to 700 feet at Fox Point, beginning at the south end of the Seekonk River Channel extending 0.47 nautical miles west to the northeast end of the Fox Point Reach of the Providence River Federal Navigation Channel with a southern boundary at RN"6", RN"4", RN"2" and the Getty Pier, and a northern boundary 200 feet south of the shore from India Point to Fox Point (exclusive of the grounded barge west of Bold Point).

(d) Operation on the Waters

1. No person shall operate a motorboat or vessel, or manipulate water skis, surfboards or similar devices in a reckless manner so as to endanger the life, limb or property of another;
2. No person shall operate a motorboat or vessel within a water area which has been clearly marked by buoys or some other distinguishing device, as a bathing, swimming or otherwise restricted area; provided, however, that this section shall not apply in the case of an emergency, or to patrol or rescue craft;
3. No person shall operate a motorboat or vessel in a manner which shall unreasonably or unnecessarily interfere with any other motorboat or vessel, or with the free and proper navigation of the waters of the city;
4. No person shall fail to stop and render assistance in the event of a collision, accident or other casualty, and/or fail to provide identification, in writing, to any person injured and to the owner of any property damaged in the collision, accident or other casualty, so far as the operator of any motorboat or vessel involved in a collision, accident or other casualty can do so without serious damage to his / her own vessel, crew and passengers;
5. No person shall fail to report any accident, casualty, vandalism or theft to the Department of Environmental Management or the Director where such accident, casualty, vandalism or theft involving a motorboat or vessel is in excess of five hundred dollars (\$500.00);
6. No person shall operate a motorboat or vessel, or manipulate water skis, surfboards or similar devices while intoxicated or under the influence of any narcotic drug, barbiturate or marijuana. A person arrested and charge with operating any motorboat or vessel, or manipulating any water skis, surfboard or similar device while under the influence of intoxicating liquor or narcotic or habit-forming drugs shall have the right to be examined at his or her own expense immediately after his or her arrest, by a physician selected by him or her, and the officer so arresting or so charging that person shall immediately inform that person of this right and afford him or her a reasonable opportunity to exercise the same, and at the trial of that person, the prosecution must prove that he or she was so informed and was afforded such opportunity;
7. No person shall dock or otherwise make fast any motorboat or vessel to any pier, channel marker, buoy, wharf or other shore structure without the consent of the owner, except in the case of an emergency;

8. No person shall operate a motorboat or vessel on and within the waters of the city for towing a person or persons on water skis, or a surfboard or similar device unless there is in the motorboat or vessel a person at least twelve (12) years of age, in addition to the operator, in a position to observe the progress of the person or persons being towed; and at least one (1) personal flotation device (PFD) for each person being towed;
9. No person shall operate a motorboat or vessel on and within any waters of the city towing a person or persons on water skis, a surfboard or similar device beginning at one (1) hour after sunset and ending at one (1) hour before sunrise;
10. No person shall engage in water skiing, surfboarding, or similar activity at any time between the hours beginning at one (1) hour after sunset and ending at one (1) hour before sunrise, or within areas in which said activities are prohibited;
11. No person shall operate or manipulate any motorboat, 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;
12. No person shall conduct a regatta, motorboat, or other boat race, marine parade, tournament, or exhibition, except on the terms and conditions specifically set forth by the Commission;
13. No person shall engage in scuba diving, skin diving, or snorkeling in an area where power or motorboats are operated, unless the proper warning flags, as set forth in state law, are posted;
14. No person shall operate a motorboat or vessel within fifty (50) feet of any warning flag as set forth in state law;
15. No person shall throw, dispose of, deposit, or cause to be thrown, disposed of, or deposited, bottles, glass crockery, cans, scrap metal, junk, paper, garbage, refuse or debris of any nature, or any noxious substance in or upon any of the waters within the city;
16. No person shall moor or anchor a houseboat unless such mooring or anchoring is done within designated areas.
17. Swimming is prohibited in all federal navigation channels, navigation fairways, and transient anchorage areas. Fishing and shellfishing are prohibited in all federal navigation channels and navigation fairways. The placement of lobster pots, pot floats, and fish nets is also prohibited in all federal navigation channels and navigation fairways.
18. In accordance with the Coastal Resources Management Program, Section 300.5, houseboats or floating businesses are prohibited from mooring or anchoring unless within the boundaries of a marina. Houseboats or floating businesses shall tie into pumpout facilities.
19. The police and fire departments may use the city launch at night, when not required for use by the harbor master in the performance of his duties, for the purpose of patrol of the harbor and other public waters within the city, and may employ a night engineer on said launch, the expense thereof and any other expenses of running said launch at night for paid purpose to be paid from the appropriation for said departments.

(e) Abandoned Vessels or Harbor Structures

No person shall deposit or abandon a vessel or structure upon the shore, a public right-of-way or on and within the waters of the city. When any vessel or structure is deposited or abandoned in the waters of the city, the Director is authorized and empowered to remove the same or cause the same to be removed.

1. *Notice of removal of vessel/harbor structures.* If the person who owns, has an interest in, or exercises any control over the vessel or structure, or otherwise is known, the Director, or his/her lawfully designated agent, shall give written notice by certified mail to said person to remove the vessel or structure within a specified time.
2. *Removal of vessel/harbor structures.* If the vessel or structure is not removed within the time specified in the notice and in a manner and to a place satisfactory to the Director, or his / her lawfully designated agent, or if no such person is known to the Director, or his / her lawfully designated agent, upon whom the notice can be served, then the Director, or his / her lawfully designated agent, may proceed to remove, or cause the vessel or structure to be removed, in a manner and to a place the Director, or his/her lawfully designated agent, shall deem appropriate.
3. *Liability.* The owner (or such other person notified) of a vessel or structure removed by the Director in accordance with this chapter shall be liable to pay the cost and expenses of the removal and storage, or to repay the same when paid by the city. The expense may be recovered in an action brought by the city solicitor against the owner(s). If the owner(s) are unknown or the vessel or structure is unclaimed within ninety (90) days of the

removal. The city may sell the vessel or structure. The proceeds from the sale shall be used to defray the cost the city incurred in the removal and storage of the vessel or structure, and in the administration of this section.

(f) Water Pollution; Pump-out Facilities

1. No person shall operate a marine toilet at any time so as to cause or permit to pass or to be discharged into harbor waters, any untreated sewage, or other waste matter or contaminant of any kind, and/or dumping of holding tanks containing anything other than fresh water or sea water into harbor waters.
2. RIGL §46-12-39 through §46-12-41 shall apply to all waters within the City of Providence related to water pollution, no discharge zones, penalties, and enforcement.

(g) Towing

Any time the chief harbormaster or the Director directs that a vessel be towed pursuant to this chapter or any rules and regulations of the Commission, there shall be a fee for said towing. Said fee shall be set annually by the Director of the Rivers and Harbor Commission.

(h) Operation of Unnumbered Motorboats Prohibited

Every motorboat on, in, or within the waters of the City of Providence shall be numbered. No person shall operate or give permission for the operation of any motorboat on such waters unless the motorboat is numbered in accordance with state law, or in accordance with applicable federal law, or in accordance with a federally approved numbering system of another state, and unless the certificate of number awarded to such motorboat is in full force and effect and the identifying number set forth in the certificate of number is displayed on each side of the bow of such motorboat.

(i) Obedience to Orders of Enforcement Officers

It shall be a violation of this chapter for any person to refuse to move or stop on oral command or order of the chief harbormaster, harbormaster(s), or police officer operating from a patrol boat identified as such and exercising the duties lawfully assigned to him / her.

(j) Boat Standards

Every vessel entering the waters of the City of Providence shall be equipped as required by RIGL. 1956, §46-22-5, as amended. No person shall operate a motorboat or vessel with improper light installation, use of lights, sound-producing devices, personal flotation devices (PFD), fire extinguishers, and muffling devices as set forth in state law.

(k) Rafting

Rafting on a single anchor is only allowed if it does not unreasonably interfere with any adjacent single moorings or anchorages. Motorboats and/or vessels in a raft shall be manned at all times.

(l) Rights-of-ways to the Waters

1. No person shall block, barricade, or in any way impede the public use of or access to designated public rights-of-way to the waters of the City of Providence.
2. No person shall store a vessel, vehicle, or structure upon a designated public right-of-way to the waters of the city.
3. Any person violating this section shall be subject to punishment in accordance with Section 11-8.

Sec. 11-7 Fees; Harbor Management Fund

(a) Fees

Any time the Director, or his / her lawfully designated agent, directs that a motorboat or vessel be towed pursuant to this ordinance, there shall be a fee assessed to the owner of said motorboat or vessel for said towing. Said fee shall be one hundred dollars (\$100.00) and shall be subject to annual revision by the Rivers and Harbor Commission and shall be approved as part of the Commission's budget submittal to the City Council. Should the towing be performed by a commercial towing service, this fee shall be in addition to the towing charged by the towing service.

(b) Harbor Management Fund

A harbor management fund is hereby created to receive and expend monies for harbor management purposes determined by the City. All revenues generated by fines levied under the provisions of the harbor management ordinance shall be deposited into this fund. Funds shall be disbursed for purposes directly associated with the management and implementation of the harbor management plan. Monies from this fund may be allocated to the chief harbormaster or his/her designee for the purpose of enforcing the provisions of the harbor management plan and/or the harbor management ordinance. The harbor management fund shall be established, budgeted, and administered in a manner consistent with the procedure contained within the City of Providence Charter and funded through the Commission's annual budget as a line item.

Sec. 11-8 Penalty

Note: see attached for a sample violation notice

The general penalties provided for by Section 1-10 of the Code of Ordinances shall apply to violations of this chapter, except that any person electing to appear before the clerk of the court, or in lieu of a personal appearance electing to enter an appearance by mail, and admitting the violations charged shall be punished by a fine as set forth for each violation as follows:

1. Any person who violates any provision of subsections (c)(1), (c)(2), (d)(14) or (j) of Section 11-6 of this ordinance shall be subject to a fine of fifty dollars (\$50.00) for each violation.
2. Any person who violates any provision of subsections (d)(4), (d)(12), (h), (i) or (j) of Section 11-6 of this ordinance shall be subject to a fine of one hundred dollars (\$100.00) for each violation.
3. Any person who violates any provision of subsections (d)(8), (d)(9), (d)(10) or (d)(11) of Section 11-6 of this ordinance shall be subject to a fine not to exceed two hundred dollars (\$200.00) for each violation.
4. Any person who violates the provisions of subsection (c)(3) of Section 11-6 of this ordinance shall be subject to the following fines:

	<u>MPH In Excess of Speed Limit</u>	<u>Fine</u>
a)	1 - 10.....	\$ 25.00
b)	11 - 15.....	50.00
c)	16 - 20.....	75.00
d)	21 - 25.....	100.00
e)	26 and above.....	5.00 per mile in excess of speed limit

5. Any person who violates the provisions of subsection (c)(3) of Section 11-6 of this ordinance shall be required to attend a boating safety course in addition to the payment of any fine. In the event a fine as set forth for each violation is not paid or a plea of not guilty is not entered by any person charged with any violation prior to the fourteenth day after the date of the violation, said fine shall be doubled. In the event a fine as set forth for each violation is not paid or a plea of not guilty is not entered subsequent to the fourteenth day after the date of violation, said fine shall be tripled.
6. Any person who violates any provisions of subsections (d)(5), (d)(15), (e), (f), or (k) of Section 11-6 of this ordinance shall be guilty of a petty misdemeanor and shall be subject to a fine not to exceed five hundred dollars (\$500.00), or imprisonment not to exceed thirty (30) days, or both for each violation.
7. Any person who violates any provision of subsections (d)(1), (d)(2), (d)(3), (d)(6), (d)(7) or (d)(16) of Section 11-6 of this ordinance shall be guilty of a misdemeanor and shall be subject to a fine not to exceed one thousand dollars (\$1,000.00), or imprisonment not to exceed one (1) year, or both for each violation.
8. Any person charged with any violation set forth in subsections (c), (d)(4), (d)(8), (d)(9), (d)(10), (d)(11), (d)(12), (d)(13), (d)(14), (i), or (j) of Section 11-6 of this ordinance and notified in writing by a police officer to appear to answer such charge before the Providence Municipal Court may, in lieu of such appearance, elect to appear in person or by one duly authorized by him in writing, before the clerk of said court, admit the truth of said charge, and pay to said clerk the designated fine; provided that such appearance, admission and payment be made at the office of said clerk during regular business office hours, within sixty (60) days of such notification, and failure to so appear shall be deemed a waiver of the right to dispose of such charge without personal appearance in court.

9. In those cases where mail is used for payment of such fine, the payment shall be by check or by money order, and in those cases where payment is attempted with a check drawn against insufficient funds, an additional payment of twenty-five dollars (\$25.00) shall be imposed against the violator to defray administrative costs.
10. The payment of a fine to the clerk of the municipal court as herein provided for any violation set forth in subsections (c), (d)(4), (d)(8), (d)(9), (d)(10), (d)(11), (d)(12), (d)(13), (d)(14), (i), or (j) of Section 11-6 of this ordinance shall operate as a final disposition of the charge.
11. Notice of any violation set forth in subsections (c), (d)(4), (d)(8), (d)(9), (d)(10), (d)(11), (d)(12), (d)(13), (d)(14), (i), or (j) of Section 11-6 of this ordinance shall indicate the offense charged, a schedule of fines for such violation, the time within which such fine by mail may be exercised, the place to which such fine may be mailed and such other information as well enable the person charged to take advantage of the provisions hereof.

Sec. 11-9 Disclaimer of liability

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

ATTACHMENT A: SAMPLE VIOLATION NOTICE

WARNING
NOTICE

OFFICER

BADGE NO.

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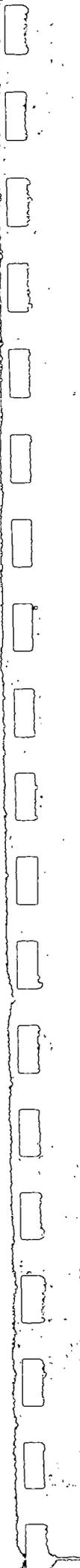
OFFICER

NO.

**CITY OF PROVIDENCE
HARBOR COMMISSION
DIVISION OF ENFORCEMENT**

NAME & ADDRESS

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REMARKS



Appendix 2

HISTORY OF PROVIDENCE WATERWAYS

2.1 Background

In the Spring of 1636, Roger Williams, a religious and political fugitive from the Massachusetts Colony, crossed the Seekonk River in a canoe and landed at what is now known as Roger Williams Square on Gano Street. He then paddled around Fox Point and up the Great Salt River, now known as the Providence River. When Williams landed at the confluence of the Woonasquatucket and Moshassuck Rivers, he set his final camp and named it Providence. There have been many changes to the shorelines of Providence since the times of Roger Williams.

In the early 1600's the Providence River was wider and more easily navigable. Downtown Providence was a marshy peninsula known as Weybosset. North of the Weybosset the Great Salt Cove extended for hundreds of acres and was deep enough for the tallest ships. The cove extended west for more than a mile as a broad, flat valley of salt marshes which surrounded the Woonasquatucket River.

A sand bluff stood to the north where the State Capitol is located and to the east was a tidal estuary. To the north, where Charles Street is now, the Moshassuck River cascaded over a small waterfall into the estuary. Several small coves and brooks marked the shoreline between a peninsula at Davol Square and Fields Point, along the area now dominated by wharves and piers.

Mile End Cove, located on the east side of the Providence River where Wickenden Street meets I-195, was fed by a small brook that is now Brook Street. South of the cove was Foxes Hill, no longer visible, and then Fox Point. The shoreline of a much wider Seekonk River was sandy at India Point and steeply wooded to the north (RISD, 1974).

2.2 Maritime Trade

Historically, all trade and most travel in and out of Providence was by sea. Larger ships would anchor in the Providence River and send cargo and passengers upstream in small boats. International trade began as early as 1654 with construction of wharves on the Providence River beginning in 1680. By the mid-eighteenth century, Providence ships travelled to the Caribbean, South America, Africa, and eventually to the West Indies.

At the time, Newport was the predominant city in Rhode Island and all trade had to clear through Newport customs. Providence did not come into her own until after the British occupation of Newport in the mid to late 1770s. Newport trade was shattered by the end of the Revolutionary War and Providence stepped in to fill the void.

The height of Providence's maritime history was in the late eighteenth century. The entire settlement was located in the area known as the waterfront today and Market Place was the heart

of the city. The active harbor extended as far north as Smith Street. To keep up with increasing overseas trade, including the China trades, Providence developed a considerable ship building industry. The first harbor lines around the Cove were drawn in the late 1700s.

The prosperity of Providence's international seaport was relatively short lived. Other cities, such as New York and Baltimore, had begun to develop into significant ports. However, coastal maritime trade continued to thrive as the focus of Providence's economy shifted to manufacturing and land transportation. In the 1780s, considerable landfill had begun along the banks of the rivers. In 1816 the Great Gale extensively damaged the waterfront, providing the opportunity for more sudden and radical changes to take place. The Great Salt Cove was closed to navigation when the decision was made to build a fixed span bridge connecting the town to Weybosset (RISD 1874).

2.3 Changing Waterfront

With the advent of the steam engine, railroads became the predominant mode of transporting both people and cargo. Private railroad companies began to build depots in Providence from 1835 onward. Stonington Depot and India Point were the popular locations for the rails. Eventually, the railroads wanted to connect to one another rather than to the sea. In 1848, Thomas Tefft was hired to design the first Union Station, to be built on the covelands now known as Kennedy Plaza, reducing the once expansive cove to a mere tidal basin.

Although landfilling had become commonplace during the nineteenth century, there had never been any of this magnitude. This marked the beginning of a steady assault on the city's waterfronts through extensive landfilling to make way for warehouses, freight handling facilities, and wharves in addition to the railroads. The land had definitely become more important than the sea to the people of Providence. Although freight from Providence to New York was still sent by steamships, the Harbor's main function was to provide wharves for steamers and excursion boats.

Between the years of 1870 and 1920, marine recreation played an important part in land use development. The city established a number of waterfront parks and a fleet of excursion steamers carried people from the docks of South Water Street, Fox Point, and India Street to the resorts along Narragansett Bay.

Although the railroads had outgrown Union Station before the end of the nineteenth century, plans for a new station met with many years of opposition prior to approval. The construction of the new station required completely filling the cove. Despite local opposition, the project was completed by the politically powerful railroad.

Although the channel of the Providence River had been dredged to a depth sufficient for large ships to reach the wharves of the upper harbor, this action was costly and time consuming. By 1910, Providence began to develop the lower harbor. The city built a 3000 foot municipal wharf at Field's Point and the state built a pier in 1913 to service passenger and freight ships from the

Mediterranean. Oil companies established depots in the lower harbor along Allens Avenue to replace the many coal wharves of Dyer Street.

Most passenger ships discontinued service with the arrival of the automobile and the rest ceased during the WWI. With the exception of the coal deliveries to power plants, the resumption of the Block Island ferry service after WWI, and the use of tugboat moorings, the working port had completely abandoned the upper harbor. The wharves and adjacent buildings which were destroyed or damaged during the Hurricane of 1938 were never repaired. Hurricane Carol, in 1954, destroyed the wharves and freight buildings at Fox and India Points. These storms assured that the active life of the upper harbor was finished (Warner, 1985).

2.4 Bridges

The first bridge to cross the Providence River was a wooden bridge built in 1660 where Weybosset Street is now. During the mid 1800s, several bridges spanned the river: the Park Bridge (1848), the Exchange Bridge (1848), and the new Weybosset Bridge (1843). By 1867, more than two hundred thousand people still crossed the river on the India Street and James Street ferries. By this time, the rivers were seen more as an inconvenience than as a trade route. To make crossing the river easier, the first Point Street Bridge was completed in 1872 as work began on the Crawford Street Bridge. The city was becoming increasingly congested. The common solution to this problem was to build roadways that not only crossed the Providence River but also encroached on its shores.

By the early 20th century the upper Providence River had become an eyesore and a source of embarrassment. In 1914, the City Planning Commission wanted to cover the river completely. In 1926, the Whitten Report proposed a plan to extend the Crawford Street Bridge over the river and use the extra space for parking. In 1946, the City Planning Commission recommended that an expressway be built down the center of the river and that the flow be confined to underground culverts (Warner, 1985).

2.5 Seekonk River

The Seekonk was spared much of the attention afforded to the Providence, Woonasquatucket, and Moshassuck Rivers. Its shores remained almost unchanged until only a hundred years ago. Even after development began along the Seekonk, the waterfront lots weren't quickly developed. The location where Roger Williams first landed was covered by twenty feet of fill in 1893 when the park was developed. In 1878 when Gano Street was built, this area was excavated down to bare slate and abandoned.

Rhode Island was the center of the American oyster industry and the Seekonk River was the heart of Rhode Island's oyster industry. The most abundant supplies were north of Wickenden Street and where the Brown University boathouse stands today. The oyster population started to decrease before 1920 due to the pollution associated with sewage discharges and gasoline spills. The oyster industry was forced to completely close Seekonk operations by 1940.

John Brown built the first Washington Bridge across the Seekonk in 1793 to facilitate transportation of imports from the West Indies and the Orient. Some time earlier his brother, Moses Brown, built the Red Bridge. The railroads also made their contribution to the river crossings. In 1902, a swing bridge was built at India Point connecting Providence and East Providence. Six years later, the Bascule Bridge, a draw bridge, was built across the Seekonk River to the north at Crook's Point.

2.6 National Register of Historic Places

The following properties located within the Harbor Management Planning area are listed in the National Register of Historic Places as maintained by the Rhode Island Historic Preservation and Heritage Commission (RIHPHC):

Rivers and Inner Harbor - The following properties are located within the Providence and Woonasquatucket Rivers area:

- Various NBC buildings at Field's Point including the Chemical Building, Ernest Street Sewage Pumping Station, Return Sludge Pumping Station, Sludge Press House and Washington Park Sewage Pumping Station
- College Hill National Historic Landmark which extends east of the Moshassuck and Providence Rivers on the west side of College Hill
- Providence Cove Lands Archaeological District RI 935 (Determination of Eligibility), south of the state capitol and along the Woonasquatucket River
- Jewelry Manufacturing District west of the Providence River
- Downtown Providence District west of the Providence River
- Custom House Historic District east of the Providence River
- Market House, Market Square east of the Providence River
- Point Street Bridge over the Providence River
- Davol Rubber, Point and Eddy Streets west of the Providence River
- Blackstone Canal Historic District extending from Industrial Drive in the vicinity of the U.S. Post Office south through downtown Providence to the Point Street Bridge.
- Moshassuck Square / American Screw Company Factory Historic District located on the Moshassuck River north of the state capitol.
- Roger Williams National Memorial located west of Main Street and east of the Moshassuck River.

RIHPHC has indicated that other sites in this area potentially eligible for the National Register include Brown & Sharpe Co. and the Silver Top Diner along the Woonasquatucket River.

Seekonk River Area - Several properties are listed on the National Register of Historic Places:

- Swan Point Cemetery, Blackstone Boulevard
- Butler Hospital, Blackstone Boulevard. Phase I and Phase II archaeological investigations were conducted in 1991 on the grounds of this National Register property for the NBC's

Butler Hospital Interceptor Sewer Project. Sites evaluated included the Red Slipper Site (RI 1877) and the Shaded Seekonk Site (RI 1876) (previously RI 929). Other archaeological sites recorded at Butler Hospital are prehistoric sites RI 658, RI 929, and RI 1878, a historic site at Goose Point.

- Constance Witherbee Park at Richmond Square
- Washington Bridge South over the Seekonk River

All of the undisturbed land area north of the Henderson Bridge is considered by RIHPHC as archaeologically sensitive because the area retains much of its original topography. The shoreline between the Henderson Bridge and Fox Point has undergone significant development, and has been altered and filled (Narragansett Bay Commission, 1994).

Blackstone Valley National Heritage Corridor

In Providence the Blackstone Valley National Heritage Corridor (BVNHC) includes the shoreline of the Seekonk River, the Outer Harbor between the Washington Bridge (I-195) and the Hurricane Barrier, and north along the east shore of the Providence River to north-south Amtrak line. Any federally funded or permitted projects proposed on the East Side of Providence must demonstrate consistency with the goals and objectives of the BVNHC Plan (the so called "purple book"). Water quality improvements, recreation, and tour boats are generally consistent with this plan.

The Woonosquatucket River is in the process of being nominated as American Heritage River. This nomination is being coordinated by the RIHPHC, BVNHC and the City of Providence. Water quality improvements and recreational use are typically consistent activities on American Heritage Rivers.



Appendix 3 RESOURCE INVENTORY

3.1 Water Quality

Rivers tributary to the Narragansett Bay have been subject to numerous sources of industrial, commercial, and residential pollution since the Industrial Revolution. The Woonasquatucket, Moshassuck, and Blackstone (upstream of the Seekonk River) Rivers—provided a much needed source of power, and a convenient method of waste disposal. Wastes from fabric dyeing, metalworking, leather tanning, mills, and other activities were dumped into the rivers. These activities, which are no longer discharging, have severely diminished the quality of these waters to the point that water contact recreation is limited and aquatic habitats have nearly disappeared in many of the waterways included in the Providence Harbor. Over time, large quantities of toxins have also accumulated in the sediments of the rivers and the Narragansett Bay, and contributed to the degraded quality of the waterways.

Minimum health standards were enacted in the late 1890s which led to the construction of municipal sewer collection and treatment systems, including the Field's Point WWTF around 1900 and the Bucklin Point WWTF in 1952. To convey the sewage to the treatment facilities, large interceptor pipes were constructed. The system does not, however, have the capacity to convey all sanitary sewage and stormwater to WWTFs. To minimize the problems of these large volumes, overflow pipes were built into the system. These overflow pipes continue to allow combined stormwater and sanitary sewage to flow into the river during rain events when the capacity of the interceptor sewer is exceeded.

3.1.1 Combined Sewer Outfalls

Presently, during most rainstorms, outfalls still divert some combined sewage to the nearby waterways. This diversion of CSOs—coupled with all other non-point sources of pollution—deteriorates the quality of the water, creating odors, and causing an unsightly appearance on the river from floating debris. The high incidence of fecal coliform associated with CSOs during the overflow events has caused the closing of shellfishing harvesting areas in Narragansett Bay. To date, extensive water quality studies have been performed to determine the magnitude of the pollution problem. These studies have shown that the waters are contaminated with copper, lead, nickel, hypoxia, PCBs, and fecal coliform. Water quality modeling has also been performed to investigate the effects of various mitigation alternatives (NBC, 1994).

In recent years, important steps have been taken by the Narragansett Bay Commission (NBC) to reduce pollutant loadings on the watercourses in the metropolitan Providence area as part of the CSO plan. The NBC maintains the CSOs and the treatment facility at Field's Point in Providence. The NBC also maintains the Central Falls and Pawtucket CSOs and the WWTF at Bucklin Point. Wastewater treatment plants have been upgraded, and some CSO abatement improvements have been made to the existing system.

Since 1982, when the NBC took over management of the sewage system from the city of

Providence, it has spent approximately \$90 million to improve the Field's Point WWTF. In addition, the NBC has invested approximately \$23 million on improvements to the Bucklin Point WWTF to meet permit limits. At this time, the NBC is reassessing the CSO plan and is expected to make a decision by mid summer 1997. Two alternatives are under consideration and one has been approved. Once a design has been selected, completion of the new CSO facilities could take twenty years or longer. Construction of either of the three alternatives will most likely have a significant impact on the Providence shorelines. Whether this impact will be temporary or permanent depends on the alternative(s) chosen.

3.1.2 Rhode Island Department of Environmental Management Water Resources

Water quality standards for the waters of Providence are set by the Water Resources Division of the Rhode Island Department of Environmental Management (RIDEM). The water quality standards define the water quality goals of a water body, by designating the use or uses to be made of the water and by setting criteria necessary to protect the uses. Therefore, the designated water quality standards may not reflect current water quality conditions. Water quality standards are intended to protect public health and welfare, enhance the quality of water and serve the purposes of the Clean Water Act and the General Laws of Rhode Island. Whenever attainable, water quality standards should: provide water quality for the protection and propagation of fish, shellfish, and wildlife and for the recreation in and on the water; take into account their use and value as public water supplies; and take into consideration their use for agricultural, industrial, and other purposes including navigation.

All surface waters are classified according to the most sensitive beneficial use of the resource which it is intended to protect. The RIDEM water use classifications as they are defined in the 1988 "Water Quality Regulations for Water Pollution Control" are shown in Table 3-1 and as they appear in August, 1997 "Water Quality Regulations" are as follows:

Freshwater

Class A - These waters are designated as a source of public drinking water supply, for primary and secondary contact recreational activities and for fish and wildlife habitat. They shall be suitable for compatible industrial processes and cooling, hydropower, aquacultural uses, navigation, and irrigation and other agricultural uses. These waters shall have good aesthetic value.

Class B - These waters are designated for fish and wildlife habitat and primary and secondary contact recreational activities. They shall be suitable for compatible industrial processes and cooling, hydropower, aquacultural uses, navigation, and irrigation and other agricultural uses. These waters shall have good aesthetic value.

Class B1 - These waters are designated for primary and secondary contact recreational activities and fish and wildlife habitat. They shall be suitable for compatible industrial processes and cooling, hydropower, aquacultural uses, navigation, and irrigation and other agricultural uses. These waters shall have good aesthetic value. Primary contact

recreational activities may be impacted due to pathogens from approved wastewater discharges. However all Class B criteria must be met.

**Table 3-1
RIDEM Water Use Classifications (1988)**

Fresh Water		Sea Water	
Class A	(Drinking) Water Supply	Class SA	Shellfish Harvesting for Direct Human Consumption; Bathing and Contact Recreation; Fish and Wildlife Habitat ¹
Class B	Public Water Supply with Appropriate treatment; Agricultural Uses; Bathing, Other Primary Contact Recreational Activities; Fish and Wildlife Habitat	Class SB	Shellfish Harvesting for Human Consumption After Depuration; Bathing and Primary Contact Recreation; Fish and Wildlife Habitat
Class C	Boating, Other Secondary Contact Recreational Activities; Fish and Wildlife Habitat; Industrial Processes and Cooling	Class SC	Boating, Other Secondary Contact Recreation; Fish and Wildlife Habitat; Industrial Cooling; Good Aesthetic Value

Not described above are classes D and E which shall be used to describe an existing condition only, and shall not be considered an acceptable goal for classification of any waterbody. The project study area does not contain any existing class D or E waterbodies.

¹ The definition of "swimmable" and "fishable" are derived from Section 101 (a) (2) of the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977, which reads:

"It is the national goal that wherever attainable, an interim goal of water quality which provides for the protection and propagation of fish, shellfish, and wildlife and provides for recreation in and on the water be achieved." (40 CFR 101 (a) (2))

Class C - These waters are designated for secondary contact recreational activities and fish and wildlife habitat. They shall be suitable for compatible industrial processes and cooling, hydropower, aquacultural uses, navigation, and irrigation and other agricultural uses. These waters shall have good aesthetic value.

Seawater

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

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

The following partial uses may be assigned to a waterbody segment where applicable, and may affect the application of criteria. These designations are represented by lower case letters, a or b, and appear in brackets next to the classification.

a. **CSQ** - These waters will likely be impacted by combined sewer overflows in accordance with approved CSO Facilities Plans and in compliance with rule 19.E.1 of the RIDEM Water Quality Regulations and the Rhode Island CSO Policy. Therefore, primary contact recreational activities; shellfishing uses; and fish and wildlife habitat will likely be restricted.

b. **Concentration of Vessels** - These waters are in the vicinity of marinas and/or mooring fields and therefore seasonal shellfishing closures will likely be required as listed in the recent (revised annually) RIDEM document entitled **Shellfish Closure Areas**. For Class SA waters, all Class SA criteria must be attained at all times.

The proposed (in the 1997 draft) water use classifications for the Providence and Seekonk Rivers within the project area are Class SB1{a}. The proposed classification for the Woonasquatucket River is Class B1{a} and for the Moshassuck River is B{a}. The current water use classifications for the Providence and Seekonk Rivers are Class SC within the project area. The current classification for the Woonasquatucket and Moshassuck Rivers are Class C. These classification are based on quantitative measure of general and specific physical, chemical, and biological criteria.

Providence River: (Class SC) The Providence River is formed by the confluence of the Moshassuck and Woonasquatucket Rivers in the center of Providence. From its head, the River runs south approximately 1.3 miles to the hurricane barrier at Fox Point. The River is generally quite shallow and narrow in this reach. At low tide, the River almost empties, becoming completely fresh as far south as the I-195 bridge. Below the bridge, the River widens and becomes deeper. Just below the hurricane barrier at India Point, the Seekonk River joins the Providence River. Below this point, the River continues to widen to its mouth at Conimicut Point, approximately eight miles south of Fox Point, where it becomes Upper Narragansett Bay (Wright, 1991). The Providence River is influenced by urban land use in Providence, East Providence, Cranston, and Warwick.

The northern end of the River from India Point to Gaspee Point/Bullock Point is designated Class SC. Cruises sponsored by the Narragansett Bay Project found that throughout the entire Bay, the highest pollutant concentrations were found in the Providence River. Of the parameters measured throughout the Bay; phosphorus, nitrogen, silica, copper and nickel were higher in the Providence River with the inorganics exceeding the USEPA's chronic water quality criteria. Measurements of oxygen showed periods of anoxia or near anoxia in the bottom waters of the Providence River, although these levels were never low enough to prevent fish and bottom dwellers from living

there. (RIDEM, 1990).

The entire 6.6 square miles of the Providence River are determined to be in non-support of designated uses. (RIDEM, 1990)

Woonasquatucket River: (Class C) The drainage area contributing to the Woonasquatucket River from its mouth is 51.9 square miles and extends into Johnson, Gloucester and Smithfield. (RIDEM, 1990) The River flow is an average of 64 MGD. All of the waterbodies located within this watershed are designated as Class B waters.

From its headwaters to a point 1.6 miles downstream the River is designated as Class B. From there to the point where it merges with the Moshassuck River and empties into the Providence River, the River is designated as Class C. The Class C segment flows south and east through downtown Providence where pollutants from CSOs and urban runoff contribute to poorer water quality. The 1988 USGS data indicated elevated concentrations of copper, cadmium, nitrate and total phosphorus. The elevated concentrations of the organic parameters, nitrate and total phosphorus, may indicate eutrophic conditions (RIDEM, 1990). Previous Narragansett Bay Project reports indicate exceedance of PCB Aquatic Life Criteria (RIDEM, 1994).

In summary, 30.15 river miles are fully supporting and fishable/swimmable, with 8.66 miles being threatened. Approximately 9.3 miles of the River are not supporting designated uses and are not attainable for fishing/swimming. (RIDEM, 1990)

Moshassuck River : (Class C) The 23.7 square mile Moshassuck River drainage area flows through the towns of Cumberland, Lincoln and North Providence and the cities of Pawtucket, Central Falls, and Providence. The average river flow is 27 MGD.

The Moshassuck River has a limited recreational value due to the effects of point discharges and non-point pollution sources as well as the size of the River. (Appendix H) Point sources include the 12 combined sewer overflows and/or by-passes into the River. Non-point sources include runoff from farmlands in agricultural areas upstream, failing septic systems, and urban runoff.

The downstream segment extending 5.00 miles upstream from the mouth is designated as Class C. The second segment extends the remainder of the River, 4.12 miles, and is designated as Class B. (RIDEM, 1990) The downstream segment, being within a highly urbanized watershed, has elevated levels of sodium, chloride, total coliform, and fecal coliform, although they do not exceed current standards or guidelines. While only giving a limited amount of information, two samples were taken and tested by the USGS in 1988. Both copper measurements exceeded acute and chronic criteria. One of two mercury samples also exceeded chronic criteria, and iron concentrations were elevated. (RIDEM, 1990)

Seekonk River: (Class SC) The Seekonk is the receiving water of the Blackstone River in Pawtucket and flows 5 miles through the urbanized cities of Providence, East Providence, and Pawtucket. The Seekonk is one of the primary tributaries to the Providence River and Narragansett Bay. Much of the land along the Blackstone River is used for industrial purposes. Both rivers remain a source of cooling water to industrial and utility firms along its banks.

The Blackstone River flows into the Seekonk River at the dam in Pawtucket and is the primary tributary of the Seekonk River. Within Rhode Island, the Blackstone River extends 16 miles through Woonsocket, North Smithfield, Cumberland, Lincoln, and Pawtucket. The Blackstone River has a drainage area of 472 square miles (USGS, 1990); 71 percent of its watershed is located in Massachusetts. (RIDEM, 1990)

"Both point and nonpoint sources of pollution are contributing to the non-support of designated uses in the Seekonk. Upstream inputs from the Blackstone River, 11 combined sewer overflows and/or by-passes, the Bucklin Point Wastewater Treatment Facility, and urban runoff and highway runoff are all believed to contribute to heavy metal concentrations that exceed chronic and acute criteria." (RIDEM, 1990) The entire five miles of the Seekonk do not support designated uses and the fishable/swimmable goal is not attainable. (RIDEM, 1990)

3.1.3 Marine Discharges

Although federal law requires all recreational boats with an installed toilet to be equipped with approved marine sanitation devices (MSDs), boats still discharge treated wastes legally and untreated wastes illegally into coastal waters. The discharge of these sanitary wastes may have a significant impact on the quality of the water by increasing the Biological Oxygen Demand (BOD) and introducing pathogens into the water and will contribute to the degradation of the water quality in Providence Harbor.

RIDEM is currently developing a permit application to give the entire Narragansett Bay a "no discharge" status. This permit application is being filed by RIDEM to the USEPA and is contingent on the existence of "adequate and reasonably available" pump-out stations for boater use. USEPA Region I guidelines state that there must be at least one pump-out station for every 600 boats in non-transient harbors. Once the "no discharge" status has been obtained, RIGL 46-12-39 prohibits sewage discharges from boats and RIGL 46-12-40 and RIGL 46-12-41 give authority to the police officers, harbormasters, and assistant harbormasters to enforce RIGL 46-12-39 and penalize violators.

3.2 Coastal Resource Management Council

The purpose of this section is to provide guidance to municipalities in applying the policies of the Coastal Resources Management Council (CRMC) related to maintaining, and where possible, improving water quality. These guidelines ensure that municipalities develop goals and recommendations in their harbor management plans that will be consistent with the goals of the CRMC in addressing water quality issues.

The Coastal Resources Management Council recognizes the unique and precious resources inherent in the state's coastal waters and is committed to protect and continually improve the water quality for the general public welfare of the citizens of the state. It is considered of paramount importance to identify, measure and document all sources of both direct (point) and indirect (nonpoint) pollution and potential threats of pollution. Pollution sources from both land and water sources should be identified and the impacts of this pollution mitigated to the greatest extent practicable.

The Coastal Resources Management Program (the Red Book) provides guidelines for allowable activities in particular areas of the state's coastal waters, and contains applicable standards and practices which must be used to mitigate impacts to water quality. The following is a list of the allowed and prohibited uses of specific water areas under the CRMP. In many cases, a certain use may be allowable only with restrictions, such as mooring areas in densities which do not violate water quality standards. Water type designations are a means of controlling development in the coastal areas, much like land development is controlled through zoning ordinances.

Generally, any activity or alteration that is proposed for tidal waters, coastal ponds, shoreline features and areas that are contiguous to shoreline features are required to receive a Council Assent through the issuance of a permit for such activity. The tidal waters and shoreline areas have been assigned to one of six use categories which are directly linked to the characteristics of the shoreline, since the activities on the shore are directly linked to the uses and qualities of the adjoining water areas.

Concentrations of vessels can often be significant sources of pollution; sewage, gas, oil, and toxic bottom paints are all potential pollutants. In order to protect water quality, the DEM regulates the density and number of boats allowed in marinas, mooring areas, and harbors through the Water Quality Certification process. A primary emphasis of this program is the protection of public health and shellfishing areas. Allowable numbers of boats are dependent on the relationship between the area covered by the marina or mooring field, water depth, proximity to shellfish resources and availability of vessel holding tank pumpout facilities.

Water Type - The Coastal Resource Management Council (CRMC) has designated coastal areas and waters within the state according to use suitability under six water use type categories. These categories are defined in Table 3.2. These categories are directly linked to the characteristics of the shoreline. The activities on the adjacent mainland are the primary determinant of the uses and qualities of any specific water site.

The CRMC has designated the Providence and Woonasquatucket Rivers as Type 6 waters as well as the federally maintained channel in the Seekonk River. Line "b" shown in Figure II-2B is a straight line running generally WNW from the Union Oil property boundary south of Bold Point in East Providence to the westerly boundary of India Point Park in Providence. Up river of this line the Seekonk River is designated as Type 4 with the exception of the shipping channel. The Moshassuck River is not given a CRMC designation because it not considered navigable water.

3.3 Natural Resources

3.3.1 Conservation Areas

There are no conservation areas within the project area.

3.3.2 Wetlands

Freshwater wetlands are considered important natural resources with diverse qualities. They provide fish, wildlife and plant habitat; they contribute to biodiversity; they provide flood

**TABLE 3.2
CRMC WATER USE CATEGORIES**

Category	Definition
Type 1 Conservation Areas	One or more of the following: water areas that are within or adjacent to the boundaries of designated wildlife refuges and conservation areas; water areas that have retained natural habitat or maintain scenic values of unique or unusual significance; water areas that are particularly unsuitable for structures due to their exposure to severe wave action, flooding, and erosion
Type 2 Low Intensity Use	Waters in areas with high scenic value that support low-intensity recreational and residential uses; seasonal mooring areas where good water quality and fish and wildlife habitat are maintained
Type 3 High Intensity Boating	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 4 Multi-Purpose Waters	Large expanses of open water in Narragansett Bay and the Sounds which support a variety of commercial and recreational activities while maintaining good value as a fish and wildlife habitat; open waters adjacent to shorelines that could support water-dependent commercial, industrial, and/or high-intensity recreational activities
Type 5 Commercial and Recreational Harbors	Waters that are adjacent to waterfront areas that support a variety of tourists, recreational, and commercial activities; included waterbodies are Newport Harbor, Bristol Harbor, Warren waterfront, Wickford Harbor, Old Harbor-Block Island, East Greenwich Harbor, and Watch Hill Harbor
Type 6 Industrial Waterfronts and Commercial Navigational Channels	Areas extensively altered in order to accommodate commercial and industrial activities; includes all or portions of the following areas: Port of Providence, Tiverton shipping area, Quonset Point and Davisville, Coddington Cove, Melville, Galilee and Jerusalem, and Westerly waterfront

Source: RICRMP

protection; and they contribute to water quality maintenance. Wetlands in the project harbor management area are under the jurisdiction of both the RIDEM Division of Wetlands and the U.S. Army Corps of Engineers, the latter regulating via Section 404 of the Clean Water Act.

Wetlands including those adjacent to waters of the United States, are defined by the U.S. Army Corps of Engineers as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The term adjacent means bordering, contiguous, or neighboring, including those areas separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, etc. Waters of the U.S. is defined as a) navigable waters; b) wetlands; c) tributaries to navigable waters, including adjacent wetlands, lakes and ponds; d) interstate waters, their tributaries and wetlands; e) all other waters, including isolated wetlands, streams, etc. (Section 404 of the Clean Water Act). The US Fish and Wildlife Service has mapped wetland areas on 2000-scale base mapping as part of its National Wetlands Inventory (NWI).

The 1971 Wetlands Act of Rhode Island also regulates the alteration of freshwater wetlands. It is state policy under this act to preserve the purity and integrity of the swamps, marshes, bogs, and other wetlands and waters of the state. The Act defines freshwater wetlands as marshes, bogs, ponds, river and stream floodplains and banks, areas subject to flooding or storm flowage, emergent and submergent plant communities in any body of freshwater, including rivers and streams and that area of land within 50 feet of the edge of any bog, marsh, swamp, or pond. Wetlands also are defined by plant species in that Act.

Providence River - The shoreline of the Providence River is tidally influenced and has been disturbed by the activities associated with urban and maritime activities. According to the NWI map, there are two isolated wetland areas within the project area along the Providence River. The first is a small open water body near the petroleum storage facilities north of the former state pier and south of the Sprague oil tanks or City Wharf as denoted on the map. This wetland has been confirmed by field examination not to exist, the site being occupied by a stockpile of road salt. The second wetland area is identified on the county Soil Survey Map as a storm water drainage ditch in the near-tidal/intertidal zone of the Providence River at the foot of Thurbers Avenue. This wetland comprises Matunuck Mucky Peat, a soil unit typically associated with tidal marshes.

Woonasquatucket River - South of Exchange Street, immediately downstream of the point where the Moshassuck joins the Woonasquatucket, the NWI map recognizes the more natural state and tidal influence of the Woonasquatucket River with its classification of the open water as an estuarine wetland (E1OW). Extreme channelization and manipulation of the Woonasquatucket at Water Place Park has resulted in the disabling of the watercourse to support any other natural wetland conditions beyond the floodway of the river. Upstream wetland areas are typically confined to the river banks (R2OW). The river is tidally influenced to a dam near Eagle Street (R1OW).

Moshassuck River - The Moshassuck River has also been channelized to a great extent along the majority of its course. The result is the disabling of the Moshassuck to support normal wetland conditions along much of its course, even within the open waters of the existing channel. However, the reach within the project area has a NWI classification of E1OW.

Seekonk River - Downstream of the Main Street dam in Pawtucket, the Seekonk River is tidal and given two distinct classifications by the USF&WS on the NWI maps. The majority of the river is classified as estuarine subtidal open waters; the dredged channel within the Seekonk is classified as estuarine inter-tidal flat-bottom waters. Both classifications denote open water wetland conditions.

Several wetlands indicated on the NWI maps included York Pond and Blackstone Pond in Blackstone Park, and a marsh at the mouth of Grotto Brook which is located between the Butler Hospital Grounds and Blackstone Park. It should be noted that the marsh associated with Grotto Brook is designated for preservation by the Rhode Island Coastal Resources Management Council (CRMP, 1996). This marsh is noted for its vegetative character and its importance as a wildlife habitat.

3.3.3 Soils

Nearly the entire Harbor Management Plan area comprises soils classified by the U.S Department of Agriculture, Soil Conservation Service (1981 Soil Survey of Rhode Island) as Urban Land or urban land complexes. The Udorthents-Urban land complex consist of moderately well drained to excessively well drained soils that have been disturbed by cutting or filling, and areas that are covered by buildings and pavement. Most cut areas were used as a source of fill material, but in some areas cuts were used to level areas for the development of building sites and recreational facilities and roads. Most of the filled areas were built up and leveled to accommodate urban development.

The Merrimac-Urban land complex consists of well drained soils and Urban land, and are generally located on terraces and outwash plains, following the course of the rivers in the harbor management area. These land areas have been used primarily for homesites, shopping centers, industrial development, and other urban purposes.

The Urban land series consists mostly of sites for buildings, paved roads and parking lots, and are mapped as occupying the most intensely built up portion of the harbor management area.

The SCS Soil Survey also identifies the occurrence of several other soils mapping units from a singular series, but these units occupy a significantly smaller amount of land area than the urban land units. The soil unit from the Hinckley soil series found in Providence is a gravelly sandy loam, hilly (HkD). This unit is typically situated on terraces, outwash plains, kames, and eskers. Depending upon the specific slope of this soil, it is of high permeability and generally suitable for community development. The HkD unit is generally situated on steep slopes and wooded.

Along the tidally influenced Seekonk and Providence Rivers, the SCS Soil Survey identifies two soil mapping units associated with drainages entering those waters. These mapping units are the Adrian Muck, and the Matunuck mucky peat. Both of these units are located on nearly level terrain, are poorly to very poorly drained, and considered hydric soil units. Tidal wetlands (tidal marshes) are generally supported by these soil units, especially the Matunuck unit.

Soils of Agricultural Importance: According to the SCS (Important Farmlands Mapping, June 1980), there are soils within the harbor management area classified as Additional Farmland of Statewide Importance. The location of these soils includes the area surrounding Grotto Brook near Butler Hospital and a small area between Parkside Drive and the Seekonk River within Blackstone Park, both in Providence. At both locations, the classification results from the capability of the Hinckley soil mapping units to support crop and pasture yields. The SCS reports that the use of this land for agricultural purposes is unlikely given current land use.

It should be noted, however, that at the Grotto Brook area, the actual soils include Adrian muck (hydric soil) and hilly Hinckley gravelly loams, both generally unsuitable for agricultural production. The area in Blackstone Park mapped as important farmland soils includes a pond which exists at that location.

3.3.4 Wildlife Resources

Species potentially occupying or utilizing the riparian areas include raccoon, moles, rats and woodchucks. Extensive channelization and rip-rapping of many of the area waterways, and the development of nearly all of their shorelines, has limited the opportunity for underground habitats for many species of animals which typically represent the community of water-edge species. Waterfowl species utilize the open water environments, taking advantage of the emergent vegetation which provides shelter and nesting, and an abundance of invertebrate and fish for forage. Mallards, Mute Swans, Canada Geese frequent many of the rivers within the project area. Other species, including the Great Blue Heron, have utilized the open water and shorelines in the project area.

According to the coordinator of the RI Natural Heritage Program (RIDEM, Division of Planning and Development, May 24, 1997 correspondence), there are currently no occurrences of endangered/threatened species within the harbor management area.

3.3.5 Aquatic Ecology

The aquatic fauna which inhabits the rivers in the project area are limited by the quality of their water. The ecological health and diversity of the species are closely related to pollutant loads and the water quality of the aquatic habitats.

These rivers have been subjected to large scale pollutant loads since early in the 1800s. Discharges from industrial, commercial and residential sources have resulted in levels of pollutants which exceed chronic levels, and eliminated many organisms which are sensitive to pollution. As a result, only the few species which can tolerate degraded habitats remain. Lower species diversity and lower biomass of the plant and animal communities is a direct result of the poor water quality of these rivers (Narragansett Bay Commission, 1994).

Additionally, sediments of these rivers often have high levels of pollutants due to their long term discharges. These sediments can be resuspended during high flow conditions, and the pollutants within continue to leach during dry-weather flows (Narragansett Bay Commission, 1994).

Combined sewer overflows and treatment plant bypasses degrade water quality and are detrimental to aquatic life. The release into the receiving waters particularly the Blackstone, Seekonk, and Moshassuck Rivers of nutrients, metals, and organic and inorganic compounds reduce the amount of oxygen available for marine life, cause systemic stress and contribute to disease and death in marine organisms. Furthermore, these materials pose health concerns for humans from viruses and bacteria for those who eat seafood and to swimmers and other direct contact recreational users. Despite improvement to water quality resulting from implementation of measures to reduce toxic discharges, these pollutants have reached such proportion in receiving waters that over 5,000 acres of prohibited shellfishing areas exist on the Providence River and approximately 10,000 acres of conditionally approved shellfishing grounds exist in the Upper Narragansett Bay. Additionally, non-point and point-source pollution continues to contravene the aquatic ecology of the rivers in the harbor management area (Narragansett Bay Commission, 1994).

Providence River - A detailed characterization of the aquatic wildlife resources in the Providence River was accomplished as part of the Manchester Street Station Repowering Project environmental documentation. The study focused on three sources of information: published studies, 10 years (1975-85) of intake screen data from the Manchester and South Street Stations, and aquatic sampling at several stations in the Providence River from October 1988 to June 1989. A study of the upper Providence River estuarine ecosystem conducted in 1995 to supplement available information regarding the characteristics of the intertidal habitat, concluded that the benthic communities in the intertidal zone to the Providence River appear to be relatively similar to the benthic communities in the subtidal zone. None of the species observed in the intertidal zone are restricted to intertidal habitats. Sampling conducted as part of the I-195 Environment Impact Statement (EIS) corroborated with the detailed data from the Manchester Street Repowering Environmental Assessment (RIDOT, 1996).

Different species of flora and fauna are associated with different habitat on stone walls, rip-rap slopes, and concrete bridge piers in the Providence River. Taxonomic groups identified in the study area during the Manchester Street Repowering EA study were approximately 16 percent marine, 54 percent freshwater, and 24 percent estuarine reflecting the influence of freshwater inputs to the harbor system. Diatoms represented the highest number to taxa with 116 species from 31 genera. The greatest abundances were *Navicula* (32 species), *Achnanthes* (10 species), and *Nitzschia* (9 species). Eight species of blue-green algae and seven species of green algae were also identified. The diatoms were dominant from March through May while the green algae *Enteromorpha intestinalis* and the blue-green *synechococcus sp.* became dominant in June, especially in the inner harbor (RIDOT, 1996).

The muddy river bottom supports populations of benthic macroinvertebrates on the Annelida/Polychaeta, Annelida/Oligochaeta, Mollusca/Bivalvia, and Arthropoda groups. Low species diversity and patchy spatial distribution of these organisms indicated that their populations are under stress, probably as a result of pollutant concentrations and periodic anoxic conditions within the harbor. Polychaetes, or bristle worm, were the most abundant in numbers of species and numbers of organisms. Populations of *Nereis succinea* and *Streblospio benedicti* prevailed as these are populations which are capable of quick colonization in areas impacted by pollution and tolerant of salinity changes respectively (RIDOT, 1996).

The water column contains populations of ichthyoplankton (fish eggs and larvae), phytoplankton (algae), and zooplankton (small animal), which vary with seasonal conditions. Ichthyoplankton species include Winter flounder, grubby and Sand Lance larvae as well as Fourbeard rockling, alewife and Wrass eggs at frequencies which depend on the breeding cycle of each species. Phytoplankton included principally diatoms (Halies) in 94 genera of which about 50% were freshwater forms; and green algae in 50 taxa and 32 genera of which 94% were freshwater forms. Diatoms tended to dominate in a winter-spring bloom, but flagellates in the genera *Cyclotella*, *Eutreptia*, and *Plagioselmis* dominate in the summer as the diatom abundance decreases. Zooplankton in 52 taxa including those in the major groups *Coelenterate Medusae*, *Rotifera*, *Annelida/Polychaeta*, *Mollusca*, *Copepoda*, *Cladocera*, *Cirripedia*, *Decapoda*, and *Cheato gnatha* also occur in the Providence River (RIDOT, 1996).

The water column also contains a number of finfish and motile macrobenthic species. The

following includes typical and representative macroscopic aquatic organisms located in the upper reaches of the Providence River. Finfish includes Alewife, Atlantic herring, Atlantic silverside, Blueback herring, Menhaden, Mummichog, Rainbow smelt, Silver hake, Striped bass, Striped killifish, Tautog, Weadfish, and Winter flounder. Benthic invertebrates include: Quahog, Blue crab, Coot clam, Bristle worm (RIDOT, 1996).

Woonasquatucket River - Based on field observation, the Woonasquatucket River supports limited quantities of carp. Other fish and shellfish, such as menhaden, quahogs and mussels often found in polluted waters may also be found in this river (NBC, 1989).

Seekonk River - Urbanization and increased pollutant loads have diminished the diversity of shellfish and other aquatic life in the Seekonk River. According to studies by Santschi, P.H., et al., and Doering, P.H. and Pilson, M.E.Q., accumulation of metals in the sediment of the Seekonk River have posed a serious threat to the benthic communities, including the hard-shell clam or quahog, the soft shell clam, and the mussel which inhabit the sediments.

Moshassuck River - The aquatic life within the Moshassuck River appears to be the most limited of the rivers in the harbor management area. Large volumes of wastes deposited in the river over time and the relatively small dry weather flows have kept much of the sediments in these rivers contaminated. Urbanization within the watershed of the Moshassuck River continues to place heavy pollutant loads on it.

The result of such poor water quality is the great reduction in aquatic life within the river. Chronic levels of pollutants, particularly iron, copper, lead, zinc and chromium, has accounted for the loss of fish population. Frogs were seen on the banks of the Moshassuck, indicating that motile creatures can survive in it for various periods of time. The aquatic regime of the Moshassuck supports insect larvae, some crustaceans which feed on bacteria and algae, tubifex worms, rotifers and protozoa (Narragansett Bay Commission, 1994).

3.3.6 Shellfishing

Although the Seekonk River was once the center of the Rhode Island oyster industry, the river has, for many decades now, been fouled to the point that it has been permanently closed to shellfishing. According to the RIDEM Notice of Polluted Shellfishing Grounds from May 1996, the Providence River and upper Narragansett Bay, north and west of a straight line from Conimicut Point to Old Tower at Nayatt Point, are permanently closed to shellfishing. This includes the tributaries of these waters which are north and west of this line.

3.4 Land Use and Zoning

3.4.1 Existing Land Use and Zoning

The existing zoning found along the Providence, Seekonk, Moshassuck, Woonasquatucket Rivers reflects the current land uses. See Figure II-1, General Shoreline Use, and Figure II-2A, Municipal Zoning. The City created three Waterfront Zoning Districts which recognize the value and dynamic nature of the coastal feature and riverfronts as well as their values as unique and

valuable natural resources. These three zones are:

W-1 Waterfront: Commercial / Residential District

This zone is intended to promote primarily residential development while allowing limited commercial uses as well as appropriately scaled mixed use developments; to promote waterfront access and uses which improve the integration of the waterfront and the neighborhoods adjacent to the waterfront.

W-2 Waterfront: Mixed Use District

This zone is intended to promote a balance among appropriately scaled residential, commercial, and light industrial development; to enhance compatible development with adjacent areas and surrounding residential neighborhoods; to enhance and create public access to the waterfront as a public resource for the benefit of present and future generations; and to provide a transition between the Port / maritime Industrial uses and surrounding neighborhoods.

W-3 Waterfront: Port / Maritime Industrial District

This zone is intended to promote the Port of Providence and related maritime industrial and commercial uses within the areas of Providence's waterfront; to protect the waterfront as a resource for water-dependent industrial uses; and to facilitate the renewed use of a vital waterfront.

Along the Providence River from the Cranston City line to the split of the Moshassuck and Woonasquatucket Rivers, the following zoning is found (as presented in SAM Plan Figure II-2, Municipal Zoning): W-3 (Waterfront: Port / Maritime Industrial District); M-2 (Heavy Industrial District); W-2 (Waterfront: Commercial / Industrial District); D-2 (Downtown: Mill District); D-1 (Downtown: Central Business District); OS (Open Space District); and C-2 (General Commercial District). The land uses along the river include the Providence Port, the City Pier, Field's Point Wastewater Treatment Facility, the Narragansett Electric Power Station, Old Harbor Marina, Davol Square, recreational areas including Gardner Jackson Park, and numerous office/retail areas north of the Hurricane Barrier.

Along the Moshassuck River from the Providence River to the end of the Harbor Management Project area at Smith Street, the following zoning is found: D-1 (Downtown: Central Business District) and OS (Open Space). The land use in this area includes Parcels 4E and 6 of the Capital Center Project (vacant) and Roger Williams National Park.

Along the Woonasquatucket River from the Providence River to Eagle Street, the zoning is: D-1 (Downtown: Central Business District); D-2 (Downtown: Mill District); and M-1 (Industrial District). Land uses in this area include Waterplace Park, the Promenade River Walk, numerous office and retail areas, and some manufacturing areas.

Along the Seekonk River from the Providence River to the East Providence City line, the existing zoning includes: W-2 (Waterfront: Commercial / Industrial District); PS (Public Space); C-2 (General Commercial District); OS (Open Space); W-1 (Waterfront: Commercial / Residential District); and R1 (One Family District). Land uses in this area are diverse and include Swan

Point Cemetery, Butler Hospital, Blackstone Park, the Narragansett Boat Club, commercial and office development at and near Waterman Square, and the Gano Street Playground.

3.4.2 Proposed Land Use and Zoning

It is recommended that future development along the rivers and harbor area of Providence be water-oriented. The waterfront is a valuable resource to the City of Providence and should be enhanced at every opportunity.

The existing zoning and land use are in compliance with the City's Comprehensive Plan, dated May 1992. Subsequent to the Comprehensive Plan, the I-195 Old Harbor Plan was prepared in October 1992. In light of the City's existing waterfront districts, the proposed relocation of I-195, and the implementation of the Old Harbor Plan, it is recommended that a Waterfront Downtown (W-D) district be created. This district would include the area between the relocated I-195 and the split of the Woonasquatucket and Moshassuck Rivers. This new zone would assist in future development of the area and enhance its water-oriented appeal. The W-D zone would be a combination of the D-1 (Downtown: Central Business District) and the W-2 (Waterfront: Mixed Use District) zones. The recommended language for the W-D zone is as follows:

W-D Waterfront Downtown

This zone is intended to encourage revitalization and restoration of the historic business area and to accommodate appropriate expansion of the downtown area while enhancing and creating public access to the waterfront as a public resource. Uses of the D-1 zone are permitted under this zone.

3.4.3 Proposed Development

Several projects are currently proposed in the Harbor Management Areas as indicated in Figure II-3, A Compilation of Proposals and Plans for the Use of the Providence Harbor Shore. Relocation of I-195 has proceeded through the final environmental impact statement stage and is currently in final design. This project entails replacement of the existing Providence River bridge, located north of the Point Street bridge and south of Dyer Street, with a new crossing in the vicinity of the Fox Point Hurricane Barrier. See Old Harbor Plan discussion below.

The Koffler Group recently unveiled plans for Riverview Place, a complex of stores, a medical center and assisted-living center at Butler Avenue and Pitman Street on the Seekonk River, south of Waterman Square. Butler Avenue, currently an unpaved street south of Pitman Street is designated as a CRMC right of way to the river; the Koffler Group proposes a grassy median and pedestrian walkway to provide access to the waterfront.

Providence Place Mall is currently under construction on a 13.2-acre site west of Waterplace Park on the Woonasquatucket River. The multi-story mall will span the Woonasquatucket River, the rail line, and extend from Memorial Boulevard and the current I-95 ramp to Hayes Street, south of the State House. New ramps are proposed to provide access from I-95 to Kinsley Street and the mall. Riverside walks are planned to provide pedestrian access between the Promenade and Woonasquatucket Greenway on the west and Waterplace Park to the east.

Handicapped accessible floating docks are proposed at Waterplace Park and at Dyer Street landing. Funding for construction is provided by Rhode Island Department of Transportation and Federal Highway Administration with local contribution. These docks will provide facilities for the high speed ferry (proposed under a Congestion Management/Air Quality funding award), other ferries and water taxis. Dredging to minus 10 feet mean high water is proposed at Dyer Street; dredging is also proposed at Waterplace Park. The grant application specifies that the docks be designed for transient use and overnight mooring will be prohibited. The entire facility including the ramps and docks will be ADA-compliant. A chain will be installed at the top of each of the ramps to the floating docks to discourage use in inclement weather (Gordon G. Hoxie, FHWA Division Administrator, letter of approval and / or authorization to William D. Ankner, RIDOT Director, dated April 7, 1997). Additional docks are proposed at Citizens Bank and Gardner-Jackson Park.

3.4.4 Old Harbor Plan

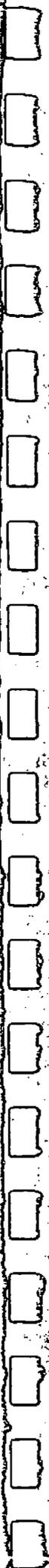
The *I-195 Old Harbor Plan 1992* written by William D. Warner, Architects and Planners was sponsored by the City of Providence, the State of Rhode Island and The Providence Foundation. A prevalent goal of the plan was to integrate the reclamation of the waterfront with public transportation by land and water. The plan objectives relevant to the Providence Harbor Management Plan are: identify accessible waterfront made available by the relocation of I-195 and define the nature and potential of the reclaimed "Old Harbor". The physical plan entails riverwalks, parks, plazas, boat landings, and the addition of water taxis and ferry boats. Other aspects of the physical plan include the development of small seaport clusters at Corliss Landing, Dyer Street and Doubloon Landing. These villages will be separated by harbors and parks all linked together by water transportation and a system of continuous riverwalks. Suggested public improvements involve the creation of riverwalks extending public access to the water, extension of the East Bay Bike Way from the Washington Bridge to the Crawford St. Bridge and reclamation of the Old Harbor, requiring dredging and construction of boat locks.

Waterfront development indicated in the Old Harbor Plan encompassed development at Davol Square and South Street Station with significance placed on the creation of several waterfront districts.

- Waterfront development at Davol Square and adjacent South Street Station will be more urban in scale and relate to the massing of the existing brick structures.
- Quay Port, the largest of the waterfront districts proposed under the Old Harbor Plan, will be located at the foot of Dorrance Street where the old shipping quays used to be. The buildings defined by a tight grid of narrow streets and pedestrian alleys will be small two to six story structures with pitched roofs. Retail is slated for the ground floors of the buildings with apartments occupying the upper floors. There will be a village square, town dock, museum ship, and lighthouse observation tower with a museum of Rhode Island lighthouses in its base. The centerpiece of Quay Port will be the "festival" marketplace featuring a Rhode Island Shore Dinner Hall. Subsequent revisions to the Quay Port design have been made as part of the I-195 value engineering. Quay Port concepts have been scaled back extensively.

- At Corliss and Doubloon Landings small scale buildings with footprints of 1,200 to 2,400 SF are intended to lend a seaside village character to the area.

Old Harbor Plan public improvements relevant to the Providence Harbor Management Plan include: new parks and open space, landscaped riverwalks, reconstructed sea walls, docks and boardwalks, and reclamation of the "Old Harbor". Circulation improvements to extend Memorial Boulevard south from Crawford Street following Dyer, Clifford, and Eddy Streets, then shift it west, yielding a larger waterfront district. The addition of a Park "bridge" over I-195 to connect the East Side with India Point Park will enhance public water access. Improvements to currently inaccessible portions of the waterfront would result in a continuous riverwalk from the Seekonk River to India and Fox Points up the eastern shore of the Providence River to Waterplace then down the western shore arriving at Collier Point, south of the Hurricane Barrier. Other improvements are the extension of the East Bay Bikeway from the Washington Bridge to the Crawford Street Bridge and reclamation of the "Old Harbor". This would require; dredging the upper harbor for better navigability, installation of boats locks at the Hurricane Barrier to maintain water level at Mean High Water, water taxi service between Waterplace and India Point Park, restore operating features of the Point St. Bridge to expand presently restricted boat access due to low verticle clearance, and the establishment of a Waterfront Heritage Trail.



Appendix 4 PUBLIC ACCESS

Public access to the shore and contiguous water areas is a right long recognized as inherent to citizens of the United States and is a right that will continue to be honored and protected by careful planning and management of coastal resources. The right of the public to use the shoreline has its beginning in ancient civilizations that enacted laws and codes to protect this use. The Roman Emperor Justinian (483-565 A.D.) first recorded the public trust doctrine, which stated that:

No one is forbidden access to the seashore. The public use of the seashore, as of the sea itself, is part of the law of nations, consequently everyone is free...to dry his nets and haul them up from the sea...

The principle of this edict was that the shore and the sea were "common to all" and could not be privately owned. This understanding of Roman law carried forth into laws of European nations. England's Magna Carta (1215) noticed the public's right to fishing and navigation. Numerous interpretations and clarifications of this basic premise gave Queen Elizabeth I title to the tidal lands. The early American colonists brought with them this English common law concept of keeping coastal access open for all new settlers. As the American colonies grew and matured, control of the tidelands was assumed by the states as a public trust, where public trust means that the people of the state have placed the legal title of the public trust land with the government of that state to protect their rights to its use.

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

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

Public Access is a general term used to describe the way the public legally reaches and enjoys the coastal areas and shoreline of the State which are held in public trust. Public access includes:

- a. Physical access: the ability to reach the shoreline from upland areas via perpendicular access points such as right-of-ways, boat launching ramps, and fishing piers; and the ability to pass and repass horizontally along the shoreline as guaranteed by the Rhode Island State Constitution.
- b. Visual access: the provision of unobstructed views of the coast and shoreline areas. Examples of visual access include; viewing platforms, observatories, scenic drives, and innovative architectural designs that provide unobstructed views.

c. Interpretive access: the provision of signage, plaques, etc., or the use of innovative techniques which serve to educate the public about the historical, ecological, or cultural significance of a site or the industrial/commercial utilization of public trust resources. Interpretive access may also include other methods which impart a sense of public ownership and understanding of public trust resources.

Amenities which enhance public access opportunities such as picnic tables, public restrooms, lighting, etc., and other improvements are vital contributions to public access.

4.1 PUBLIC ACCESS INVENTORY

The Recreational Facilities Inventory provided in Table 4-1 provides an up-to-date assessment of recreational facilities designed to facilitate public usage and enjoyment at these sites. Traditionally, local governments have played the major role for providing residents with land for active recreational pursuits and more recently for passive enjoyment and conservation of public lands. In addition to the municipal stewards private entities, both commercially oriented and non-profit, provide land and facilities for recreational facilities. Sites acknowledged in this inventory include active and passive recreational sites including public parks, playfields, playgrounds and boating facilities. The information from this inventory will aid in determining the ability of the recreational resource base to accommodate current and anticipated demands for various types of outdoor recreation.

Access Inventory Sheets are presented as Attachment A. Sites inventoried include public parks, and public and private recreation areas (including marinas, boat clubs, and utility owned parks). City of Providence Assessors Inventory of Shorefront Property is presented as Attachment B.

**Table 4-1
Recreation Facilities Inventory**

SITE NAME	PUBLIC/ PRIVATE	DOCKS / RAMPS	BIKE / PED PATHS	TOTLOT EQUIP	PARKING	PLAY FIELDS	ACTIVE / PASSIVE
SEEKONK RIVER							
BLACKSTONE PARK, River Dr.	public	no	bicycle/ walking/ jogging	no	on-street	no	passive
NARRAGANSETT BOAT CLUB, River Dr.	private	yes	no	no	yes	no	active
GANO ST PARK Fremont St.	public	no	no	playground	yes	baseball, basketball, soccer, softball	active
ROGER WILLIAMS LANDING, Gano St.	public	no	no	no	on-street	no	passive

SITE NAME	PUBLIC/ PRIVATE	DOCKS / RAMPS	BIKE / PED PATHS	TOTLOT EQUIP	PARKING	PLAY FIELDS	ACTIVE / PASSIVE
INNER HARBOR AND RIVERS							
CORLISS LANDING, South Water St.	public	no	no	no	on-street	no	passive
DOUBLOON LANDING South Water St.	public	canoe put- in	no	no	15 minute pull-off	no	active
OLD HARBOR MARINA. South Water St.	private	slips	no	no	on-street	no	active
POINT ST LANDINGS. Point St.	public access/ privately owned	dockage	no	no	on-street	no	active/ passive
HARBORVIEW TRAIL. South Water Street	public	no	bicycle/ walking/ jogging trail	no	on-street	no	passive
GARDNER JACKSON PARK. South Main St.	public	dock	no	no	on-street	no	passive
MARKET SQUARE, South Main St.	public	no	no	no	on street	no	passive
WATERPLACE PARK, Memorial Blvd.	public	docks	walking/ jogging	no	on-street	no	active/ passive
PROMENADE RIVER WALK. Promenade St.	public	no	walking/ jogging	no	on-street	no	active/ passive
OUTER HARBOR							
INDIA PT PARK, India St.	public	dock	bicycle/ walking/jogging/ festivals	yes	yes	soccer	active/ passive
BOOTLEGGER MARINE, India St.	Private	yes	no	no	off. street	no	active
COMMUNITY BOATING CENTER. India Pt. Park	public	dock	no	no	yes	no	active
HUNTER MARSTON BOATHOUSE. India St.	private. Brown Univ.	ramp. dock	no	no	yes	no	active
EAST BAY BIKEWAY at Washington Bridge	public	no	bicycle/ walking/ jogging	no	on-street	no	active
COLLIER PT PARK, Henderson St.	public access/ privately owned	ramp and dock	no	no	yes. off street	no	passive
PORT OF PROVIDENCE							
STATE PIER . Allens Ave.	public	dock	no	no		no	active

4.2 PUBLIC ACCESS POTENTIAL FOR RIGHTS-OF-WAYS

Table 4-2 provides the City of Providence with an up-to-date assessment of public rights of way as listed in the Providence Assessors Plans, and as classified by the Coastal Resources Management Council (CRMC). Public access to the shore and contiguous water areas is a right long recognized as inherent to citizens of the U.S. and is a right that will continue to be honored and protected by careful planning and management of coastal resources. At a minimum, the area below the Mean High Water (MHW) line is open to public access. Public access to the shore is guaranteed in order that the citizens of the state have access to the shore and waters in general, and are not prevented from reaching the waters during low tide. The CRMC has been authorized by the state Legislature to manage this public resource. In Rhode Island public access to the shore is provided by designated Rights-of Way which are the primary means by which the public reaches the shoreline and water areas. Access to the shore traditionally used by the public are being displaced by commercial and residential developments. Some access sites are not being maintained and/or marked, and thus have become "incorporated" or "privatized" by adjacent property owners. Some public sites are illegally blocked off. CRMC recommends that an aggressive approach to maintain existing sites, identify and develop new sites, and identify and prioritize future sites shall be developed by the City to ensure public access to the shore.

The following information addressed physical, visual and interpretive access potential from parks, visual access from parallel streets, and physical, visual and interpretive access potential from marinas/boat yards and rights-of-way. Information is presented for the following harbor management areas: Seekonk River, Inner Harbor (including Providence, Moshessuck, and Woonasquatucket River) and the Outer Harbor.

**Table 4-2
Public Access Potential for Rights-of-Ways**

ROW'S (Plat/Lot)	POTENTIAL FOR PUBLIC ACCESS/ NOTES	SUITA- BILITY BOAT RAMPS/ CANOE PUT-INS	POTENTIAL VIEWS & PASSIVE REC	POSSIBLE PARKING AREAS	FEASIBILITY BASED ON EXISTING SITE CONDITIONS	SHORE LINE	ADJ. PLAT/ LOT
SEEKONK RIVER							
EAST TRANSIT ST (to Beach St. paper st) 17/416 & 368 (Note 2)	access from Gano St. thru used car lot	yes	Seekonk River	Gano St	yes, possible linkage with Gano St. Park	natural, heavy vegetation	1
FREEMONT ST (to Beach St. paper st) 17/368 & 14/328 (Note 2)	Gano St. Park	yes	Seekonk River	existing lot 10 spaces at Gano St. Park	yes	natural, heavy vegetation	1
BUTLER AVE CRMC ROW 15/460 & 35 (Note 3)	yes, with major site improvements	yes	Seekonk River	on street	yes	natural, heavy vegetation	15/460 & 15/35

ROW'S (Plat/Lot)	POTENTIAL FOR PUBLIC ACCESS/ NOTES	SUITA- BILITY BOAT RAMPS/ CANOE PUT-INS	POTENTIAL VIEWS & PASSIVE REC	POSSIBLE PARKING AREAS	FEASIBILITY BASED ON EXISTING SITE CONDITIONS	SHORE LINE	ADJ. PLAT/ LOT
IRVING ST CRMC ROW 41/14 & 234 (Note 2)	Adj to Blackstone Park	yes	Seekonk River	on street	extremely limited	steep slope, heavy veg.	44/14 & 234
OUTER HARBOR							
INDIA ST (BROWN) 17/54 & 620 (Note 2)	existing public access/ NBC sewer cyphon bldg	ramps/put ins with grade restraints	Hurricane Barrier. Prov. River/ passive rec	yes	no public access	man-made	17/54 & 620
INDIA ST (FOX PT) (Note 2)	yes	ramps/put ins with grade restraints	Seekonk River, East Prov./ active rec.	paved parking	no public access	man-made	18/332 & 34
PORT OF PROVIDENCE							
THURBERS AVE (Note 2)	limited. remote site in industrial area. no trespassing signs	yes	East Prov. & Prov. Harbor. limited potential for passive rec.	none	no direct access over public lands	unpaved rock and mud. drainage swale. limited veg.	1
PUBLIC ST (Notes 1 & 2)	private prop. Northeast Petroleum	-	-	-	-	-	1

Note 1: Plat/Lot adjacent to 46/389 & 325.

Note 2: Public Right of Way according to Providence Assessors Plans.

Note 3: Adjacent property proposed for retail development. Site crossed by NBC Sewer Interceptor.

4.3 Seekonk River

4.3.1 Parks

Gano Street Park, Gano Street

- Physical access - There is no existing provision for public access to the extensive waterfront on the Seekonk River. There is potential for public water access based on grade (no bluffs, bulkheads, or steep slopes make access difficult).
- Visual Access - There are seasonal views to the shoreline and beyond almost entirely obstructed by dense vegetation. This views could be improved by thinning vegetation.
- Interpretive Access - Existing signage for rules of the park is present. There is the potential to increase interpretive access at this site with historical, ecological, or cultural information relevant to the site and neighborhood, including Roger William's landing, information on the Blackstone River - Seekonk River as a major drainage basin extending into Massachusetts, Indian settlements along Narragansett waterways.

Roger Williams Landing, Gano Street

- Physical access - There is no physical, or potential for, access at this site, located several blocks from the shoreline.
- Visual Access - There are no views, or potential views, to the shoreline.
- Interpretive access - There is an existing plaque with historical information pertaining to the site. This could be expanded to an outdoor classroom with signage featuring key cultural and historical information on the site and surroundings which could serve to educate the public.

Blackstone Park, River Drive

- Physical Access - River Drive separates the river from the park property. Although the park does not have frontage on the river, the feeling when driving or walking along River Drive is that the park provides access to the Seekonk.
- Visual Access - Existing views from River Drive provide vistas across the Seekonk River of rowers, shorebirds, other recreational users of the river, and land on the East Providence shore.
- Interpretive Access - The site does not utilize any interpretive access. Signage including ecological, historical, or cultural information may serve as a benefit to enhance the site, constructed by the Works Progress Administration during the 1930's. This shoreline is one of the few natural shorelines in Providence, showing only minimal influences of filling.

Blackstone River Bikeway

Although the bikeway extends north of Providence up the Blackstone River, based on a lack of neighborhood support the bikeway has not been extended between Pawtucket and the Washington Bridge.

4.3.2 Physical Access via Marinas and Boat Clubs

Narragansett Boat Club, River Drive - Existing physical access to the shoreline is provided by this private boat club.

4.3.3 Visual Access from Parallel Streets

River Drive - See Blackstone Park, above.

4.3.4 Street Access - Rights-of-Way (ROW)

Beach St. at East Transit St. and Fremont St. - within Gano St. Ballfields

- Physical Access - Although dense vegetation blocks direct physical access to the shore, the existing grade does not preclude development of future access for fishing or passive recreation.
- Visual Access - Although visual access is blocked by thick vegetation, vistas could be opened by clearing and landscaping the site with grass and low-growing shrubs.
- Interpretive Access - There is no existing interpretive access. There is potential for the addition of interpretive access to educate public users of the site.

Butler Avenue (CRMC ROW)

- Physical Access - Although there is no developed physical access to the site, adjacent property has been proposed for development. Public access along the CRMC ROW is a design feature.
- Visual access - There are limited views due to dense vegetation; clearing will open vistas to the south toward the bascule rail bridge and open waters of the Seekonk.
- Interpretive Access - There is no interpretive access at the site. The site could benefit from the addition of interpretive access.

Irving Street (CRMC ROW)

- Physical Access - There is limited potential for physical access because of the steep gradient from Irving Street to the Seekonk because of the steep gradient from Irving Street - River Drive intersection to the river.
- Visual access - Existing views of the Seekonk River could be improved with vegetative framing.
- Interpretive Access - There is no interpretive access at the site. This site would benefit from the addition of interpretive signage describing the historic and prehistoric archaeology of the area (based on findings at Butler Hospital, located north of Grotto Brook), and describing the estuary at Grotto Brook.

4.4 Inner Harbor and Woonasquatucket and Moshassuck Rivers**4.4.1 Parks****Harborview Trail**

- Physical Access - A fence blocks access to the adjacent shoreline from South Water Street, north of Corliss Landing Park on the Providence River.
- Visual Access - There are ample views up and down the Inner Harbor.
- Interpretive Access - Although there is existing signage calling out the site, it could be improved by adding more information.

Corliss Landing, South Water Street

- Physical access - The park currently provides access to the bulkheaded Providence River shoreline north of the Fox Point Hurricane Barrier.
- Visual Access - The park affords dynamic views of the Providence inner harbor including such diverse views as an adjacent marina, the historic Point Street Bridge, Narragansett Electric's Manchester Street Station, and the Fox Point Hurricane Barrier.
- Interpretive Access - Although general information is posted, the site could be improved with interpretive description of past uses of the Fox Point area. data on the extent of flooding during the 1950's, and an explanation of operation of the Hurricane Barrier.

Point Street Landings

- Physical Access - Parks recently constructed by Narragansett Electric north and south of the Point Street Bridge provide benches and boat dockage at these landings. The landing south of the Point

Street Bridge has been discussed by RIDOT as a possible water taxi stop or as a stop for future high-speed commuter ferry service to Newport and other Narragansett Bay destinations.

- Visual Access - Views from this site include the historic Point Street Bridge and views described for Corliss Landing, above.
- Interpretive Access - Interpretive access has been installed at these parks.

Doubloon Landing, South Water Street

- Physical Access - The site is currently developed as a temporary canoe and kayak put-in. The site will be improved by the construction of a permanent structure, planned as part of the Old Harbor project.
- Visual Access - Ample unobstructed views of the inner harbor and shoreline are possible.
- Interpretive Access - Signage at the site provides general information, including "no wake" speed limits on the adjacent Providence River.

Gardner-Jackson Park, north of Crawford Street Bridge

- Physical access - The site is a park and riverwalk with tie-ups for small boats. No improvements to physical access are needed for this recently-constructed park.
- Visual Access - Multi-level walkways provide diverse vantages of the river, the park, and of DownCity Providence on the west shoreline. "Water Fire " provide a mesmerizing art display at this site when performed.
- Interpretive Access - Existing examples of interpretive access provide cultural and historical information.

Market Square, north of Crawford Street Bridge

- Physical Access - Market Square has been incorporated within the Providence River riverwalk constructed as part of the river relocation.
- Visual Access - This site offers views across the river and upstream toward the confluence of the Woonasquatucket and Moshassuck Rivers.
- Interpretive Access - Interpretive signage is a key component of the recent site improvements.

Waterplace Park

- Physical Access - Recently constructed floats at Waterplace Park provide dock space for shallow draft boats such as the gondola, water taxis, canoes and kayaks. There are no boat launches.
- Visual access - Excellent visual access is provided throughout the park, from the level of adjacent streets to the Woonasquatucket's seawall. The park may also be viewed from adjacent tall buildings. The park is screened from motorists on Memorial Boulevard by a retaining wall.
- Interpretive Access - Interpretive access describes the history of the site.

Promenade River Walk, Kinsley and Promenade Streets

- Physical Access - Although sidewalks generally flank the river adjacent to the streets, there is no physical access down to the Woonasquatucket River. This area is proposed as a link on the Woonasquatucket Greenway project.

- **Visual Access** - A pedestrian walkway (with benches) and several bridges provide views of the river. Vegetation along the river frequently blocks views of the river for pedestrians walking along the promenade.
- **Interpretive Access** - There is none. The addition of historical and cultural signage would benefit the site past the Foundry, a site eligible for the National Register of Historic Places.

4.4.2 Visual Access from Parallel Streets

South Water Street - Ample views of the Providence River are provided along South Water Street.

Canal Street - The Moshassuck River, known as the Blackstone Canal, is easily seen from the street.

Memorial Boulevard - The river is below eye level at Memorial Boulevard, therefore views are limited to bridges on connecting streets crossing over the river. There are views from the upper levels of the surrounding office buildings.

Promenade and Kinsley Streets - Limited views of the Woonasquatucket River from the road are possible, as described for the Promenade Walkway, above.

4.4.3 Inner Harbor and Rivers Marinas

Old Harbor Marina, South Water Street

- **Physical access** - Physical access to the Old Harbor Marina is limited to patrons/members and their guests. Grappa and Fish Co. and the City of Providence have entered into tax incentive agreements to provide public access to the waterfront.
- **Visual Access** - Views from the shoreline and marina include the inner harbor to the Point St. Bridge and beyond with views to the Fox Point Hurricane Barrier.
- **Interpretive Access** - Although rules of the marina are posted, there is no interpretive signage pertaining to the site.

4.5 Outer Harbor

4.5.1 Parks

India Point Park

- **Physical Access** - There is access for large ships such as the Block Island Ferry and smaller boat to tie-up. Some of the wall is in deteriorating condition that may be a threat to public safety. Pilings alongshore are deteriorated and are a hinderance to physical access from the water.
- **Visual Access** - There are unobstructed views of Providence River and Upper Narragansett Bay.
- **Interpretive access** - There is no interpretive signage. There are areas for the display of art by local artisans.

Community Boating Center, India Point Park

- Physical Access - There is physical access to the water for small sailboats. A wall along the shore provides seating, although this use does not appear to be encouraged.
- Visual Access - There are unobstructed views from the boating center of the shore.
- Interpretive Access - There is informative signage about the boating center. The addition of some ecological signage may lend an understanding of public resources and universal responsibility for natural resources by the public.

East Bay Bikeway (at Washington Bridge)

- Physical Access - No direct access to the outer harbor is provided although the bikeway is adjacent to India Point Park.
- Visual Access - Views of the upper Providence River including the Port of Providence are afforded from the bike path.
- Interpretive Access - There is no interpretive access. Interpretive access may be incorporated into the path in short segments at equally spaced intervals to tell a story or state interesting facts.

Collier Point Park, Henderson Street

- Physical Access - Facilities at this recently completed Narragansett Electric park include a concrete boat ramp, fishing piers and a sunbathers deck.
- Visual access - There is a viewing platform offering panoramic views across the outer harbor to the Port of Providence and East Providence.
- Interpretive Access - Historic artifacts that were once used on the site tell a story without words. Historical excerpts are posted throughout the park.

Compassionate Friends of Bold Park, East Providence

Note: Part of this park is actually located on land incorporated within the municipal boundary of the City of Providence.

- Physical Access - A boat ramp, fishing pier, and beach provide access to the Seekonk River.
- Visual Access - Views of India Point Park to the north and the Port of Providence to the south provide interesting sites. The wreck of a barge grounded in the 1930's is visible from Bold Point.
- Interpretive Access - Signage is limited to information on the Compassionate Friends and park rules. Historical and ecological information (including information on the Hurricane of 1938) would provide interesting information for this site.

4.5.2 Marinas

Bootlegger Marina at the former Shooters Restaurant, India Street

- Physical Access - Limited to access by patrons of the marina and their guests.
- Visual Access - There are unobstructed views of the Providence River and Upper Narragansett Bay.
- Interpretive Access - There are signs referring to the rules of the marina. There is no interpretive

signage at the site.

East Providence Yacht Club

Note: Most of the yacht club is actually located on land incorporated within the municipal boundary of the City of Providence.

- Physical Access - Limited to access by members of the club and their guests.
- Visual Access - Diverse views of the old swing railroad bridge and foundation, India Point Park, and Bold Point Park are possible at this bend in the Seekonk River.
- Interpretive Access - Signage is limited to information for the yacht club.

4.5.3 Street Access - Rights-of-Way (ROW)

Henderson Street - See Collier Point Park

India Street at Fox Point

- Physical Access - The area is adjacent to a Narragansett Bay Commission facility. Although the site is level, a seawall prevents direct access to the Providence River. Access to the shore is limited by the height of land above the high water mark. A concrete boat ramp with a slope of no more than 14 percent may be a consideration at this location.
- Visual Access - Views to the north include the Fox Point Hurricane Barrier, across the river to Narragansett Electric, and south toward the Port of Providence.
- Interpretive Access - There is none. The site could benefit from the addition of educational information about the Hurricane Barrier or historical information on the evolution of the harbor.

India Street at India Point Park

- Physical Access - Access to the shore is limited by the height of land above the high water mark. A concrete boat ramp with a slope of no more than 14 percent may be a consideration at this location.
- Visual Access - There is a straight-on view from India Street across the water to East Providence, including views of the railroad swing bridge and the East Providence Yacht Club.
- Interpretive Access - There is no existing interpretive access for this sight. Interpretive access concerning ecology or history would enhance interest at this site.

4.6 Port of Providence and Beyond

4.6.1 Street Access (ROWs)

Thurbers Avenue

- Physical Access - There is no existing physical access to this drainage swale.
- Visual access - Views of the Providence River and East Providence.
- Interpretive Access - None

Public Street

- Physical Access - ROW is posted as private property.

The following pages include Attachment A: Access Inventory, and Attachment B: City of Providence Assessors Inventory of Shorefront Property

Attachment A:

Access Inventory

**Providence Harbor Management Plan
Access Inventory**

<p>Site Blackstone Park, River Drive Name Owner City of Providence Plat / Lot 41/14, 41/234, 40/293 Water Access River Drive to Seekonk River. Site Improvements Bulkhead (granite, rubble, sheetpile) Rip-rap, natural land edge Height above HW (stairs on wall) not applicable paths, paving type sidewalks benches / seating walls various wood park benches lighting street lighting trash/bike racks, etc. trash cans parking (off-street, on-street) 40 parking spaces, on-street/ off-street west end Adjacent Land Use (street, parking lot, commercial/utility/residential) residential Other Narragansett Boat Club</p>
<p>Site Twin Islands #1 - Seekonk River Name Owner WRIB, Inc. Plat / Lot 14/372 Water Access Seekonk River Site Improvements Bulkhead (granite, rubble, sheetpile) E2EM Piers (timber/concrete - fixed or floating) Power line access via wooden piles Other wooden debris, radio tower</p>
<p>Site Twin Islands #2 - Seekonk River Name Owner Giannamore, Claire M. Plat / Lot 14/373 Water Access Seekonk River Site Improvements Bulkhead (granite, rubble, sheetpile) sand shore with limited spartina on South, more spartina on North Other scrub shrub growth, swan and wading shore birds</p>
<p>Site Crook Point East Providence Name Owner RIDOT Plat / Lot Water Access Seekonk River Site Improvements Bulkhead (granite, rubble, sheetpile) spartina along Seekonk River shore with dense woods around pond Other abandoned RR tracks, RR bridge in 'up' position, site not readily accessible</p>

**Providence Harbor Management Plan
Access Inventory**

<p>Site Compassionate Friends of Bold Point Park Name Owner City of E. Providence Plat / Lot Water Access Seekonk River - gravel boat ramp, dock Site Improvements Bulkhead (granite, rubble, sheetpile) gravel/cobble beach, E2EM, spartina Piers (timber/concrete - fixed or floating) fixed pier w/ floating wooden dock Estimate length dock 14' x 14'; pier ~ 50' Number of tie ups, slips none presently paths, paving type soil/crushed stone benches / seating walls 3 benches trash/bike racks, etc. 2 barrels, bike rack for 7 parking (off-street, on-street) 20 spaces off-street, dirt lot Adjacent Land Use (street, parking lot, commerical/utility/residential) commercial, dry-dock for E. Prov. Yacht Other littered, shallow waters w/ much debris (including wrecked barge), abandoned radio tower foundation, and many rotten Compassionate Friends of Bold Point Park is open to the general public from 6 AM to 11 PM. No rules or restrictions Within the next year, the City of East Providence plans to build a double boat ramp and two handicapped accessible</p>
<p>Site India St. right of way Name Owner City of Providence Plat / Lot 17/ 541 Water Access Seekonk River. Site Improvements Bulkhead (granite, rubble, sheetpile) Rip-rap, natural land edge Height above HW (stairs on wall) 30" paths, paving type dirt benches / seating walls 2 wood park benches</p>
<p>Site India Point Park Name Owner City of Providence Plat / Lot 17/620 Parcel Size 257,075 Water Access Outer Harbor, Seekonk River Site Improvements Bulkhead (granite, rubble, sheetpile) concrete block, granite Height above HW (stairs on wall) 1' - 6' Piers (timber/concrete - fixed or floating) BI Ferry, Bay Queen. 2 fixed timber piers Estimate length 105' x 40', 50' x 20' Number of tie ups, slips 1 ship tie-up, 3 large cleats Other (gas pumps, pump out, utility connections) electric, water at dock paths, paving type asphalt, cobble stones ,gravel benches / seating walls wood park benches, 6 step seating wall lighting night-lighting along path trash/bike racks, etc. trash cans active recreation areas (soccer fields, BBall) soccer field, playground parking (off-street, on-street) 40 parking spaces, on-street/ off-street west end Adjacent Land Use (street, parking lot, commerical/utility/residential) commercial Other evidence of old pilings, city art, pedestrian bridge across I-95, elec. tower</p>

**Providence Harbor Management Plan
Access Inventory**

<p>Site Parking lot for The Waterline Name Owner Hamilton Realty Corp. Plat / Lot 18/344 Parcel Size 40.743 Water Access Providence Outer Harbor Site Improvements Bulkhead (granite, rubble, sheetpile) rip-rap lighting equivalent to street lighting parking (off-street, on-street) off-street for 65 cars. Adjacent Land Use (street, parking lot, commercial/utility/residential) commercial, community boating facility, restaurant.</p>
<p>Site Community Boating Center Name Owner City of Providence Plat / Lot 18/72 Parcel Size 54,323 Water Access Providence Outer Harbor Site Improvements Bulkhead (granite, rubble, sheetpile) concrete Height above HW (stairs on wall) 4' Estimate length 80' x 10' Number of tie ups, slips rail for tie-up Other (gas pumps, pump out, utility connections) porta-jons benches / seating walls pavillion Adjacent Land Use (street, parking lot, commercial/utility/residential) parking, park Other Non- profit ,charitable organization provides sailing instruction for inner city youths and adults(fee). 18 small sailboats, 3 powerboats.</p>
<p>Site The Waterline / Bootlegger (former Shooters) Name Owner Providence Harbor Inc. Plat / Lot 18/345 Parcel Size 32,693 Water Access Providence River, outer harbor Site Improvements Bulkhead (granite, rubble, sheetpile) granite Height above HW (stairs on wall) 4' Piers (timber/concrete - fixed or floating) concrete floating pier Number of tie ups, slips 15 Other (gas pumps, pump out, utility connections) utility connections, pump out. parking (off-street, on-street) see 18/344 Adjacent Land Use (street, parking lot, commercial/utility/residential) parking lot, storage lot, public access strip Other Providence Tall Ship located here. Showers, restrooms, ice, gas</p>

**Providence Harbor Management Plan
Access Inventory**

<p>Site Providence Steamboat Plat / Lot 18/332 Parcel Size 14,268 Water Access Providence River south of Fox Point Hurricane Barrier Site Improvements Bulkhead (granite, rubble, sheetpile) concrete block, steel bulkhead behind pier Height above HW (stains on wall) 5' Piers (timber/concrete - fixed or floating) fixed timber and concrete Estimate length 200' Number of tie ups, slips 4 tie-ups for tugboats Other (gas pumps, pump out, utility connections) electrical at dock lighting security parking (off-street, on-street) private Adjacent Land Use (street, parking lot, commercial/utility/residential) pumping station, commercial Other 2 inlet bays</p>
<p>Site CSO Pumping Station Name Owner Maurania Corp. Plat / Lot 18/34 & 16 Parcel Size 34-7.865, 16-72,616. Water Access Providence River south of Fox Point Hurricane Barrier Site Improvements Bulkhead (granite, rubble, sheetpile) granite, rubble Height above HW (stains on wall) 24" Piers (timber/concrete - fixed or floating) fixed timber deck Estimate length 100' x 15' Number of tie ups, slips none Adjacent Land Use (street, parking lot, commercial/utility/residential) Fox Point Hurricane Barrier, commercial. Other 16-abandoned lot, 34-pumping station.</p>
<p>Site Corliss Landing Park Name Owner City of Providence Plat / Lot 18/A Parcel Size unknown Water Access Providence River Site Improvements Bulkhead (granite, rubble, sheetpile) rubble Height above HW (stains on wall) 4' - 5' Piers (timber/concrete - fixed or floating) fixed timber deck Estimate length 250' x 12' paths, paving type brick and stone paths benches / seating walls concrete semi-circular seating wall lighting night lighting present parking (off-street, on-street) on street Adjacent Land Use (street, parking lot, commercial/utility/residential) Fox Point Hurricane Barrier, parking. Other electrical tower, Corliss Landing Old Harbor Trail, Sept. 1994-Vincent A. Cianci, Jr. Park.</p>

**Providence Harbor Management Plan
Access Inventory**

<p>Site Old Harbor Marina: Hot Club Yacht Club (Hurricane water taxi & charter service)</p> <p>Name Owner Unknown</p> <p>Plat / Lot 18/12</p> <p>Parcel Size unknown</p> <p>Water Access Providence River</p> <p>Site Improvements</p> <p style="padding-left: 20px;">Bulkhead (granite, rubble, sheetpile) concrete reinforced w/ steel plate & rip-rap at base Height above HW (stains on wall) 5'</p> <p style="padding-left: 20px;">Piers (timber/concrete - fixed or floating) floating wooden dock Estimate length 25' x 6'</p> <p style="padding-left: 20px;">Number of tie ups, slips 56 slips</p> <p style="padding-left: 20px;">Other (gas pumps, pump out, utility connections) showers, 2 restrooms, ice, parking (off-street, on-street) private parking lot for restaurant (12)</p> <p>Adjacent Land Use (street, parking lot, commercial/utility/residential) recreational, commercial</p> <p>Other continuation of deck from 18/A with no connection between the 2 properties</p>
<p>Site Grappa & Marina (private)</p> <p>Name Owner Eat or Dine Out Inc.</p> <p>Plat / Lot 18/13</p> <p>Parcel Size 2,982</p> <p>Water Access Providence River</p> <p>Site Improvements</p> <p style="padding-left: 20px;">Bulkhead (granite, rubble, sheetpile) concrete w/ steel reinforcement & rip-rap at base Height above HW (stains on wall) 5'</p> <p style="padding-left: 20px;">Piers (timber/concrete - fixed or floating) floating timber Estimate length 300' along shore w/ 3 extensions out onto river (144, 180, 108)</p> <p style="padding-left: 20px;">Number of tie ups, slips none</p> <p style="padding-left: 20px;">Other (gas pumps, pump out, utility connections) electrical and phone parking (off-street, on-street) 8 off-street, public</p> <p>Adjacent Land Use (street, parking lot, commercial/utility/residential) commercial</p> <p>Other all boat slips belong to Old Harbor Marina</p>
<p>Site The Fish Co.</p> <p>Name Owner Dudley and Peter Shallcross</p> <p>Plat / Lot 18/4</p> <p>Parcel Size 16,760</p> <p>Water Access Providence River</p> <p>Site Improvements</p> <p style="padding-left: 20px;">Bulkhead (granite, rubble, sheetpile) concrete w/ steel reinforcement & rip-rap at base Height above HW (stains on wall) 5'</p> <p style="padding-left: 20px;">Piers (timber/concrete - fixed or floating) fixed timber deck extending from 18/A Estimate length Length by 15'</p> <p style="padding-left: 20px;">Number of tie ups, slips none</p> <p style="padding-left: 20px;">benches / seating walls benches along deck</p> <p style="padding-left: 20px;">lighting lighting along deck</p> <p style="padding-left: 20px;">trash/bike racks, etc. trash cans</p> <p style="padding-left: 20px;">parking (off-street, on-street) on-street</p> <p>Adjacent Land Use (street, parking lot, commercial/utility/residential) commercial, park</p>

**Providence Harbor Management Plan
Access Inventory**

<p>Site Corliss Landing Park and Old Harbor Trail Name Owner City of Providence Plat / Lot 18/2 Parcel Size 4,360 Water Access Providence River Site Improvements Bulkhead (granite, rubble, sheetpile) concrete and granite Height above HW (stairs on wall) 3' Piers (timber/concrete - fixed or floating) fixed timber deck extending to 18/A paths, paving type gravel and asphalt benches / seating walls wooden benches (6) lighting along walking deck trash/bike racks, etc. cans for public refuse Adjacent Land Use (street, parking lot, commercial/utility/residential) commercial, Point Street Bridge</p>
<p>Site South Water Street/Waterside Park, Doubloon Landing - canoe and kayak launch facility Name Owner State of Rhode Island Plat / Lot 16 Parcel Size unknown Water Access Providence River. Site Improvementst Bulkhead (granite, rubble, sheetpile) alternating concrete and rip-rap Height above HW (stairs on wall) ~ 4' Piers (timber/concrete - fixed or floating) Doubloon Landing (fixed timber) Estimate length 20' long x 10' staggering bleachers paths, paving type asphalt paths benches / seating walls bleachers/ concrete and wood benches (in need of repair) trash/bike racks, etc. trash cans, bike racks parking (off-street, on-street) across street/on-street, 15 min. pull-off @ launch Adjacent Land Use (street, parking lot, commercial/utility/residential) commercial Other heliport, flagpoles, between I-195 and Crawford St. bridges</p>
<p>Site Gardner Jackson Park Name Owner unknown Plat / Lot 12/26, 29, 31, 33, 35, 36 Parcel Size unknown Water Access Providence River Site Improvements Bulkhead (granite, rubble, sheetpile) granite blocks Height above HW (stairs on wall) 30" Piers (timber/concrete - fixed or floating) small concrete/steel deck extension Estimate length water access ~ 275' - 300' Number of tie ups, slips 12 brass hooks paths, paving type brick and cobble benches / seating walls stone benches and seating walls lighting lighting available on walkways trash/bike racks, etc. trash cans Adjacent Land Use (street, parking lot, commercial/utility/residential) commercial, Market Square Other steel pilings near deck (limits accessibility)</p>

**Providence Harbor Management Plan
Access Inventory**

<p>Site Parcel 6 Name Owner Capital Properties Plat / Lot 4/247 LL01 & LB01 Parcel Size 216,551 Water Access Moshassuck River Site Improvements Bulkhead (granite, rubble, sheetpile) granite block Height above HW (stains on wall) 15' paths, paving type South end gravel and concrete parking lot, North end is abandoned with concrete paths parking (off-street, on-street) 274:LL01 is a ~250 space parking lot, limited on-street Adjacent Land Use (street, parking lot, commercial/utility/residential) parking lots Other water depth appears to be no more than 2' - 5' with tide. wooden bridge crossing (~ 12' wide), residual foundation of</p>
<p>Site Waterplace Park Name Owner State of RI, Capital Properties Plat / Lot 19/131, 102 Parcel Size 131- 147,086. 102- 91220. Water Access Woonasquatucket River Site Improvementst Bulkhead (granite, rubble, sheetpile) concrete block Height above HW (stains on wall) 1' Number of tie ups, slips 10 wood pilings, 10+ concrete columns, multiple tie ups paths, paving type cobble, brick, stone benches / seating walls stone benches and amphitheatre style seating wall lighting general area appears to be well lit trash/bike racks, etc. trash cans Other cleats along both sides of 102 ~8' apart, may only be decorative</p>
<p>Site Point Street Landings, north and south Name Owner Narragansett Electric, New England Power Plat / Lot 21/312 and 21/178 Parcel Size 153,614, 18,120 Water Access Providence River Site Improvements at each park Bulkhead (granite, rubble, sheetpile) rip-rap Height above HW (stains on wall) fixed timber pier ~8', floating dock Piers (timber/concrete - fixed or floating) floating timber and aluminum dock Estimate length 90' x 18' Number of tie ups, slips 6 w/ room to add more (adjustable) paths, paving type brick and slate paths benches / seating walls 2 pavillions, 4 wood/steel benches, 2 seating walls lighting walkways are well lit trash/bike racks, etc. trash cans at either end parking (off-street, on-street) permit only adjacent Adjacent Land Use (street, parking lot, commercial/utility/residential) parking, power plant, Point Street Other near Davol Square Marketplace, electrical towers Rules and Regulations - See Collier Point Park</p>

**Providence Harbor Management Plan
Access Inventory**

<p>Site Collier Point Park</p> <p>Name Owner Unkown</p> <p>Plat / Lot 22/185</p> <p>Parcel Size</p> <p>Water Access cement launching ramp</p> <p>Site Improvements</p> <p>Bulkhead (granite, rubble, sheetpile) rip-rap</p> <p>Height above HW (stairs on wall) fixed piers 10'-15</p> <p>Piers (timber/concrete - fixed or floating) 2 floating timber docks adjacent to launch ramp, 2 timber/concrete piers, 2 timber piers.</p> <p>Estimate length Piers; concrete/timber (x2) 14' x 14', 40' x 24' (for Bay Queen), 18' x 60' arc Docks; 30' x 8' str 12' x 27' el.</p> <p>Number of tie ups, slips 1 on pier for Bay Queen, 9 total on docks (adjustable, more can be added)</p> <p>paths, paving type cement near parking and gravel in park</p> <p>benches / seating walls multiple wire benches (~ 18), tables (~ 10) and 2 cedar benches in tower</p> <p>lighting in parking lot and along road for security</p> <p>parking (off-street, on-street) 20 off-street, 2 cul-de-sacs w/ ~ 8 spaces each</p> <p>Adjacent Land Use (street, parking lot, commercial/utility/residential) power station</p> <p>Other tower originally for guards, new launch ramp for fire/rescue boats (next nearest is Edgewood)</p> <p>Rules and Regulations:</p> <ol style="list-style-type: none">1. Open to the general public on a 24 hour per day basis2. Swimming or diving is prohibited3. Alcoholic beverages are prohibited4. Pets are to be leashed and pet owners are responsible for clean-up after their pet5. Overnight camping, parking, and docking are prohibited6. Open burning and grills are prohibited7. Climbing on rocks is prohibited, for visitors safety8. Dumping or disposal of household waste is prohibited
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**Attachment B:
City of Providence Assessors Inventory of Shorefront Property**

**Providence Harbor Management Plan
Assessor's Data**

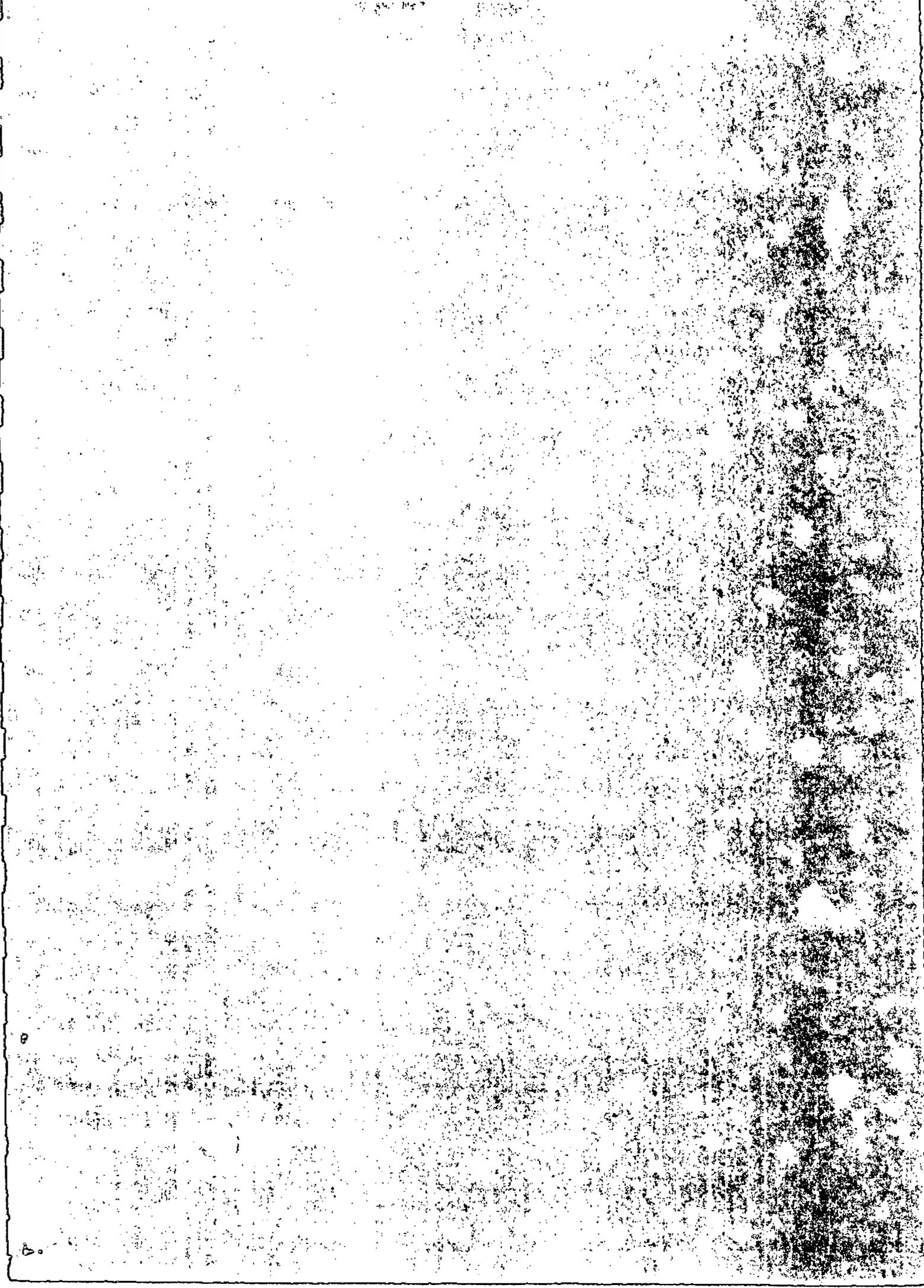
PLAT	LOT	CODE	ADDRESS	OWNERS MAILING ADDRESS	PUBLIC ACCESS	NOTES
56	5	10	195 Terminal Road	Prov. Gas Co.		
	6	7	0 Fields Pt.	Hudson Terminal Corp.		
	25: LBO	7	0 Fields Pt.	TE Products Pipeline		
	25: LLO	78	same	Provport		
	262	78	0 New York Ave	Provport Inc		
	270	78	4 New York Ave.	Provport Inc		
	271	78	0 Terminal Rd	Provport Inc		
	273: LBO	7	125 Terminal Rd	St Lawrence Cement		
	273: LLO	10	same	Prov Gas Co		
	281	78	1 Sea View Dr	Provport Inc		
	285	M2	105 Terminal Rd	City of Prov, vacant lot	X	Port of Providence - litigation hazard
	288	78	0 Harborside	City of Prov	X	"
	296		0 Field Pt Dr	City of Prov	X	"
	297	78	0 Harborside	City of Prov	X	"
	307: LBO	78	0 New York Ave	Provport Inc		
	307: LLO	15	same	Harborside Park LLC		
	312	78	2 Sea View Dr	Provport Inc		
	316	7	185 Terminal	Algonquii Lng Inc		
55	9	7	500 Allens Ave	Paragon Oil Co		
	16	7	520 Allens Ave	Paragon Oil Co		
	17	7	544 Allens Ave	Paragon Oil Co		
	18	7	570 Allens Ave	Star Enterprise		
	196	7	610 Allens Ave	Texaco Inc Tax Dept, Kallaher Oil Co (DBA)		
	429		610 Allens Ave	Alogonquin Lng Inc, vcnt lt,stat. inac		
47	146		278 Allens Ave	DTP. Inc		
	147		288 Allens Ave	Angelo Maffeo		
	148		284 Allens Ave	Red Bridge Properties		
	368		338 Allens Ave	VSH Realty		
	601		434 Allens Ave	Boliden Metec		
	655		252 Allens Ave	Stablex RI Inc		
	799		386 Allens Ave	East Prov, City of	?	
	803		242 Allens Ave	Red Bridge Properties		
	804		232 Allens Ave	State of RI		
	805	80	242 Allens Ave	RI, state of		
46	128		178 Allens Ave	Northeast Petroelum Co		
	160		120 Allens Ave	Sprague CH and Son Co		
	317		206 Allens Ave	Gold, Hebert & Greenstein, Debra		
	323	6	210 Allens Ave	City Tire Co		
	325	1	357 Willard Ave	James and Theresa Cockfield		
	326		242 Allens Ave	RI state of		
	361	80	60 Public	RI, state of		

**Providence Harbor Management Plan
Assessor's Data**

PLAT	LOT	CODE	ADDRESS	OWNERS MAILING ADDRESS	PUBLIC ACCESS	NOTES
	481:LBO1		164 Allens Ave	Northeast Petroleum		
	481:LLO1		same	Industrial National Bank		
	489:LBO1		186 Allens Ave	Northeast Petroleum corp		
	489:LLO1		same	Greene Company		
19	102	14	18 American E	Capital Properties Inc	X	
	103	6	1 Citizens Place	Capital Properties Inc	X	
	109	14	140 Francis	Capital Properties Inc		
	114	15	5 Moshassuck	Capital Properties Inc	X	
	131	78	12 Memorial Blvd	RI, state of	X	
4	47: LBO	98	80 Smith St	Prov, City of	X	
	247: LLO	14	same	Capital Properties Inc	X	
18	2	78	501 Water St	Prov, City of	X	
	4	6	515 South Water St	Dudley, Peter Shallcross		
	13	6	575 South Water St	Eat or Dine Out Inc D/B/A		
	12		579 South Water St	Eat or Dine Out Inc D/B/A		
	14	78	203 India	Prov, City of	X	India Point Park
	16		661 South Water Street	Prov, City of	X	Hurricane Barrier - Coriss Landing Park
	34	14	675 South Water St	Maurania Corp		
	48	7	9 India	Maurania Corp		
	332	15	1 India	Maurania Corp		
	334	80	201 India	RI Div. Roads & Bridges	X	India Point Park
	338	78	195 India	Prov, City of	X	India Point Park
	343		89 India St	Maurania Corp		
	344		99 India St	Hamilton Realty Corp		
	345		0 India St	Prov Harbour View Inc		
	72		109 India St	Prov, City of	X	India Point Park
	10	10	541 South Water St	Narragansett Electric, vcnt It		
	3	10	503 South Water St	Narragansett Electric, vcnt It		
17	8	78		Prov, City of	X	Playground
	54		250 India St	Brown Univ		
	69	79	271 Tockwotte	Brown Univ		
	416	7	101 Gano St	HV Collins Co		
	541	78	270 India	Prov, City of	X	India Point Park / bridge abutment
	54	79	250 India	Brown Univ		
	611		beach front			Gano Street Playground
	368		87 Fremont St.	Prov, City of		
	613	80	225 India	RI Div of Roads & Bridges	X	India Point Park
	616	79	230 India	Brown Univ		
	620		263 India Street	Prov, City of	X	India Point Park
	621	78	235 India	Prov, City of	X	India Point Park
14	328	78	10 Beach	Prov, City of	X	Gano Street Playground
	316	78	293 Power	Prov, City of	X	Gano Street Playground

**Providence Harbor Management Plan
Assessor's Data**

PLAT	LOT	CODE	ADDRESS	OWNERS MAILING ADDRESS	PUBLIC ACCESS	NOTES
	372		0 Twin Island	WRIB, Inc		
	373		0 Twin Island	Giannamore, Claire M.		
	566		260 Power St	Prov, City of		
	163		101 East George St	Koffler Realty Assoc. V Limited Partnership		
15	2	14	33 East River	Warwick Development Corp	X	
	6		291 E. George	Harold Shein		
	35		1 Butler Ave	V. Koffler Realty Asc		
	66	80	41 Wayland Ave	RI, state of	X	Tunne/bridge RR
	340	5	392 Waterman	Caneel Bay Ltd.		
	446	78	86 Wayland Ave	Prov, City of	X	Gano Street Playground
	453	14	27 East River	Warwick Development Corp		
	456	78	88 Wayland Ave	Prov, City of	X	Gano Street Playground
	460: LBO	6	145 East George	Koffler Realty Assoc. V Ltd		
	460: LLO	14	same	Partnership (same)		
	467		291 E. George	Narragansett Electric		
41	258	5	2 River Dr	Narragansett Boat Club		
	14		1 River Dr	Prov, City of		
	234		82 Loring Ave	Prov, City of		
	261	79	200 Butler Ave	RI Hosp. Trust National Bank, trustee, Moses Brown School Foundation		
40	293	78	42 Loring Ave	Prov, City of		
38	1	70	585 Blackstone Blvd	Proprietor: Swan Point Cmnty	X	
	5	75	333 Grotto Ave	Butler Health Center		
East Providence						
			Bold Point Park	City of E. Prov.		
			East Providence Yacht Club			
			Guild Drilling			
			Crook Point RR abutment	state		
Street Rights of Way to Harbor						
Harborside Boulevard, Field's Point						
Sea View Drive, Field's Point						
New York Avenue, Field's Point						
Thurbars Avenue (from Allens Ave)						
Public Street (from Allens Ave)						
Henderson Street (from Allens Ave)						
Tockwotton Street (Hurricane Barrier)						
India Street (at Fox Point)						
India Street (at Brown Boat House)						
Beach Street at East Transit and Fremont (Gano Street Ballfield)						
Butler Avenue (Adjacent to East Side Marketplace and Toffler property)						



Appendix 5 NAVIGATION

5.1 WATER DEPTH

Information on the Providence Harbor waterways was obtained from Nautical Charts prepared by the U.S. Department of Commerce, National Oceanic and Atmospheric Administration (NOAA), National Ocean Service, February 1994. NOAA Nautical Chart 13224, February 1994, was used for water and channel depth information and Nautical Chart 13225, February 1991, was used for information about location of wrecks and ruins.

As indicated on these charts, and also on Army Corps of Engineers (ACOE) navigation project maps, the bulk of the Providence and Seekonk Rivers are channels maintained by the ACOE. The Seekonk channel, which begins at Cold Spring Point (at Waterman Square) and extends north through the project area, has an authorized project depth of 16 feet below Mean Lower Low Water (MLLW) and 150 feet wide. The channel in the Providence River, which ends just south of Fox Point and extends south through the project area, has an authorized project depth of 40 feet MLLW and is 600 to 1700 feet wide. There is an explicit warning given by the Corps which warns that the channels are subject to shoaling, especially at the edges, and that caution should be used while navigating these waters.

The reach of the Seekonk River from Cold Spring Point to its confluence with the Providence River is also a federal channel, however, the channel limits have not been defined by the ACOE. River depths in this area are apparently sufficient for safe navigation, as the ACOE has not received requests for dredging in this area.

5.2 NAVIGATIONAL HAZARDS

There are a number of significant navigational hazards within the project area. These hazards are noted on the NOAA charts, 13224 and 13225, and include:

- Extremely shallow waters of the Seekonk River on either side of the federally maintained channel and Providence River north of the federal channel
- Shoaling in the channels and the Green Jacket Shoal at Bold Point
- Abandoned bridges at Crook and India Points as well as the old bridge piers near Crawford Street Bridge
- A multitude of ruins from abandoned wharves and rotting piles in the Providence and Seekonk Rivers and an old radio tower foundation and wrecked barge off Bold Point

5.3 DEBRIS

In 1984 the US Department of the Army, Corps of Engineers (ACOE) prepared the document, "Providence River And Harbor And The Seekonk River, Rhode Island, Debris Removal Feasibility Rep. Including Environmental Assessment". The purpose of the ACOE report was to determine the engineering feasibility and environmental acceptability for federal participation

in removal and disposal of floatable debris sources that are potentially hazardous to navigation, a suppressant of land values, and are aesthetically unpleasant. The study area was limited to the perimeter of the Seekonk River and the Providence River and Harbor at the plane of mean high water along approximately 37 miles of shoreline. It comprised a tidewater area of about seven squares miles lying north and landward of a line from Conimicut Point at Warwick to the tip of Nayatt Point, Barrington. The debris sources investigated were dilapidated waterfront structures including those with dilapidated portions (primarily timber pile supported wharves and bulkheads), derelict (wrecked)vessels, shore-front dumps, and loose floatable debris lying on dilapidated structures and on shore. A debris inventory was also prepared and included in the ACOE report. The study concluded that about seventy percent of the identified debris was found in Providence Harbor. Alternatives for the collection, removal and disposal of the debris were developed and then evaluated by the ACOE in terms of cost effectiveness, environmental quality, social and economic effects, and impacts on port operation and development of the area.

Figure 11-4A from the Providence Harbor SAM Plan illustrates the approximate location of shoreline debris inventoried by the ACOE during their preparation of the 1984 document. As presented in the SAM Plan, in recognition of the financial hardship which would be imposed upon communities, debris owners and the state by a one time centrally organized debris clean up effort with federal participation and contributing funds, the RIDEM and the CRMC jointly developed a debris removal program for Upper Narragansett Bay which seeks to work cooperatively with all debris owners to achieve compliance with established polices and prohibitions at a reasonable cost. The CRMC's Subcommittee on Urban Ports and Harbors was charged with identifying additional debris owners, organizing efforts to remove loose shoreline debris, providing support to local efforts to cleanup specific reaches of the Upper Bay shoreline, and monitoring removal activities.

5.4 NAVIGATIONAL CLEARANCES

The navigational clearances and tidal information, as indicated on NOAA chart 13224, are listed in Table 5-1. The data in Table 5-1 is for the Hurricane Barrier as well as the bridges that cross the upper Providence River (south of downtown) and the lower Seekonk River (within the Providence city limits). It is important to note that the datum used by the City of Providence is higher than Mean Sea Level (MSL) used as the USGS NGVD datum since 1929. Therefore, 2.35 feet must be added to MSL to convert from City base to USGS base.

Providence is subject to a MHHW of 5.0 feet and a MHW of 4.7 feet with respect to the MLLW. The low tides are 0.2 feet MLW also with respect to the MLLW. It is important to note that this is the *mean* height, exceeded half the time.

**Table 5-1
Navigational Clearances**

STRUCTURE	LOCATION	HORIZONTAL CLEARANCE (feet)	VERTICAL CLEARANCE (feet above MHW)
Fixed Bridge	I-195; Upper Providence River	52	26
Swing Bridge	Point Street; Upper Providence River	101	9
Hurricane Barrier*	Fox Point, Providence River	20	21
Bascule Bridge	Crook Point; Lower Seekonk	92	17 (when lowered)
Fixed Bridges (Washington Bridge)	Lower Seekonk	100	40
Swing Bridge (Draw Open)	Lower Seekonk	84	∞
Fixed Bridge (Henderson Bridge)	Lower Seekonk	100	42

* Water depth over the sill at the gates is 12.9 feet at MLLW

5.5 DREDGED AREAS AND FEDERAL MAINTENANCE

The ACOE is responsible for maintaining the federal channels within the Seekonk and Providence Rivers. According to the ACOE, the Seekonk River channel was last dredged in 1954 and although shoaling of the channel has occurred, the ACOE has received no requests for its maintenance dredging. The Providence River channel was last dredged by the ACOE in the early 1970's, which involved a major channel improvement project for the then Port of Providence. Since the 1970s there has been little dredging in the state, except for small projects. By the late 1980s channel shoaling had become a serious problem which ultimately necessitated the restriction of navigation in the Providence Harbor shipping channel. At first the limitations on the movement of vessels were voluntary; then based upon a ACOE condition survey, the Coast Guard made them formal. At the request of then Governor Sundlun, the ACOE commenced work necessary for a proposed maintenance dredging project for the federal shipping channel.

In 1996, Governor Almond's appointed Commission on Dredging completed a report which cited the states's str... gent and complex regulatory permitting requirements regarding dredging activities and lack of approved sites for disposal of dredged material as the major factors which impeded

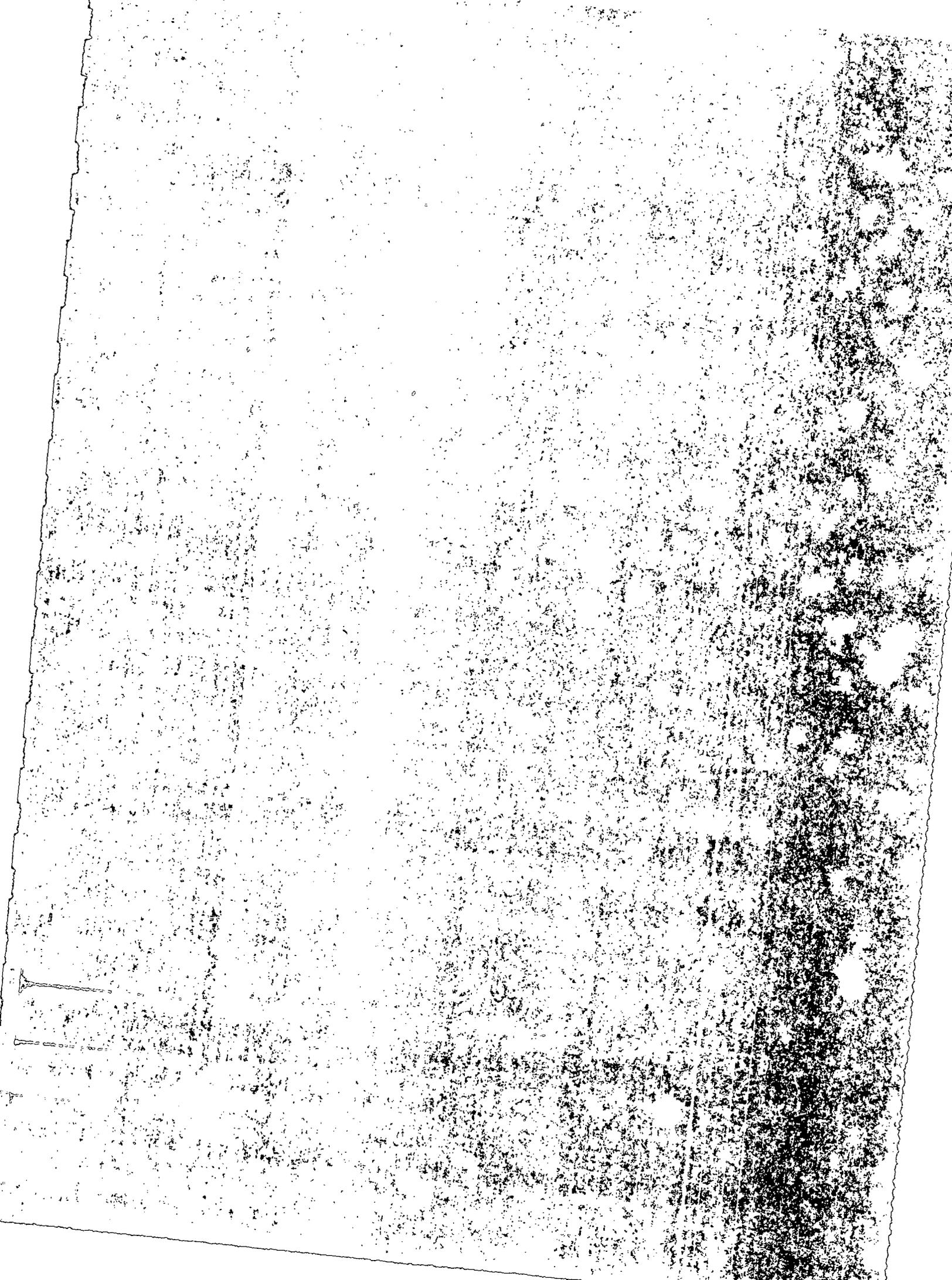
the needed dredging projects in the state which included the federal channel, marinas and boating facilities, and breachways into salt ponds. The prepared report entitled "Report of the Governor's Commission on Dredging" contained developed recommendations and recent changes in law (the Rhode Island Marine Infrastructure Maintenance Act of 1996 and the Federal Water Resources Development Act) and designated the RI Coastal Resources Management Council by statute as the lead state agency for dredging. The CRMC was delegated with the power and duty to among other things, prepare, adopt, and maintain a comprehensive, phased program for dredging in the tidal waters of the state and to establish appropriate sites for dredge disposal.

Currently, a Draft Environmental Impact Statement (EIS) for the Providence River and associated harbor terminals dredging project is scheduled to be completed in the spring of 1998. The Final EIS is expected to be ready in the fall of 1998. The ACOE may commence the dredging as early as the fall of 1999

In December 1997 the federal channel was extended by Congress northward from the existing Providence River channel through the Hurricane Barrier to the Crawford Street bridge. By designating this reach of the river as a federal channel, the ACOE participates in dredging and maintenance dredging. Dredging of this section of the river (as described below) will be included in the Providence River dredge EIS project.

Public Notice (File No. 1991-02525F) was issued by the ACOE on May 10, 1995 for a Rhode Island Department of Transportation request for permits under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act to renovate the upper reach of the Providence River in conjunction with the relocation of the I-195 Bridge. This project provides for the implementation of elements of the City of Providence's Old Harbor Plan to maximize opportunities for the integration of intermodal connections between highway, marine, pedestrian, and bicycle transportation. Key elements include reconstruction of river walls with the addition of new wood planked boardwalks (the new boardwalks allow improved pedestrian and marine transportation access to the waterfront), and dredging. Dredging will remove sediments from between the Crawford Street Bridge and the Point Street Bridge providing a uniform depth of -15 feet mean low water.

Other needed dredging projects within Providence waters are the maintenance dredging of the Woonasquatucket River at Waterplace Park and of the Providence River at the dock located at Dyer Street. Siltation of the rivers at these two facilities occurs due to the riverine transport and deposition of sediments from upstream sources. Sediment loads from within the river's drainage areas during high flows and flood events may be contributing significantly to the siltation problem. Locally, possible contributing sources are sediment - laden stormwater runoff from the properties which have sparse vegetative cover and are located upstream Waterplace Park. The problem may be alleviated when construction of the Providence Place Mall and I-95 Capital Center Interchange Improvements are complete as these projects are required by the RIDEM and CRMC to include water quality best management practices (BMPs) to reduce total suspended solids in runoff entering the Woonasquatucket River. In addition, the CSO project when complete will remove sediments presently released into the river during the "first-flush" resulting from storm events.



Appendix 6

PORT OF PROVIDENCE

6.1 EXISTING BERTHS AND TERMINALS

Approximately eleven (11) different operating port terminals line the west side of the Providence River between Field's Point to the south and Henderson Street (Collier Point) to the north as illustrated on Figure III-1A. In addition, two terminals are located in Providence on the north side of the mouth of the Seekonk River.

The formerly City-owned municipal wharf is now owned by ProvPort, Inc., a private non-profit organization. Six ship berths labeled berth one through berth six at the municipal wharf are grouped into two terminals according to function and use.

The port terminal locations are indicated by numbers 111 through 123 on Figure III-1B titled "Providence River and Harbor Area - Port Facilities". A comprehensive description of each terminal and its related facilities as reported in the US Army Corps of Engineers Port Series No. 4 Revised 1994 is also provided herein in tabulated form.

6.2 SHIP AND CARGO TYPES

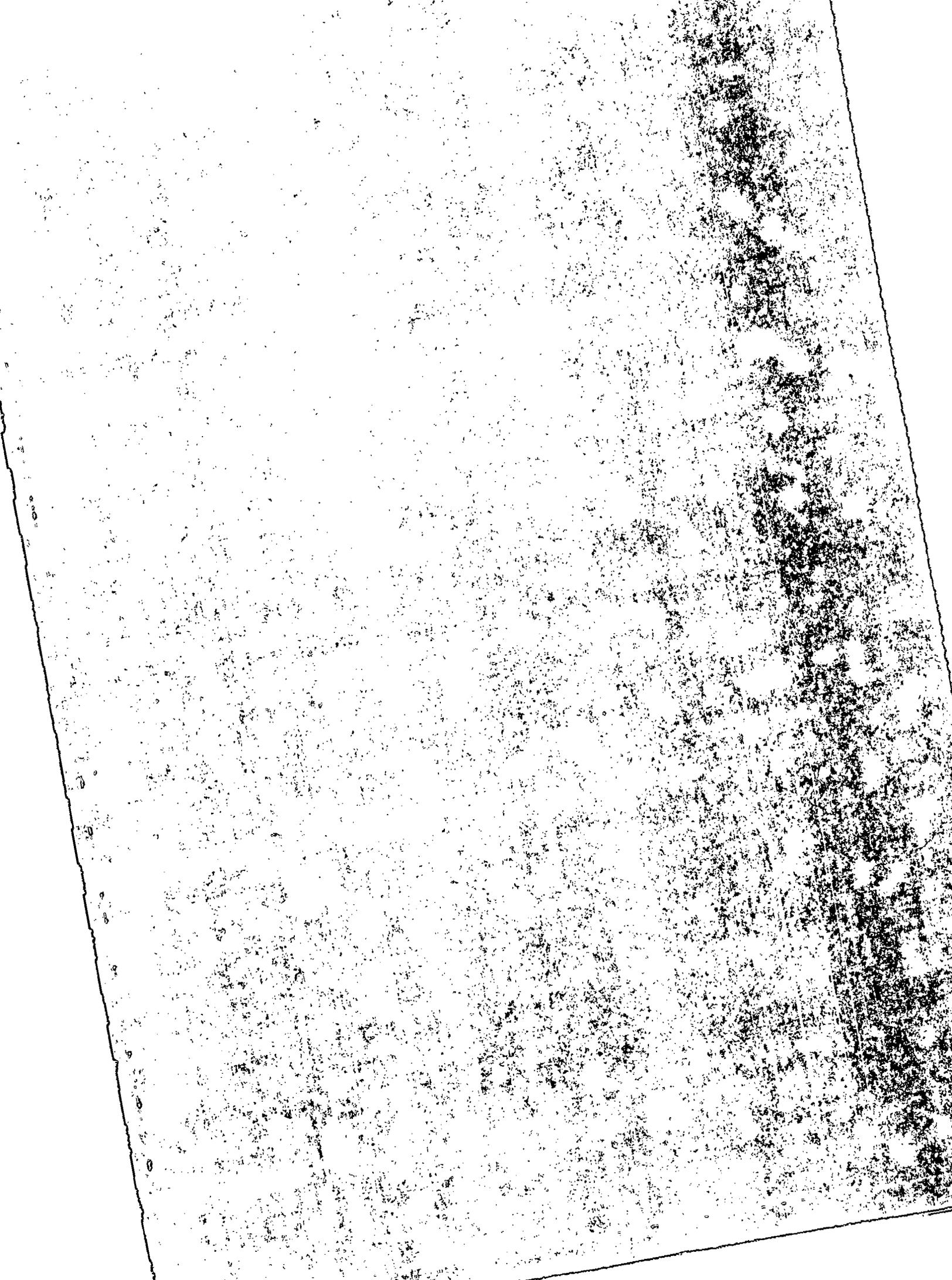
Ships calling at Providence include tankers, dry bulk carriers, roll-on roll-off ships, break bulk carriers, container ships and other freight carriers. A tug boat company and a ferry service operate out of the Fox Point/India Point area. Naval and Coast Guard vessels, cruise ships, and tall sailing ships may also visit periodically.

While the port is supposed to service ships up to 40 feet in draft, restrictions have been imposed due to siltation which has occurred in the federal channel leading to Providence. Furthermore, several berths have silted in and need maintenance dredging to be restored to full service. Several terminal operators intend to "piggyback" on the federal project and deepen their berths when the channel is dredged by the US Army Corps of Engineers.

Primary imports at Providence include petroleum products, liquified natural gas, cement, lumber, chemicals, salt and automobiles. Primary exports are scrap metal and waste paper. Ship repair services are available, and two marine contractors have equipment yards and docks within the port area.

6.3 POTENTIAL FOR EXPANSION

Two key areas have long been targeted for potential port expansion in the Providence River. One is the south end of Field's Point, where the potential exists to create a berth seven along the municipal wharf; and the other is an undeveloped waterfront area extending several blocks north of Thurbers Avenue. Environmental issues related to dredging, filling and land development at each site would need to be studied and resolved, but ultimately both areas are well suited for port facilities.



Appendix 7 EMERGENCY MANAGEMENT

7.1 COASTAL FLOOD HAZARD AREAS

The Flood Insurance Rate Maps (FIRM) were prepared by the Federal Emergency Management Agency (FEMA) as part of the "Flood Insurance Study, City of Providence, Providence County" in 1986. These maps delineate the 500-year and 100-year storm flood boundaries and provide the 100-year storm water surface elevations associated with both riverine and coastal flooding. They also indicate coastal flood hazard areas which are prone to the effects of storm waves. These areas, referred to as "V" or velocity zones, are defined by the Army Corps of Engineers as being subject to significant wave attack, 3 foot amplitude waves, during storm events. The 3 foot amplitude wave has been determined as the minimum size required to cause significant damage to conventional structures.

These maps indicate that there are many areas south of the Fox Point Hurricane Barrier, built in 1966, which are susceptible to wave action. Along the Providence River, these areas include Fields Point, Sassafras Point, the wharves in the lower harbor, and the area between and including Fox and India Points. Along the Seekonk River, most of the shoreline is susceptible to wave attack but particularly the areas between Trenton and Fremont Streets, between the Henderson Bridge and Angell Street, and at York Pond.

Although the Hurricane Barrier protects most of the upper harbor from coastal flooding, there are reaches of the Woonasquatucket and Moshassuck Rivers with high 100-year riverine flood elevations. These areas are the reach of the Woonasquatucket River from the Eagle Street Dam to Charlotte Hope Street and the reaches of the Moshassuck River from Industrial Drive to Smith Street and along Canal Street in the vicinity of the Roger Williams National Park.

7.2 FOX POINT HURRICANE BARRIER OPERATION

The Hurricane Barrier prevents storm surges and wave action from reaching the upper Providence, Woonasquatucket, and Moshassuck Rivers. The Hurricane Barrier is closed whenever a hurricane, tropical storm, or northeaster threaten to raise water levels above the city's flood stage of 6 feet. While the barrier is closed, pumps are operated to maintain the upstream water level at the normal water level in the river, 3.5 feet above mean sea level. The Hurricane Barrier is maintained by the Providence Department of Public Works.

As historically demonstrated, Providence is prone to flood and wind damage from tropical storms and hurricanes. Over the past 61 years, the National Weather Service has tracked 31 storms classified as tropical storms or hurricanes that have hit the state. The City of Providence has an Emergency Management Plan prepared by the Emergency Management Agency. This plan dictates the duties and responsibilities of each of the City's departments/agencies and any private organizations with emergency management functions. The city also relies on the Rhode Island Emergency Management Agency (RIEMA), the Federal Management Agency (FEMA), and the U.S. Coast Guard (USCG) for support and assistance.

The USCG has primary responsibility for emergencies such as boating accidents and plane crashes in the federal channels. Providence departments/agencies are notified and may be deployed to hasten the response time. Currently, the Police Department has one small boat and two jet skis used to patrol the harbor and the Fire Department has access to the equipment owned by the Providence Harbor Co-op. The Providence Harbor Co-op is comprised of 10 petroleum and utility companies located in Providence and East Providence. At this time however, there is no fire fighting vessel available to the City of Providence through the Co-op or the USCG.

7.3 MARINA OPERATIONS EMERGENCY PREPAREDNESS

There are currently no policies in place on marina requirements in response to emergency situations. One of Providence's two marinas is located north of the Hurricane Barrier, therefore it is protected from flooding associated with storm events. The second marina, however, is vulnerable and has no Storm Preparedness Plan, and relies on boat owners to arrange for securing or removing their boats.

7.4 SPILL RESPONSE

Oil terminal operators and hazardous material storage facility owners are bound by federal and state laws to have response plans available for immediate implementation in the event of a petroleum or hazardous material spill. Key regulations for spill response include:

- a. The National Oil and Hazardous Materials Pollution Contingency Plan (35 FR 8511)
- b. Oil Pollution Act of 1990 (PL 101-380, 33 USC 2701)
- c. EPA Criteria for State, Local and Regional Oil Removal Contingency Plans (40 CFR 109, 36 FR 22485)
- d. Rhode Island Oil Pollution Control Laws (RI GL 1956 Title 46, PL 1990 Ch. 324, PL 1991 Ch. 354).
- e. Rhode Island Oil Pollution Control Rules and Regulations (RIDEM per RIGL 46-12, 42-17.1, 42-35)

The primary response plans prepared by terminal operators include an Emergency Response Action Plan to meet the requirements of b. above (OPA 90); and a Spill Prevention Control and Countermeasure Plan (SPCCP) to meet the requirements of a. and c. above.

OPA 90 federal laws were enacted in response to the Exxon Valdez oil spill in Alaska. Oil terminal operations must submit to the USEPA and the US Coast Guard for land and waterfront activities, respectively, a plan describing the terminal facilities, facility inspections, methods of monitoring product transfer, and emergency response actions in the event of a spill. The plan also establishes elements of liability, vessel requirements, prevention requirements, etc. Operators

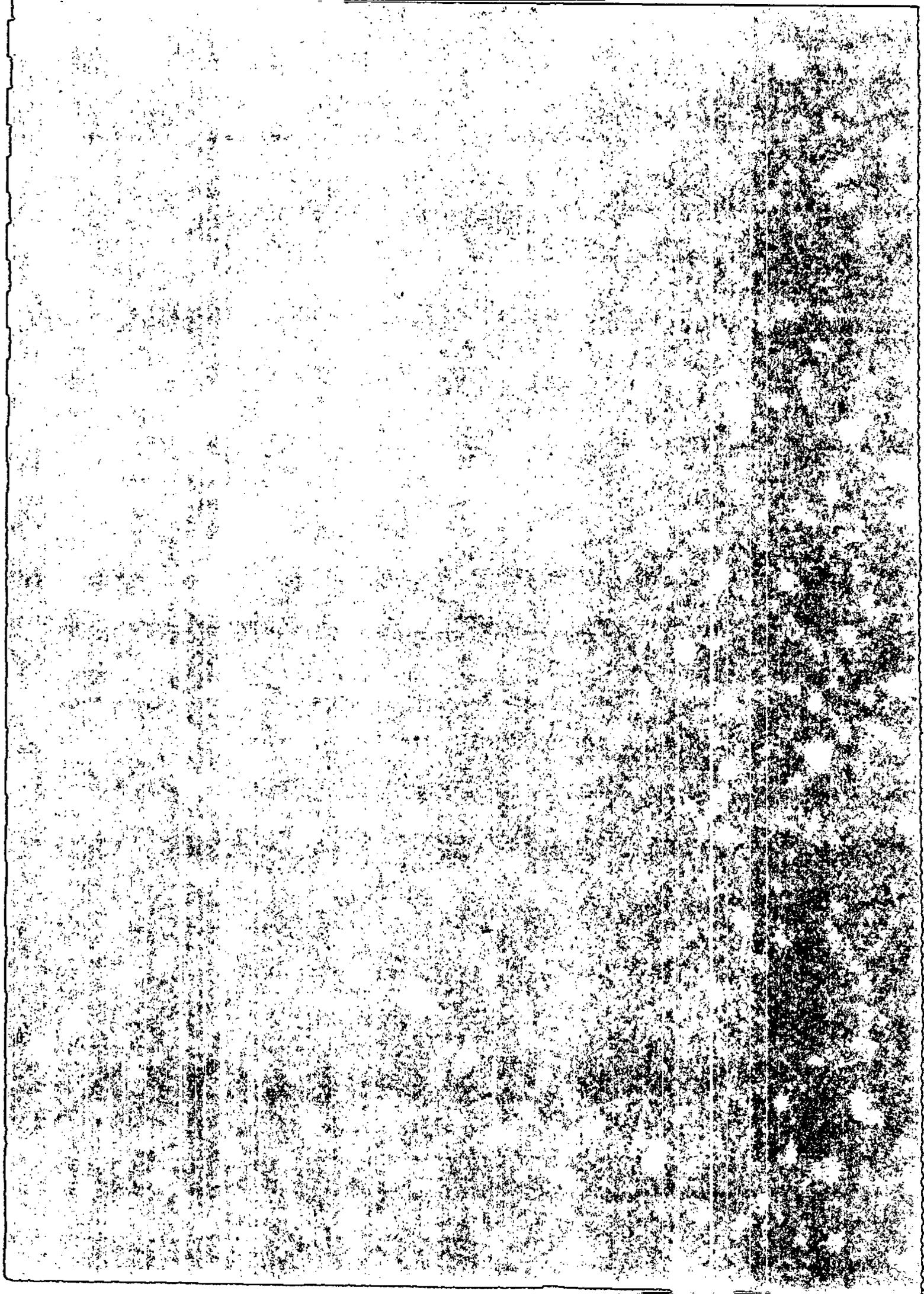
must undergo spill response training and must have sufficient floating boom and deployment equipment available on site and/or available for deployment by subcontractor within one hour of notification.

In the Providence area several private companies offer spill response and cleanup services to terminal operators. Floating boom, dispersants, pumps, boats and other equipment are located by these companies in strategic spots along the waterfront. A co-operative agreement also exists among several terminal operators to allow access to and use of spill response equipment owned by each.

In addition to the OPA 90 requirements, and SPCC Plan must be prepared to meet State of RI requirements which follow from both state and federal laws. The SPCC Plan includes general information regarding the facility, accountable personnel, and certification by a registered professional engineer that the plan follows good engineering practices. In addition, it requires information with respect to drainage, storage equipment and inspections, transfer operations, tank car and tank truck loading procedures, and security measures in order to verify compliance with other state regulations and codes. An Oil Spill Contingency Plan must be attached describing the notification, sequence and method of response in the event of a spill at the dock or at the storage site. Manpower and equipment commitments must be documented.

For operators of waterfront facilities for receipt of oil products, an Operations Manual must be prepared and followed per US Coast Guard regulations contained in 33 CFR 154.310. The Operations Manual will describe procedures for preventive measures and proper handling of product transfers, and requires personnel in charge remain on station observing all marine transfer.

In the event of a spill at the waterfront, notifications and contingency plans will be immediately set into place. The US Coast Guard will act as the Federal-on-Scene Coordinator (for a spill on land, the USEPA may assume the federal role), and will make a determination as to the adequacy of the response. The Federal-on-Scene Coordinator may "federalize" the spill response and assume control of it if this federal agency determines that the terminal operator's response is inadequate.



Providence Harbor: A Special Area Management Plan (update)

The Rhode Island Coastal Resources Management Council (CRMC) document, "Providence Harbor: A Special Area Management Plan "(SAM Plan) which was adopted on November 22, 1983, has been reviewed and subsequently, updated information has been provided in conjunction with the preparation of the first edition of the City of Providence Harbor Management Plan (HMP). This updated SAM Plan information is contained in the following compilation of tables and report figures and relates to only the waters and landside area within the City of Providence, as this was the HMP study area. Since both the Providence HMP and the updated SAM Plan are to be circulated for public comment together, cross references between these two documents are made to avoid redundancy and duplication of report figures. The updated SAM Plan information is intended to serve as a current data base of existing conditions and reference to the policies developed for the use of Providence waters and shoreline as prescribed in the HMP. It is recognized that when the SAM Plan is amended in the future the CRMC goals and policies for the Providence Harbor area, which encompasses the waters and landside area of other municipalities as well as Providence: the cities of Pawtucket, East Providence, Cranston, and Warwick, and the Town of Barrington, will need to be updated bilaterally.

The SAM Plan (1983) presents CRMC policies and proposals for Providence Harbor which were designed to achieve five major goals:

- Balanced and compatible shoreline use
- Increased recreational opportunities and public access
- Port development
- Improved water quality
- Coordination and consultation (establishment of the CRMC Subcommittee on Urban Ports and Harbors)

These goals are listed in the table below along with corresponding CRMC policies. The Providence HMP policies are provided for cross reference. Following that table a list of SAM Plan figures and their updated information are presented.

**Table of SAM Plan and Providence HMP
Cross References**

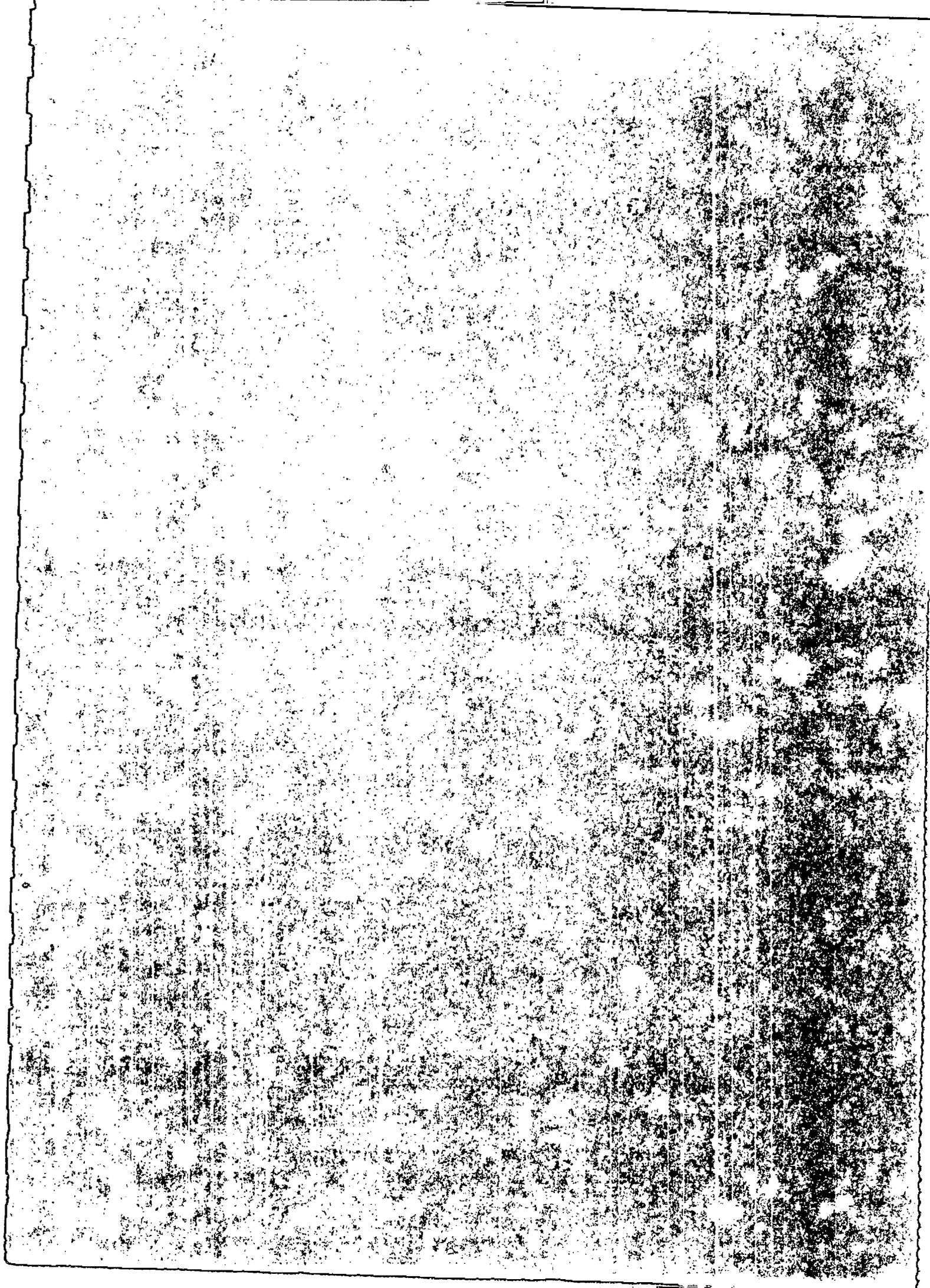
Harbor Policy Number	Title	SAM PLAN (1983) Section Reference	Providence HMP (1998) Section Reference
Shoreline Use			
1	Removing Shoreline Debris	260.1	Section 4G - Navigation, Appendix 5 - Navigation
2	Enlisting the Involvement of Municipalities in Harbor Revitalization	260.2 a	Section 4A - Providence Harbor Commission, Section 4F - Water Use Consistency with Land Use
3	Reviewing Municipal Waterfront Plans	260.2 b	Section 4F - Water Use Consistency with Land Use
4	Enlisting the Involvement of the Public	260.2 c	Section 1 - Executive Summary, Section 4A - Providence Harbor Commission
5	Identification and Monitoring of Areas of Concern	260.2 d	Section 4F - Water Use Consistency with Land Use, Appendix 3 - Resource Inventory
Recreation			
6	Integration of Public Recreational Facilities Planning and Development Actions	260.3 a	Section 4C - Multi-use of Providence Waters, Appendix 3 - Resource Inventory
7	Development of A Bay Islands Park Gateway	260.3 b	not addressed
8	Construction of Public Boat Launching Facilities	260.3 b. 1	Section 4D - Public Access, Appendix 4, Public Access
9	Encouragement and Assistance to Marina Development	260.3 b. 2	Section 4D - Public Access
10	Resolving the Problem of Dredged Material Disposal	260.3 b. 3	Section 4G - Navigation, Appendix 5 - Navigation
11	Assistance in the Implementation of Complex Multiple Use Developments	260.4	Section 4F - Water Use Consistency with Land Use

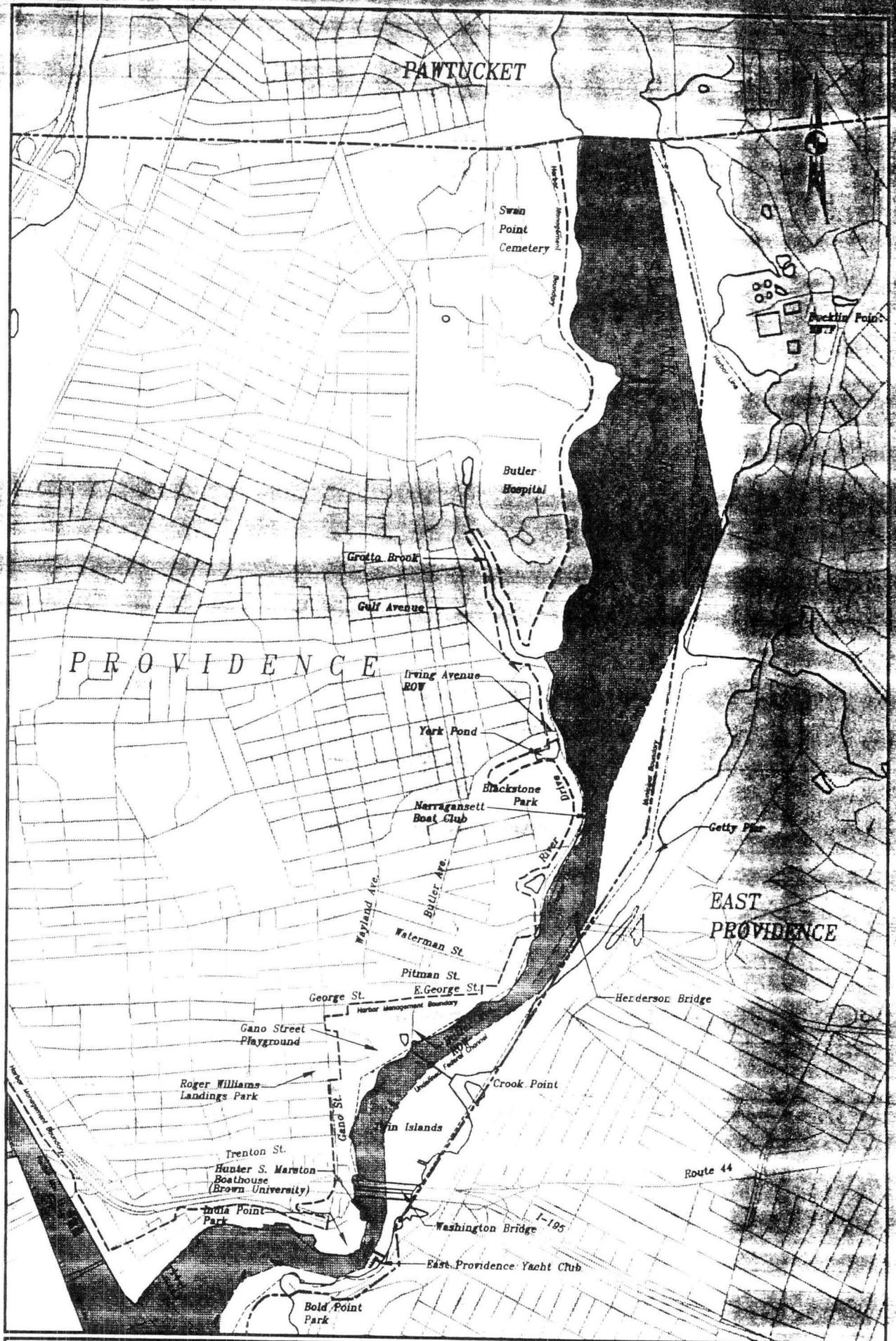
Harbor Policy Number	Title	SAM PLAN (1983) Section Reference	Providence HMP (1998) Section Reference
Port Industry			
12	Limitations to Shore Development at Southern Fields Point	320.5	Section 4C - Multi-use of Providence Waters, Appendix 6 - Port of Providence
13	Designation of Sites for Port Expansion	320.6	Section 4C - Multi-use of Providence Waters, Appendix 6 - Port of Providence
14	Improving the Management of Providence Harbor and Narragansett Bay for Maritime Commerce	330.2	Section 4C - Multi-use of Providence Waters, Appendix 6 - Port of Providence
Water Quality			
15	Adoption for a Water Quality Based Approach to Pollution Control	440.1	Section 4E - Water Quality, Appendix 3 - Resource Inventory
16	Designation of Uses in Providence Harbor and Narragansett Bay	440.2	Section 4F - Water Use Consistency with Land Use, Appendix 3 - Resource Inventory

SAM Plan Figure Updates

FIGURE NO.	DESCRIPTION	UPDATED INFORMATION
I	Providence Harbor	Composite of Providence HMP Areas
I-A	Map 1 of 3 Seekonk River Area Map 2 of 3 The Inner Harbor and the Rivers Area and the Outer Harbor Area Map 3 of 3 Providence River and Harbor Area	Four Providence HMP Areas, including portions of the Woonasquatucket and Moshassuck Rivers
II-1	General Shoreline Use Map 1 of 3 Seekonk River Area Map 2 of 3 The Inner Harbor and the Rivers Area and the Outer Harbor Area Map 3 of 3 Providence River and Harbor Area	Current Land Use

FIGURE NO.	DESCRIPTION	UPDATED INFORMATION
II-2A	Municipal Zoning Map 1 of 3 Seekonk River Area Map 2 of 3 The Inner Harbor and the Rivers Area and the Outer Harbor Area Map 3 of 3 Providence River and Harbor Area	Current Zoning, including the addition of Waterfront Districts.
II-2B	CRMC Map of Water Use Categories, Providence RI Quadrangle (Existing)	N/A
II-2C	CRMC Map of Water Use Categories, Providence RI Quadrangle (Proposed)	Proposed Water Use Category changes for the Woonasquatucket and Providence Rivers
II-3A	Map 1 of 2 A Compilation of Proposals and Plans for the Use of the Providence Harbor Shore Map 2 of 2	Current proposals and plans including the Blackstone River Bikeway, the Blackstone Ferry, "Riverview Place", Capital Center Projects, RIDOT Memorial Boulevard Contract 4 (new docks and dredging), RIDOT High Speed Commuter Ferry, RIDOT I-195 Relocation Project and Old Harbor Plan, RIDOT I-195 Relocation Project Contract 4 (Doubloon Landing), South Water Street Reconstruction and Riverwalk, RIDOT East Bay Bike Path Contract 6.
II-3B	Improvements to I-195 EIS, Hurricane Barrier Alignment - Existing and Proposed Design Elements	RIDOT proposed highway/bridge relocation project and proposal for land use changes.
II-4A	Map 1 of 2 Providence Harbor Areas of Concern Map 2 of 2	Deletion of Richmond Square area as vacant land, and as vacant or deteriorated property and structures. (Refer to Figure II-3A for location of proposed development, "Riverview Place"). Deletion of Fox Point area as vacant land.
II-4B	Parcel C-2 Map	Capital Center Project
II-4C	Parcel C-9 Map	Capital Center Project
II-5	Possible Locations for a First Class Boat Launch Ramp	Possible boat launch ramp location at the eastern end of Oxford Street.
III-1A	Boundaries of the Port District in Providence Harbor	Current industrial and utility companies within the Providence Harbor Area.
III-1B	Providence River and Harbor Area - Port Facilities	Current port terminal locations.





LOUIS BERGER & ASSOCIATES, INC.

CITY OF PROVIDENCE
DEPARTMENT OF PLANNING AND DEVELOPMENT

SEEKONK RIVER AREA

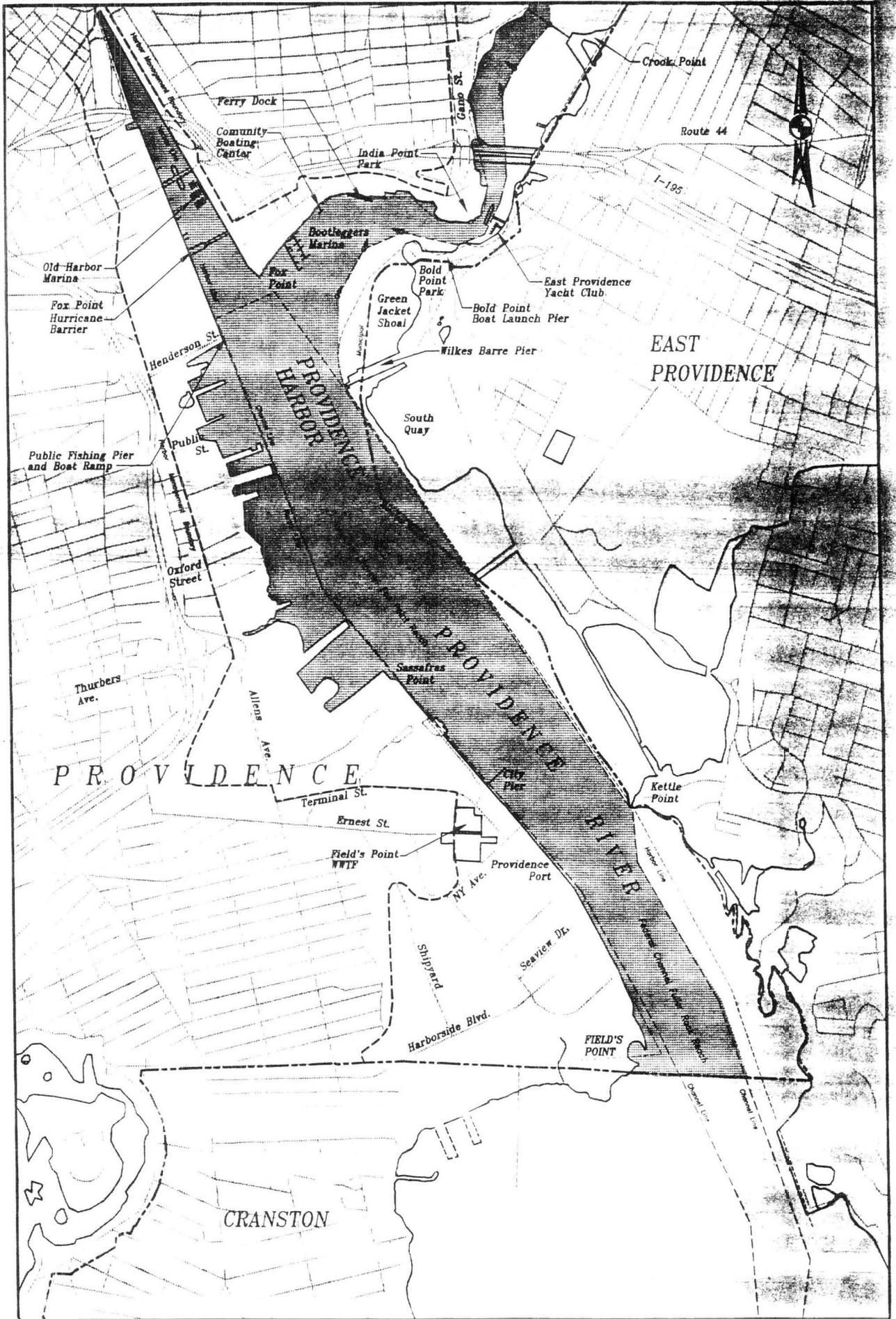
FIGURE I-A
MAP 1 OF 3

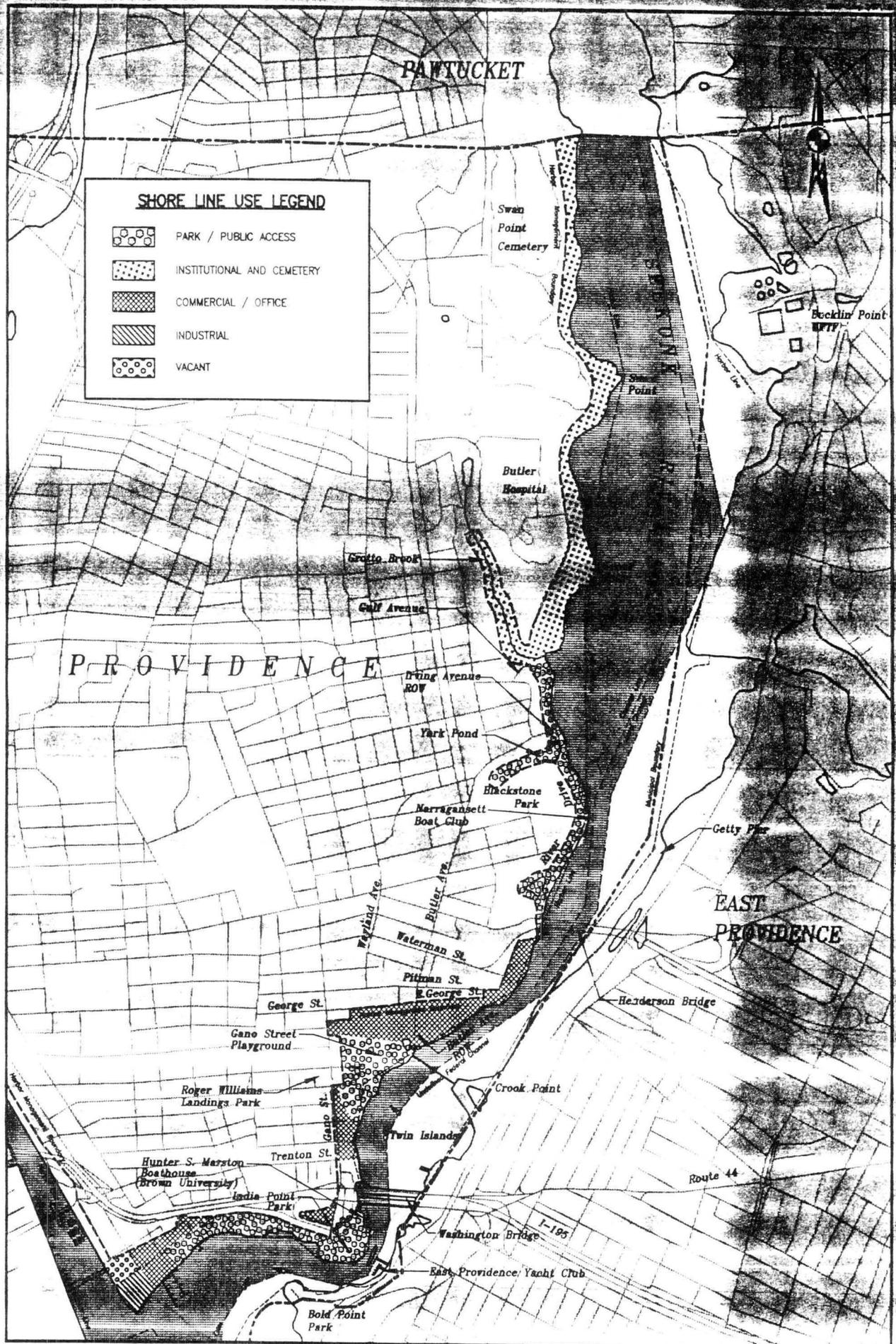
Source: Louis Berger & Associates, Inc.

Scale: 1" = 1200'

June 1997







SHORE LINE USE LEGEND

-  PARK / PUBLIC ACCESS
-  INSTITUTIONAL AND CEMETERY
-  COMMERCIAL / OFFICE
-  INDUSTRIAL
-  VACANT



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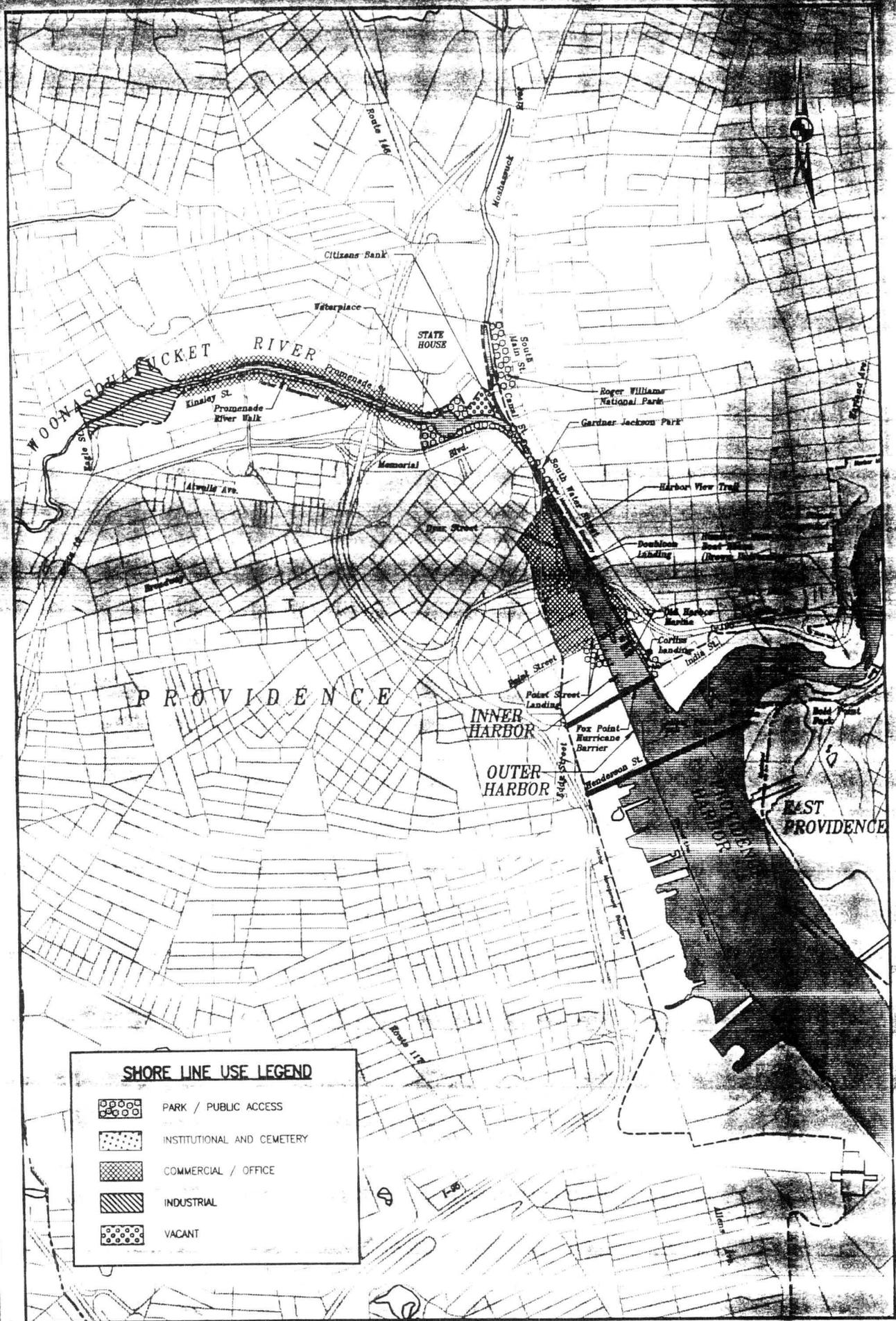
**SEEKONK RIVER AREA
GENERAL SHORELINE USE**

FIGURE II-1
MAP 1 OF 3

Source: Louis Berger & Associates, Inc.

Scale: 1" = 100'

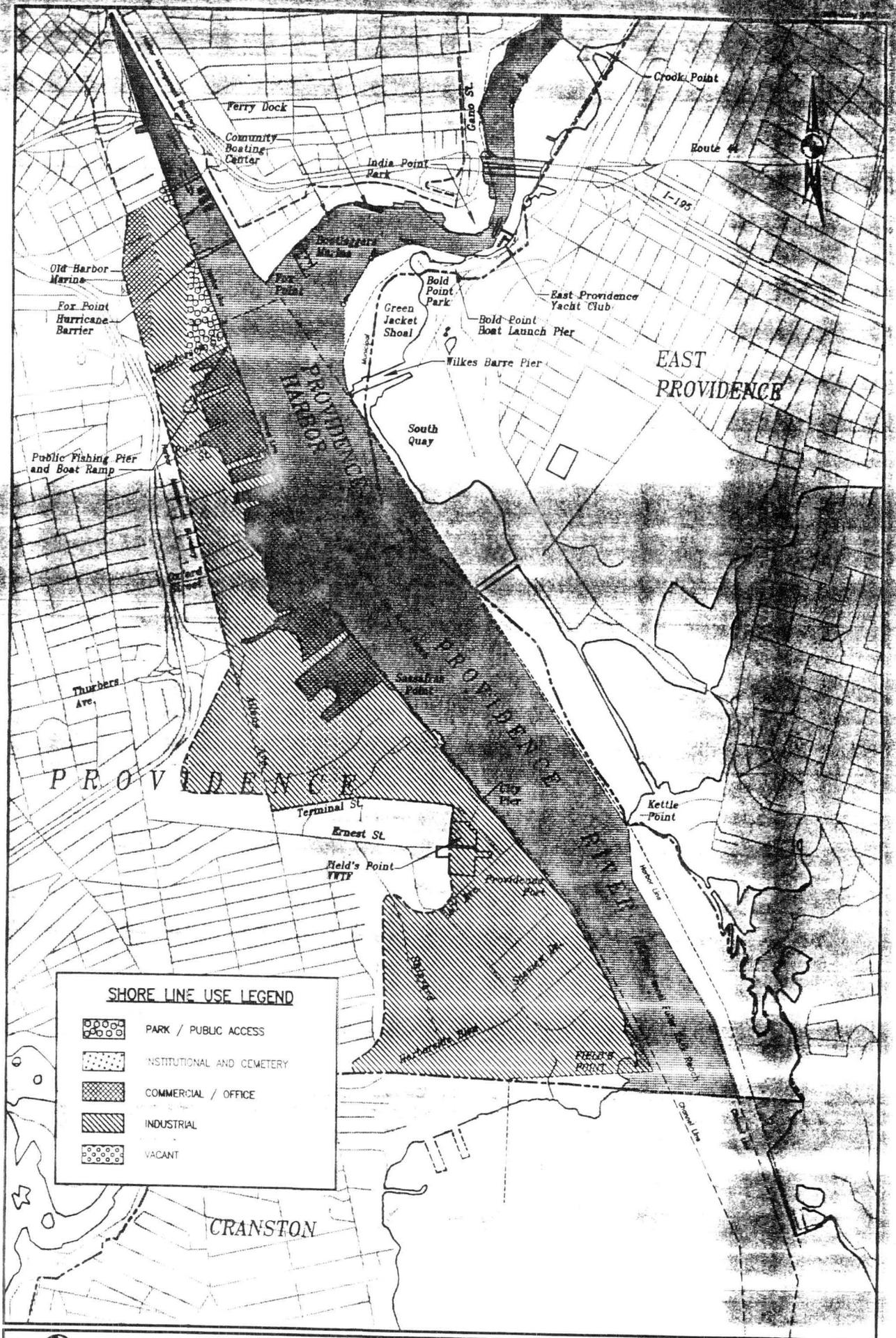
June 1997




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**THE INNER HARBOR AND THE RIVERS AREA
 AND THE OUTER HARBOR AREA
 GENERAL SHORELINE USE**
 Source: Louis Berger & Associates, Inc. Scale: 1" = 1000'

**FIGURE B-1
 MAP 2 OF 3**
 June 1997



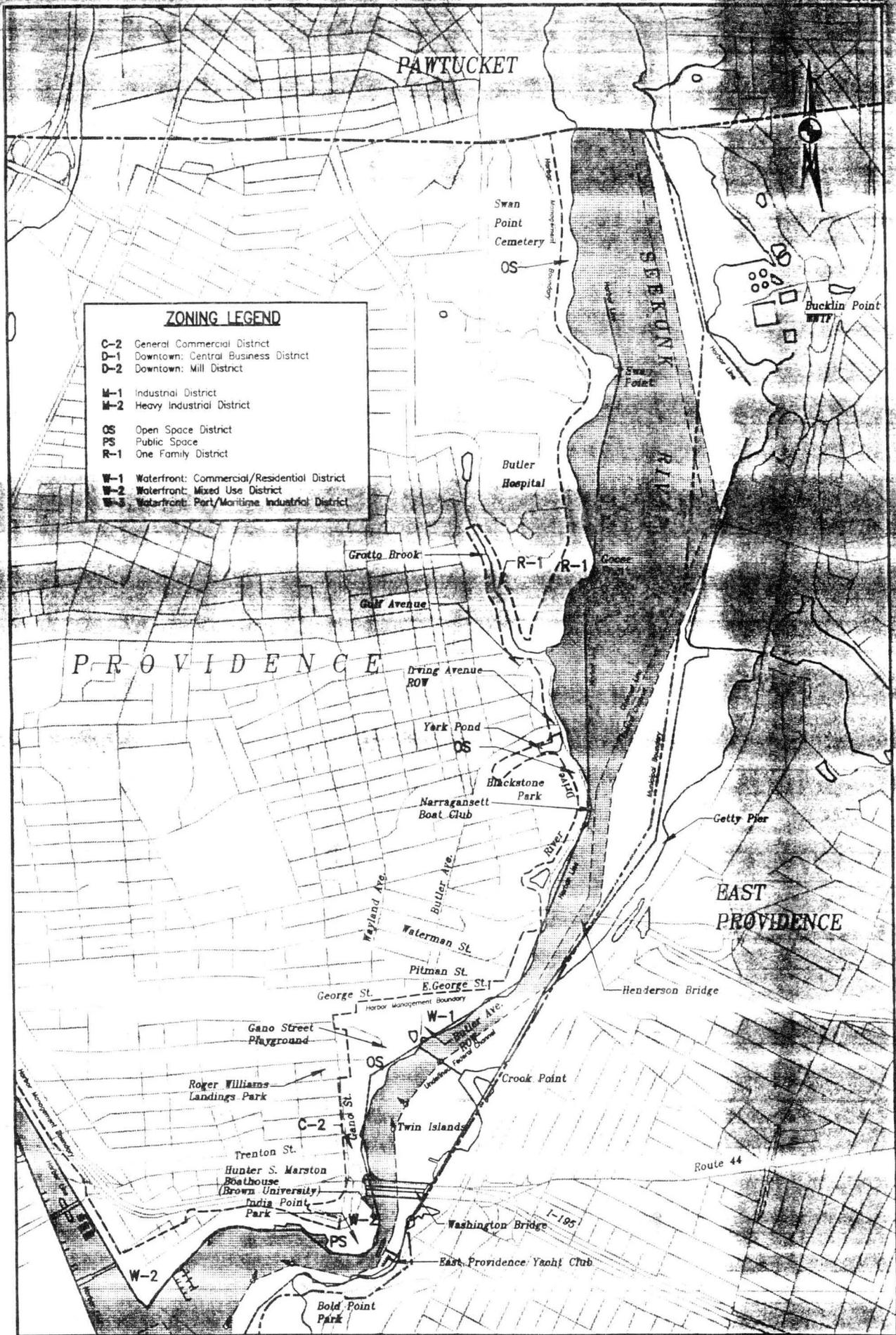
SHORE LINE USE LEGEND

	PARK / PUBLIC ACCESS
	INSTITUTIONAL AND CEMETERY
	COMMERCIAL / OFFICE
	INDUSTRIAL
	VACANT


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PROVIDENCE RIVER AND HARBOR AREA
GENERAL SHORELINE USE
 Source: Louis Berger & Associates, Inc. Scale: 1" = 1200'

FIGURE II-1
MAP 3 OF 3
 June 1997



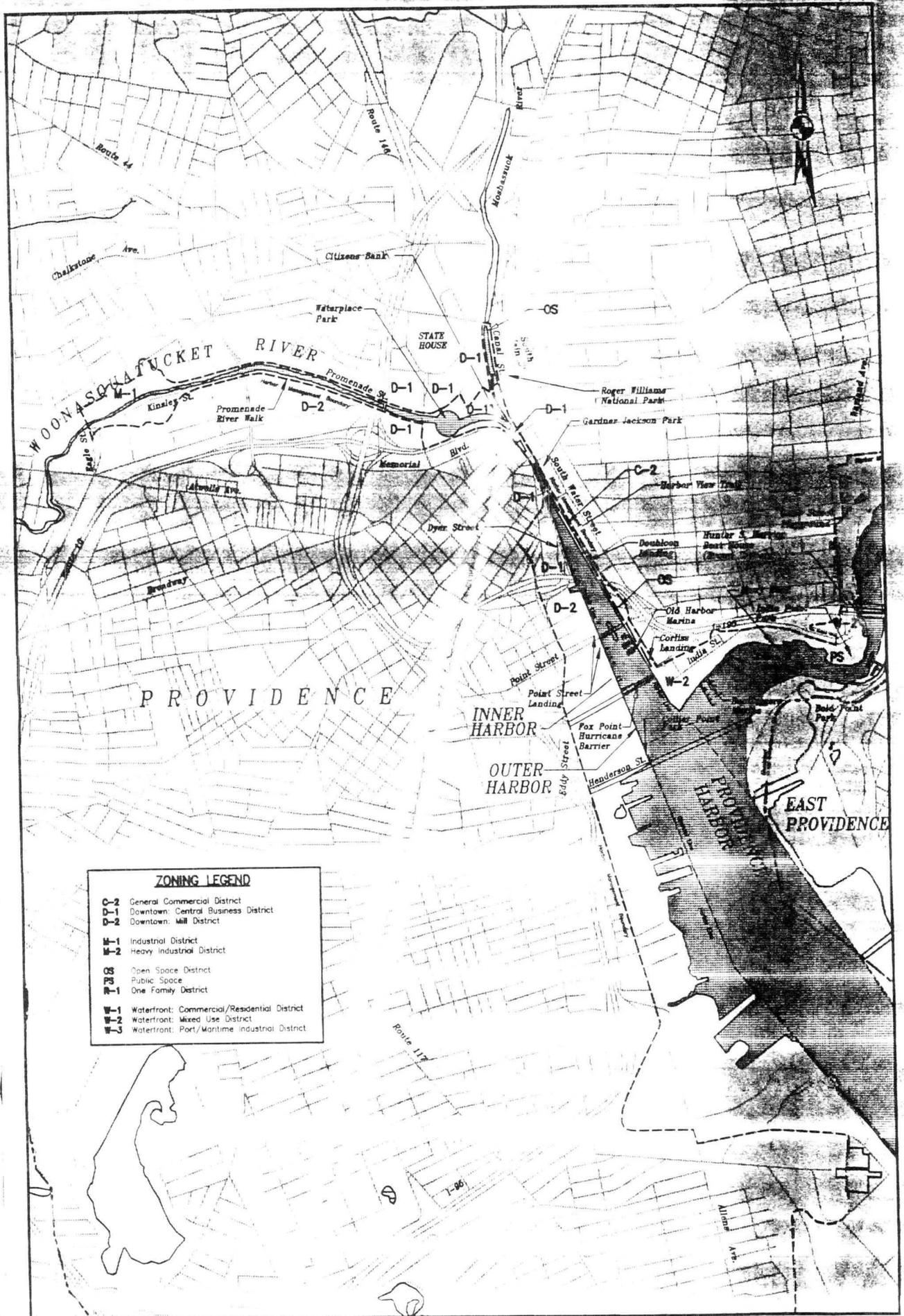
ZONING LEGEND

C-2	General Commercial District
D-1	Downtown: Central Business District
D-2	Downtown: Mill District
M-1	Industrial District
M-2	Heavy Industrial District
OS	Open Space District
PS	Public Space
R-1	One Family District
W-1	Waterfront: Commercial/Residential District
W-2	Waterfront: Mixed Use District
W-3	Waterfront: Port/Maritime Industrial District


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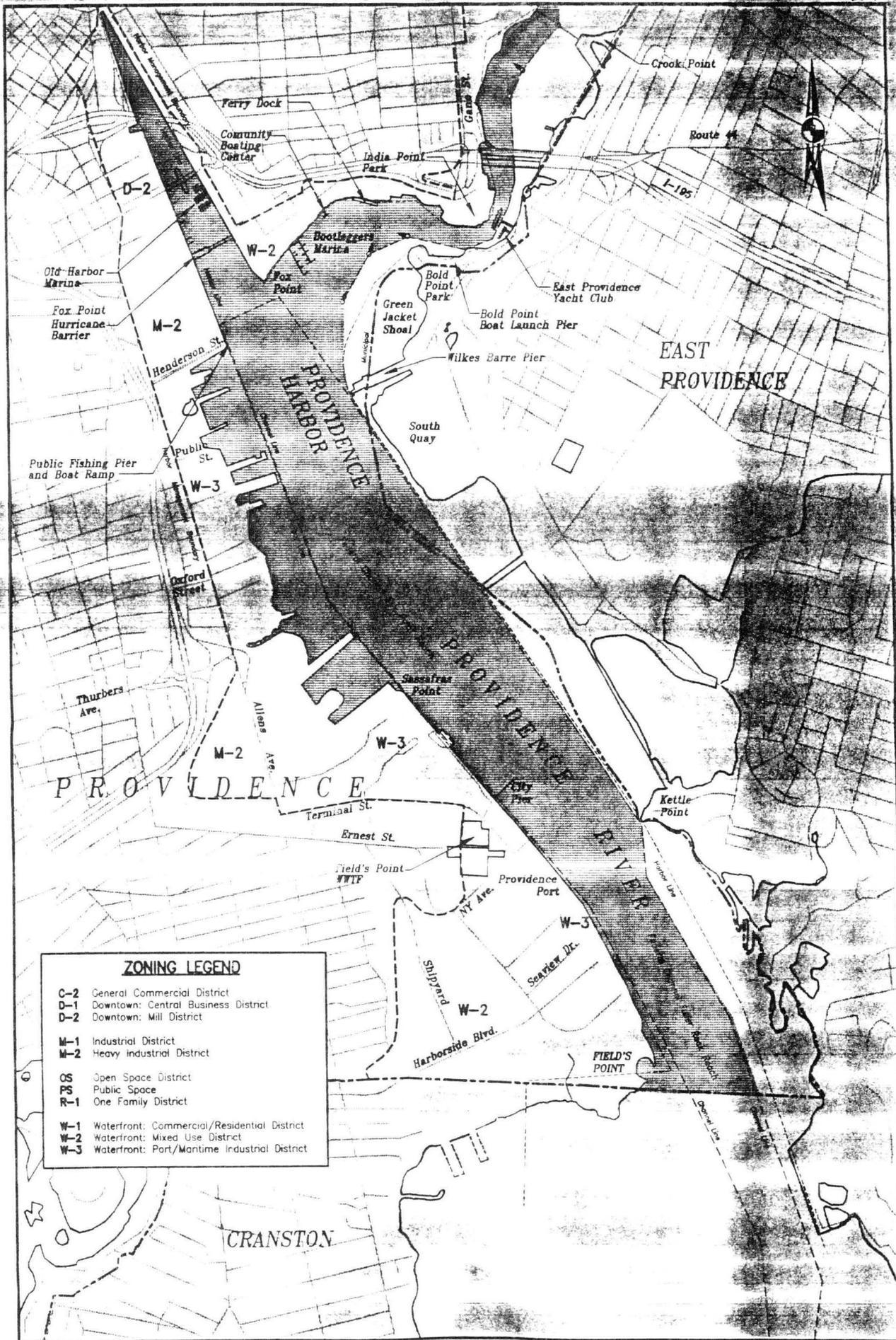
**SEEKONK RIVER AREA
 MUNICIPAL ZONING**
 Source: Louis Berger & Associates, Inc. Scale: 1" = 1200'

**FIGURE II-2A
 MAP 1 OF 3**
 June 1997



ZONING LEGEND

C-2	General Commercial District
D-1	Downtown: Central Business District
D-2	Downtown: Mill District
I-1	Industrial District
I-2	Heavy Industrial District
OS	Open Space District
PS	Public Space
R-1	One Family District
W-1	Waterfront: Commercial/Residential District
W-2	Waterfront: Mixed Use District
W-3	Waterfront: Port/Maritime Industrial District



ZONING LEGEND

- C-2 General Commercial District
- D-1 Downtown: Central Business District
- D-2 Downtown: Mill District
- M-1 Industrial District
- M-2 Heavy Industrial District
- OS Open Space District
- PS Public Space
- R-1 One Family District
- W-1 Waterfront: Commercial/Residential District
- W-2 Waterfront: Mixed Use District
- W-3 Waterfront: Port/Maritime Industrial District



LOUIS BERGER & ASSOCIATES, INC.

CITY OF PROVIDENCE

DEPARTMENT OF PLANNING AND DEVELOPMENT

PROVIDENCE RIVER AND HARBOR AREA MUNICIPAL ZONING

FIGURE 11-2A
MAP 3 OF 3

Source: Louis Berger & Associates, Inc.

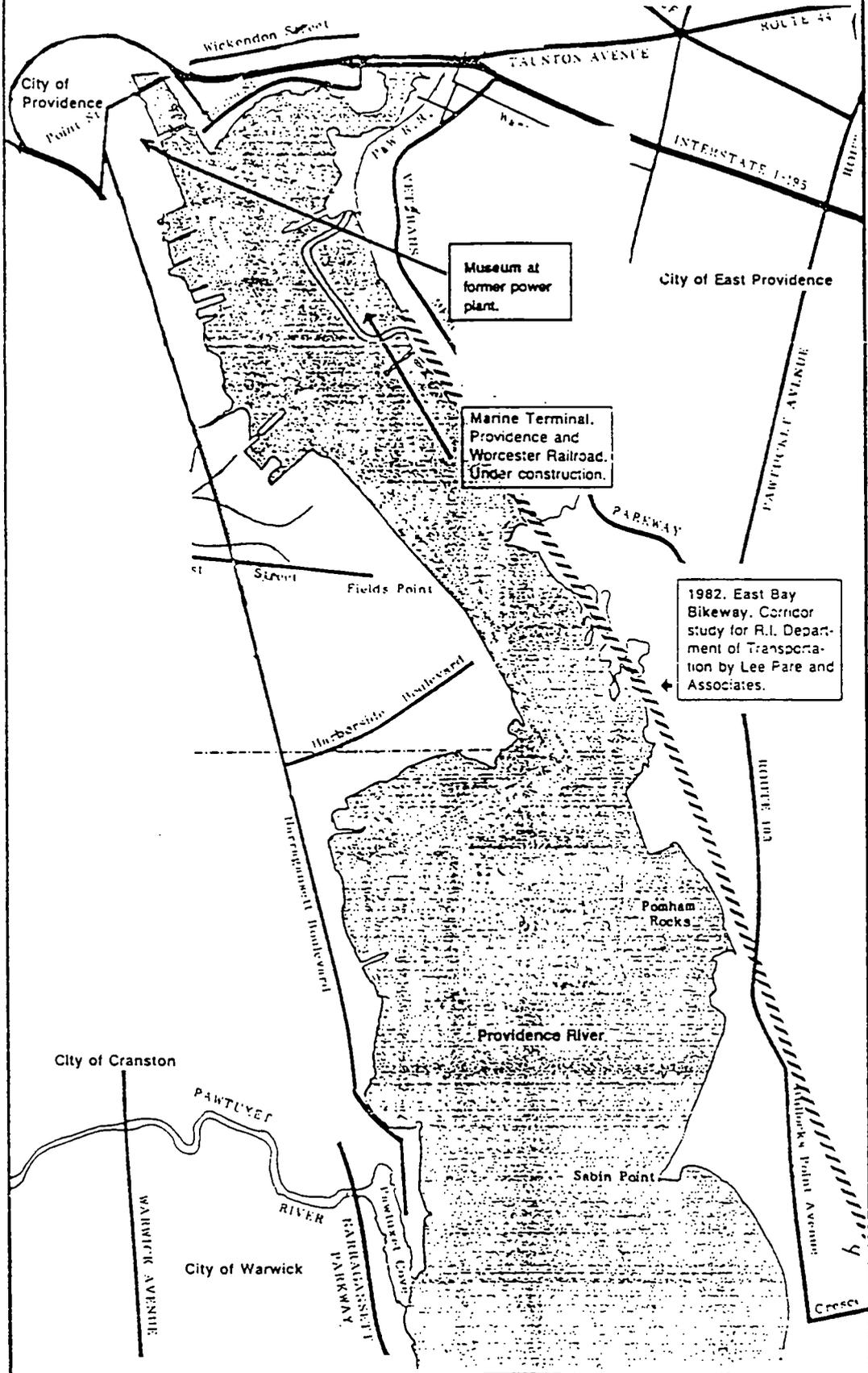
Scale: 1" = 1200'

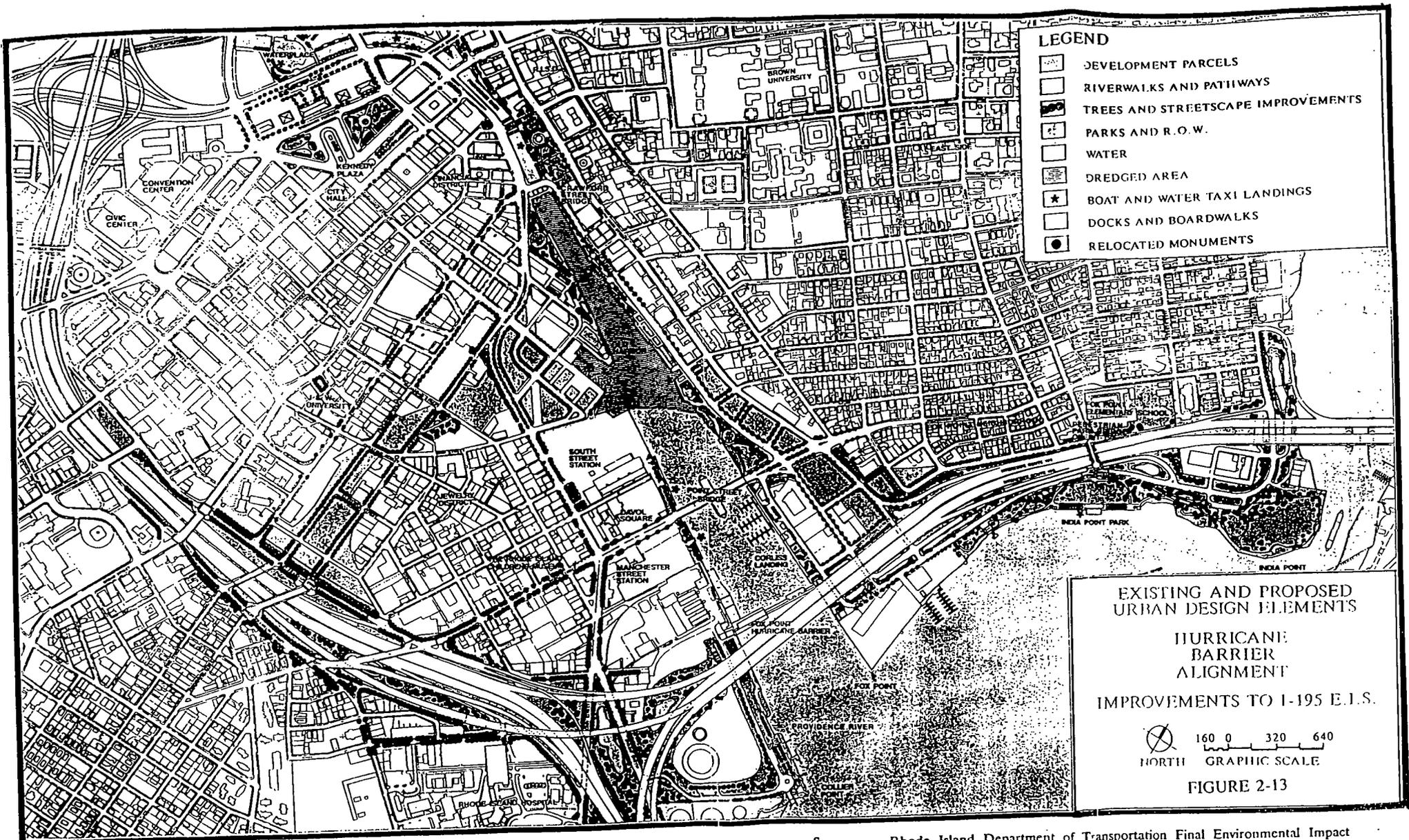
June 1997

Providence Quadrangle

- a The base of the falls at the city of Pawtucket.
- b A straight line running generally WNW from the Union Oil property boundary south of Bold Point in East Providence to the westerly boundary of India Point Park in Providence.
- c The western edge of the former railroad causeway.
- d The western edge of the former railroad causeway.
- e From the southern side of the Port Edgewood breakwater, thence easterly to the dolphin on the east side of dredged access channel to Fields Point, then southeast to the southern boundary of the Mobil Oil Company property in East Providence.
- f The base of the falls at the Pawtuxet River.
- g A straight line running northwesterly from the easterly side of the Pawtuxet Cove breakwater to the tip of Pawtuxet Neck.
- h The northern side of the rubble-mound connector running easterly from the northeast tip of Salter Grove to the Pawtuxet Cove breakwater.
- i Upstream side of the Fox Point Hurricane Barrier.
- j The western side of the Park Street bridge over the Woonasquatucket River.

LOWER HARBOR





Source: Rhode Island Department of Transportation Final Environmental Impact Statement & Final Section 4(f)/6(f) Evaluation, Improvements to I-195, Providence, Rhode Island, August 1996. FIGURE 11-39

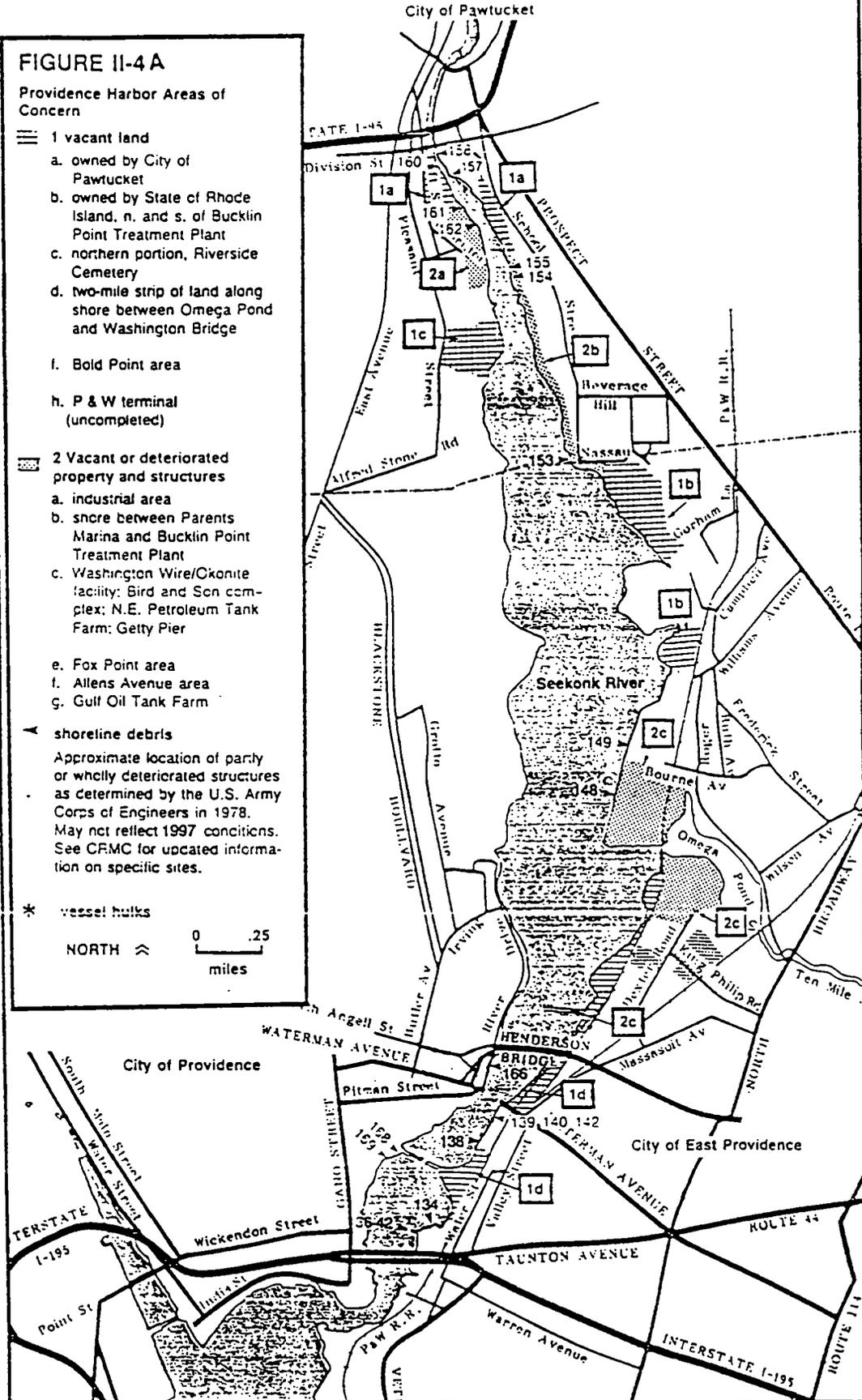
UPPER HARBOR

FIGURE II-4A

Providence Harbor Areas of Concern

- ▨ 1 vacant land
 - a. owned by City of Pawtucket
 - b. owned by State of Rhode Island, n. and s. of Bucklin Point Treatment Plant
 - c. northern portion, Riverside Cemetery
 - d. two-mile strip of land along shore between Omega Pond and Washington Bridge
 - ▨ 2 Vacant or deteriorated property and structures
 - a. industrial area
 - b. shore between Parents Marina and Bucklin Point Treatment Plant
 - c. Washington Wire/Ckonite facility; Bird and Son complex; N.E. Petroleum Tank Farm; Getty Pier
 - ▲ shoreline debris

Approximate location of partly or wholly deteriorated structures as determined by the U.S. Army Corps of Engineers in 1978. May not reflect 1997 conditions. See CFMC for updated information on specific sites.
 - * vessel hulks
- NORTH \gg 0 .25 miles



Refer to Figures II-3B, II-4B, and II-4C and the report, "Providence River And Harbor And The Seekonk River, Rhode Island, Debris Removal Feasibility Report Including Environment Assessment", US Department of the Army, August 1984.

LOWER HARBOR

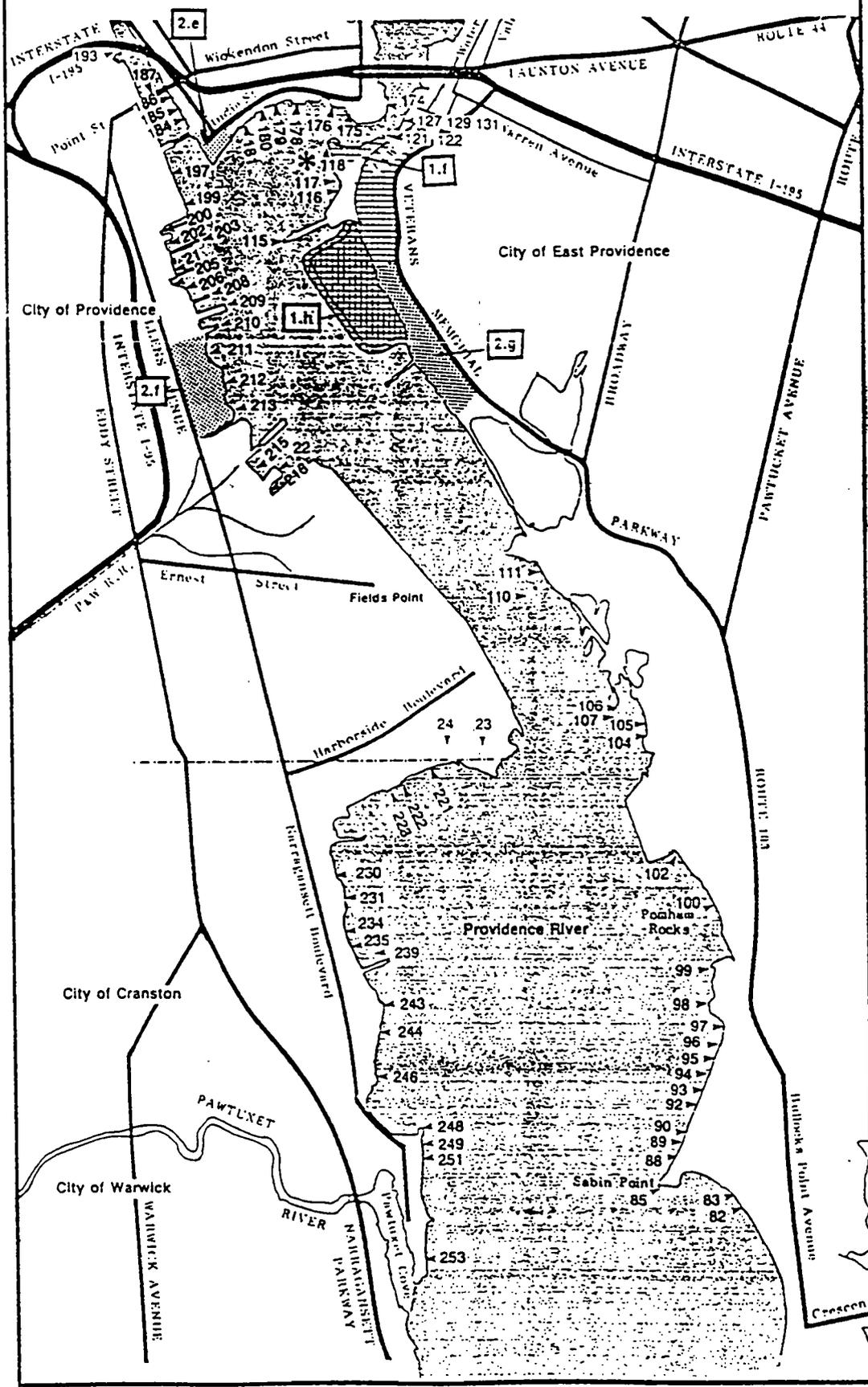
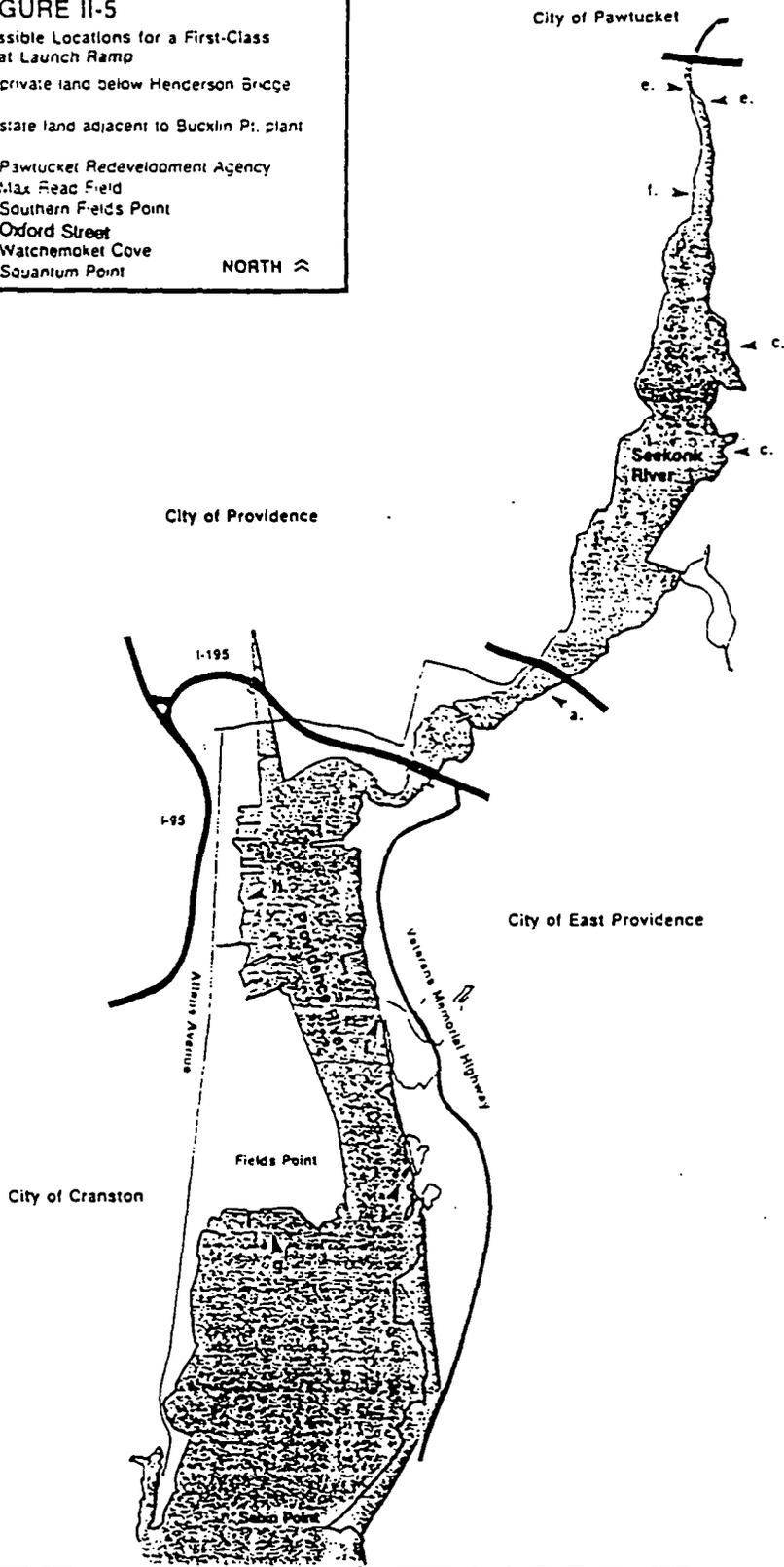


FIGURE II-5
Possible Locations for a First-Class Boat Launch Ramp

- a. private land below Henderson Bridge
- c. state land adjacent to Bucklin Pt. plant
- e. Pawtucket Redevelopment Agency
- f. Max Reed Field
- g. Southern Fields Point
- n. Oxford Street
- i. Watchemoket Cove
- j. Squantum Point

NORTH ↗



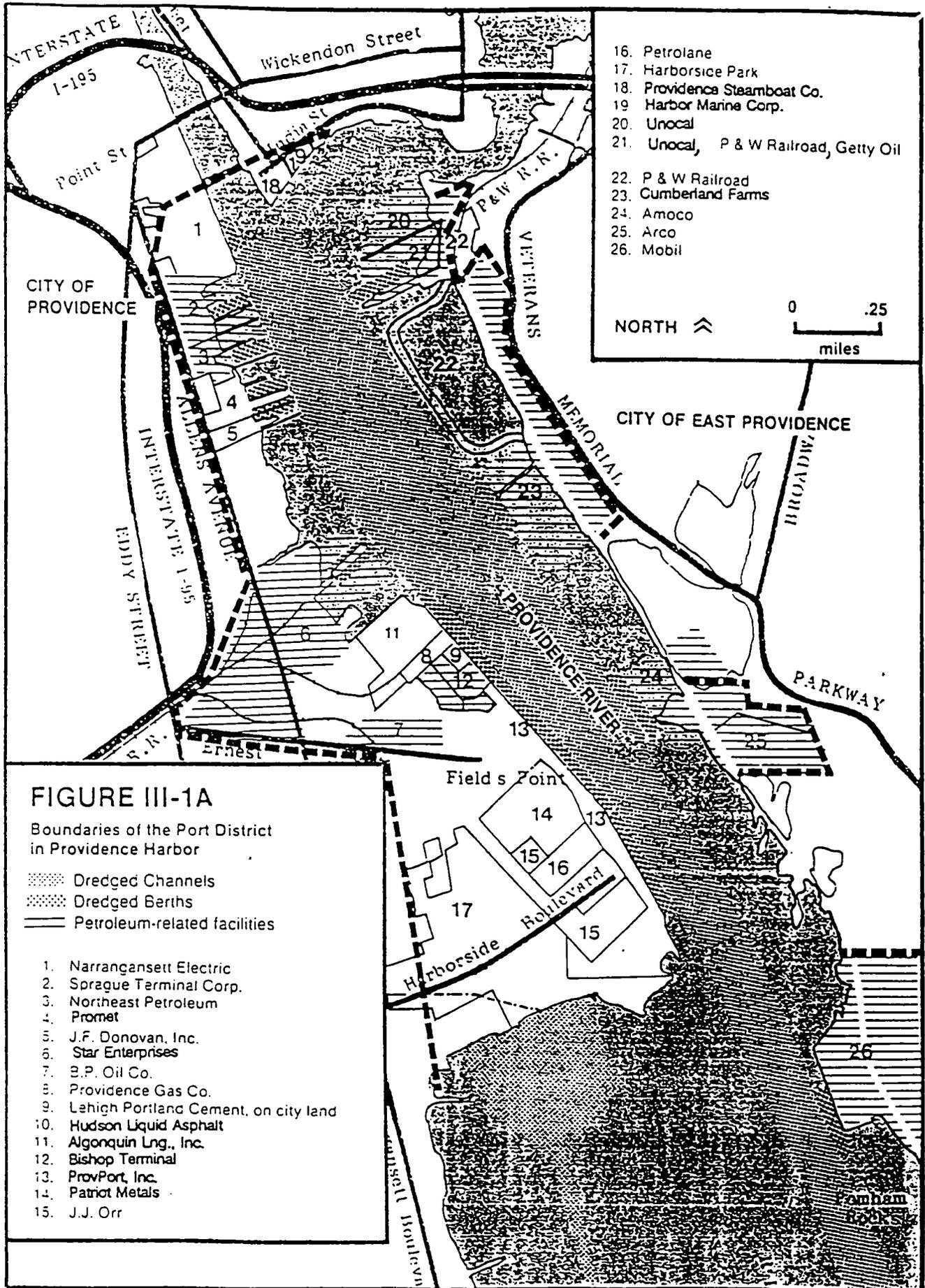


FIGURE III-1A

Boundaries of the Port District
in Providence Harbor

- ▨ Dredged Channels
- ▨ Dredged Berths
- ▬ Petroleum-related facilities

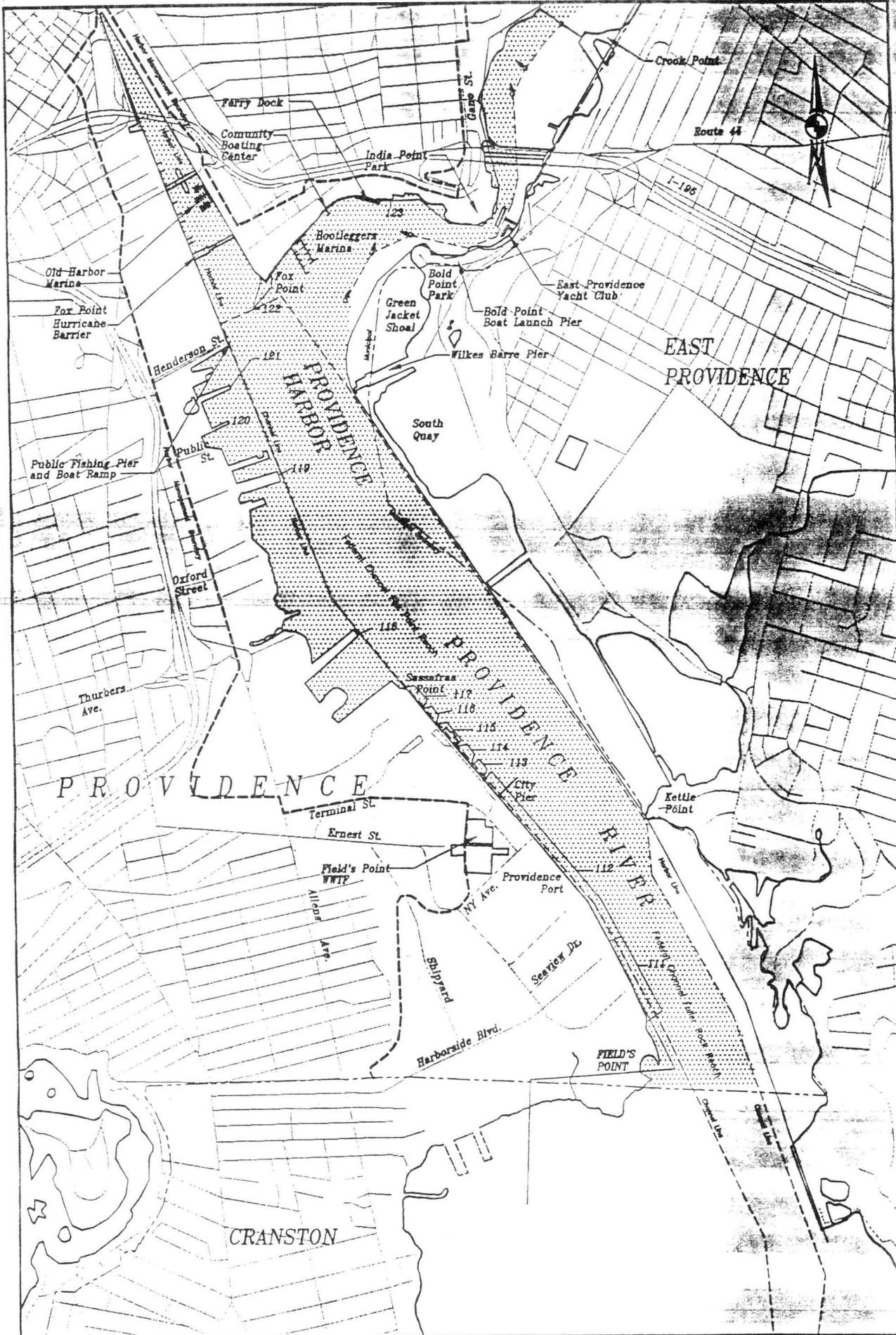
1. Narragansett Electric
2. Sprague Terminal Corp.
3. Northeast Petroleum
4. Promet
5. J.F. Donovan, Inc.
6. Star Enterprises
7. B.P. Oil Co.
8. Providence Gas Co.
9. Lehigh Portland Cement, on city land
10. Hudson Liquid Asphalt
11. Algonquin Lng., Inc.
12. Bishop Terminal
13. ProvPort, Inc.
14. Patriot Metals
15. J.J. Orr

16. Petrolane
17. Harborside Park
18. Providence Steamboat Co.
19. Harbor Marine Corp.
20. Unocal
21. Unocal, P & W Railroad, Getty Oil
22. P & W Railroad
23. Cumberland Farms
24. Amoco
25. Arco
26. Mobil

NORTH ↑

0 .25
miles

Famham
Roberts




LOUIS BERGER & ASSOCIATES, INC.
 CITY OF PROVIDENCE
 OFFICE OF PLANNING AND DEVELOPMENT

PROVIDENCE RIVER AND HARBOR AREA PORT FACILITIES
 Source: Louis Berger & Associates, Inc. Scale: 1" = 1200' June 1997

FIGURE III-1E

PIERS, WEARVES, AND DOCKS

CORPS OF ENGINEERS WATERWAY CODE	01379	71-22-54W	01379	71-23-09W
LATITUDE	41-47-26N		41-47-40N	
LONGITUDE				
REFERENCE NUMBER ON MAP NO. 4	111	Dock Code No.	112	Dock Code No. 880
NAME	Port of Providence, Berths 6 and 5.		Port of Providence, Berths 4, 3, 2, and 1.	
LOCATION ON WATERFRONT	Right bank, Providence River, approximately 1,500 feet above lower end of Fields Point. Municipal Wharf		Right bank, Providence River, approximately 0.6 mile above lower end of Fields Point. Municipal Wharf	
OWNED BY	ProvPort, Inc.			
OPERATED BY	ProvPort, Inc.		John J. Orr & Son, Texas Eastern Products Pipeline Co., George Mann Co., Inc., Patriot Metals Co., Providence Terminal Associates.	
PURPOSE FOR WHICH USED	Shipment of scrap metal; occasional receipt and shipment of general cargo.		Receipt and shipment of general cargo; receipt of lumber, paper products, petroleum products, liquefied petroleum gas, caustic soda, and liquid latex; shipment of scrap metal and waste paper.	
TYPE OF CONSTRUCTION	Masonry bulkhead with part concrete-, and part asphalt-surfaced, solid fill.		Masonry bulkhead with part concrete-, and part asphalt-surfaced, solid fill.	
DESCRIPTION		Face		Face
Dimensions (Feet)	1,283		1,740-450	
Depth Alongside at MLW Do.	35-40		35-40	
Breasting Distance Do.	1,283		1,740-450	
Total Berthing Space Do.	1,283		1,740-450	
Width of Apron Do.	85		70 & 80	
Height of Deck at MLW Do.	10.5		10.5	
Load Capacity (Lbs. per Sq. Ft.)	Unlimited.		Unlimited.	
Lighted or Unlighted	Lighted.		Lighted.	
TRANSIT SHEDS	None.		No. 1: steel frame, brick walls, asphalt floor; and No. 2: concrete walls, floor and roof.	
Number and Description			No. 1	No. 2
Length and Width (Feet)			100x132 & 240x100	600x200
Height Inside Do.			20 and 30	25
Floor Area for Cargo (Sq. Ft.)			50,000, net.	100,000, net.
Load Capacity (Lbs. per Sq. Ft.)			Unlimited.	Unlimited.
Cargo Doors			Shipside: eight, 12 by 15. Rear: one, 18 by 20. North end: three, 12 by 15. South end: one, 12 by 15.	Shipside: four, 18 by 20; Rear: 10 by 10. Others: 14 truck stations and 7 rail stations.
Mechanical Handling Facilities	One 45-ton, diesel-electric, traveling, straight-line crane with hinged-cantilevered boom having 100-foot outboard reach; and 100-foot back reach equipped with crane peel bucket for handling scrap metal, and one identical crane used for performing a variety of heavy lifts.		Patriot Metals Co.: One 200- and one 150-ton, diesel, crawler cranes, each with 120-foot boom; John J. Orr & Son, Inc.: One 130-ton, diesel, crawler crane with 100-foot boom. Additional equipment is available on a rental basis as required.	
Railway Connections	None.		Two surface tracks on apron, and one platform-level track at rear of each transit shed; joins additional trackage serving terminal in rear; connect with Providence & Worcester Railroad.	
Highway Connections	Via Harborside Boulevard, asphalt, 40 feet wide, from Narragansett Boulevard, asphalt, 60 feet wide.		Via New York Avenue or Terminal Road, each asphalt, 50-60 feet wide.	
Water Supply (For Vessels)	Through 2 1/2-inch connections.		Through 2 1/2-inch connections.	
Electric Current (For Vessels)	A.C., 110/220 volts.		A.C., 110/220 volts.	
Fire Protection (Other Than City)	Hydrants, hose, hand extinguishers, and security patrol.		Hydrants, hose, hand extinguishers, and security patrol.	
Remarks	Approximately 9 acres of open storage area for scrap metal are located at rear of Berth 6.		Providence Terminal Associates: Three 10-inch pipelines extend from wharf to 13 steel storage tanks, total capacity 440,000 barrels. George Mann & Co., Inc.: One 8-inch, caustic soda pipeline extends from wharf to 3 steel storage tanks at rear, total capacity 1,600,000 gallons. One 6-inch pipeline extends to 5 latex storage tanks, total capacity 1,200,000 gallons, in addition to one 6- and one 4-inch pipelines also being available. Texas Eastern Products Pipeline Co.: Two 10-inch, LP-gas pipelines extend from wharf to one 400,000-barrel, storage tank at rear. Approximately 12 acres of asphalt-surfaced, open storage area are available on wharf and in rear.	

PIERS, WEARVES, AND DOCKS

CORPS OF ENGINEERS WATERWAY CODE LATITUDE	01379 71-23-18W	01379 71-23-22W	01379 71-23-26W
REFERENCES NUMBER ON MAP NO. 4	113 Dock Code No. 874	114 Dock Code No. 873	115 Dock Code No. 871
NAME	Sun Co., Providence Terminal Dock.	Hudson Terminal Corp., Providence Wharf.	Lehigh Portland Cement Co., Providence Terminal Wharf.
LOCATION ON WATERFRONT	Right bank, Providence River, approximately 0.8 mile above lower end of Fields Point. 15 Terminal Road	Right bank, Providence River, approximately 0.9 mile above lower end of Fields Point. 19 Terminal Road	Right bank, Providence River, approximately one mile above lower end of Fields Point. 25 Terminal Road
OWNED BY	ProvPort, Inc.	Hudson Terminal Corp.	ProvPort, Inc.
OPERATED BY	Sun Co., Inc. (R & M)	Hudson Terminal Corp.	Lehigh Portland Cement Co.
PURPOSE FOR WHICH USED	Receipt of petroleum products by barge.	Receipt of asphalt by vessel and barge.	Receipt of bulk cement by self-unloading vessel.
TYPE OF CONSTRUCTION	Masonry bulkhead with asphalt-surfaced, solid fill.	Masonry bulkhead with solid fill.	Masonry bulkhead with solid fill; fronted by timber fender system.
DESCRIPTION	Face	Face	Face
Dimensions (Feet)	600	384	350
Depth Alongside at M.W. Do.	28	30	28
Breasting Distance Do.	600	384	350
Total Berthing Space Do.	600	384	350
Width of Apron Do.	Open.	Open.	30
Height of Deck at M.W. Do.	10.5	10.5	10.5
Load Capacity (Lbs. per Sq. Ft.)	Unlimited.	Unlimited.	Unlimited.
Lighted or Unlighted	Lighted.	Lighted.	Lighted.
MECHANICAL HANDLING FACILITIES	None.	One steel, hosehandling tower with electrically-operated, traveling hoist for handling 3 hoses.	One electric, mast-and-boom derrick for handling hose.
RAILWAY CONNECTIONS	Plant trackage in rear connects with Providence & Worcester Railroad.	None.	None.
HIGHWAY CONNECTIONS	Via road, asphalt, 65 feet wide, from Terminal Road, asphalt, 50 feet wide.	Via road, asphalt, 65 feet wide, from Terminal Road, asphalt, 50 feet wide.	Via road, asphalt, 65 feet wide, from Terminal Road, asphalt, 50 feet wide.
WATER SUPPLY (For Vessels)	Through one 2-inch line.	Through 2 1/2-inch connection.	Through two 2-inch lines.
ELECTRIC CURRENT (For Vessels)	A.C., 110/550 volts.	None.	A.C., 220/440 volts.
FIRE PROTECTION (Other Than City)	Foam system at tanks, hydrants, hose, and hand extinguishers.	Hydrant, hose, and hand extinguishers.	Hydrant in rear, hose, and hand extinguishers.
REMARKS	Three 8-, two 6-, and two 4-inch pipelines extend from wharf to 6 steel storage tanks in rear, total capacity 132,000 barrels. Rail car and truck-loading racks are located in rear. Face of wharf is contiguous with Ref. Nos. 112 and 114.	Two 8-inch pipelines extend from wharf to 5 steel, asphalt storage tanks at rear, total capacity 245,500 barrels. Oil-spill absorption material, truck scale, and office are located in rear of wharf. Face of wharf is contiguous with Ref. Nos. 113 and 115.	One 10-inch pipeline extends from wharf to 4 concrete, cement storage silos, total capacity 5,400 tons. Vessels are equipped with pneumatic system for unloading cement. Face of wharf is contiguous with Ref. Nos. 114 and 116.

PIERS, WHARVES, AND DOCKS

CORPS OF ENGINEERS WATERWAY CODE	41-47-56N	01379	71-23-28W	41-47-59N	01379	71-23-31W	41-48-07N	01379	71-23-43W
LATITUDE	LONGITUDE								
REFERENCE NUMBER OR MAP NO.	4	116	Dock Code No. 870	117	Dock Code No. 869	118	Dock Code No. 700		
NAME	Independent Cement Corp., Providence Terminal Wharf.			Algonquin LNG Wharf.			Star Enterprise, Harbor Junction Pier.		
LOCATION ON WATERFRONT	Right bank, Providence River, approximately 1.1 mile above lower end of Fields Point. 139 Terminal Road			Right bank, Providence River, approximately 1.2 mile above lower end of Fields Point. 121 Terminal Road			Right bank, Providence River, approximately 0.9 mile below Fox Point. 520 Allens Avenue		
OWNED BY	Independent Cement Corp.			Providence Gas Co.			Star Enterprise.		
OPERATED BY	Independent Cement Corp.			Algonquin LNG, Inc.			Star Enterprise.		
PURPOSE FOR WHICH USED	Receipt of bulk cement by self-unloading vessel.			Receipt of liquefied natural gas. (See Remarks.)			Receipt and shipment of petroleum products; fueling vessels.		
TYPE OF CONSTRUCTION	Masonry stone bulkhead with solid fill; fronted by timber fender system and floating, composite rubber bumpers.			Steel sheet pile bulkhead with part concrete-surfaced, solid fill.			Timber pile, steel-decked, offshore pier having undecked center portion with 440- by 13-foot, timber pile, concrete-decked approach; lower side fronted by 3 timber pile, concrete-decked, breasting platforms.		
DESCRIPTION	Face			Face			Face Lower side Upper side		
Dimensions (Feet)	210			450			80 600 720		
Depth Alongside at MLW Do.	26			25			30 28 25		
Breasting Distance Do.	210			450			- 600 720		
Total Berthing Space Do.	210			450			- 600 720		
Width of Apron Do.	Open.			Open.			Open.		
Height of Deck at MLW Do.	12			12			9		
Load Capacity (Lbs. per Sq. Ft.)	Unlimited.			-			-		
Lighted or Unlighted	Lighted.			Lighted.			Lighted.		
MECHANICAL HANDLING FACILITIES	One electric winch on elevated platform for handling hose.			None.			One steel, hose-handling tower on lower side with 8 electric, traveling hoists on four 15-foot booms.		
RAILWAY CONNECTIONS	None.			None.			None.		
HIGHWAY CONNECTIONS	Via driveway, concrete, 15 feet wide, from Terminal Road, asphalt, 50 feet wide.			Via driveway, concrete, 30 feet wide, from Terminal Road, asphalt, 30 feet wide, and Allens Avenue.			Via driveway, asphalt, 20 feet wide from Allens Avenue, asphalt, 60 feet wide.		
WATER SUPPLY (For Vessels)	Through 3/4-inch line.			Through 2 1/2-inch line.			Through 6-inch line.		
ELECTRIC CURRENT (For Vessels)	A.C., 110 volts.			A.C., 220 volts.			None.		
FIRE PROTECTION (Other Than City)	Hand extinguishers.			One 12-inch, water line and hydrants.			Hydrants, hose, foam connections to water line, and hand extinguishers.		
REMARKS	Two 12-inch pipelines extend from wharf to one steel storage dome and 6 concrete silos at rear, total capacity 23,500 tons. Vessels are equipped with pneumatic system for unloading cement. Face of wharf is contiguous with Ref. Nos. 115 and 117.			At time of survey (1992), wharf had not been used for receiving product for 15 years, however was being maintained in operational status. One 12-inch pipeline extends from wharf to one 600,000-barrel capacity, steel storage tank in rear. Face of wharf is contiguous with Ref. No. 116.			Two 16-, two 12-, one 10-, three 8- and two 6-inch pipelines extend from lower side of pier to 28 steel storage tanks at terminal in rear, total capacity 1,500,000 barrels.		

PIERS, WHARVES, AND DOCKS

COAST OF ENGINEERS WATERWAY CODE LATITUDE LONGITUDE	01379 41-48-24N 71-23-58W	01379 41-48-35N 71-24-01W	01379 41-48-37N 71-24-07W					
REFERENCE NUMBER ON MAP NO. 4	119 Dock Code No. 620	120 Dock Code No. 610	121 Dock Code No. 600					
NAME	Promet Marine Services Pier.	Northeast Petroleum Corp., Providence Terminal Pier.	Sprague Energy Corp., Providence Terminal Pier.					
LOCATION ON WATERFRONT	Right bank, Providence River, approximately 0.5 mile below Fox Point. 242 Allens Avenue	Right bank, Providence River, approximately 0.3 mile below Fox Point. 170 Allens Avenue	Right bank, Providence River, approximately 1,000 feet below Fox Point. 144 Allens Avenue					
OWNED BY	Promet Marine Services Corp.	Northeast Petroleum, Division of Carrill, Inc.	Sprague Energy Corp.					
OPERATED BY	Promet Marine Services Corp.	Northeast Petroleum, Division of Carrill, Inc.	Sprague Energy Corp.					
PURPOSE FOR WHICH USED	Receipt and shipment of miscellaneous dry bulk commodities, including scrap metal and salt; repairing vessels for repair, outfitting, and conversion.	Receipt of petroleum products by vessel and barge.	Receipt and shipment of petroleum products; bunkering vessels. Receipt of salt and gypsum rock by self-unloading vessel.					
TYPE OF CONSTRUCTION	Timber pile, asphalt-surfaced, concrete-decked pier; fronted by timber pile fenders.	Timber pile, concrete-decked, offshore platform, with 270-foot, timber pipeline trestle and catwalk approach from shore; a 119-foot catwalk extends channelward from the platform to a warping dolphin at the outer end; lower side of pier is fronted by a row of timber pile breasting dolphins and 2 timber mooring dolphins, located north of pier, and connected by timber catwalks.	Timber pile, concrete-decked pier, with a 26- by 32-foot, timber pile, concrete-decked platform located 70 feet from outer end connected by catwalk.					
DESCRIPTION								
	Face	Lower side	Upper side	Face	Sides	Face	Lower side	Upper side
Dimensions (Feet)	120	596	596	20	40, each.	37	500	500
Depth Alongside at MLW Do.	31-37	22	37	18	-	40	12-14	37
Breasting Distance Do.	120	596	596	600 w/dolphins.	-	-	-	520 w/platform.
Total Berthing Space Do.	120	596	596	600	-	-	520	-
Width of Apron Do.	Open.	5 and 10	50	40		Open.		
Height of Deck at MLW Do.	12			11		12		
Load Capacity (Lbs. per sq. Ft.)	600			200		400		
Lighted or Unlighted	Lighted.			Lighted.		Lighted.		
MECHANICAL HANDLING FACILITIES	One 150- and one 100-ton, diesel, crawler cranes, with 110- and 100-foot booms, respectively; one 30-ton, diesel, mobile hoist; one 10-cubic yard, diesel, front-end loader; 3 portable truck-loading hoppers; and one 160-ton, diesel-hydraulic, mobile, vertical boat lift.			None.		Two portable receiving hoppers on pier are served by a 54-inch, electric, belt conveyor extending to portable stacker at open storage area on shore in rear; rate 1,000 tons per hour.		
RAILWAY CONNECTIONS	None.			None.		None.		
HIGHWAY CONNECTIONS	Via driveway, asphalt, 15 feet wide, from Allens Avenue, asphalt, 60 feet wide.			Via driveway, asphalt, 15 feet wide, from Allens Avenue, asphalt, 60 feet wide.		Via driveway, asphalt, 20 feet wide, from Allens Avenue, asphalt, 60 feet wide.		
WATER SUPPLY (For Vessels)	Through 8-inch line.			Through 2 1/2-inch line on shore.		Through 2 1/2-inch line.		
ELECTRIC CURRENT (For Vessels)	A.C., 110/220/480 volts at 800 amperes.			None.		None.		
FIRE PROTECTION (Other Than City)	Water line, hydrants, hose, and hand extinguishers.			Water line, hydrant, hose, hand extinguishers, and foam system at tanks.		Foam system at tanks and hand extinguishers.		
REMARKS	Steel-frame building on pier is used for repair shops, storage, and office. Open storage area in rear has capacity for approximately 200,000 tons of material. Mobile boat lift uses 2 parallel, 30- by 5-foot piers with 33-foot clearance extending from steel sheet pile bulkhead on upper side of pier.			One 10-, one 8-, and one 6-inch pipelines extend from pier to 8 steel storage tanks at terminal in rear, total capacity 178,000 barrels.		Open storage area in rear has maximum capacity for 200,000 tons of material or a normal working capacity of 80,000 tons. One 18-, and one 12-inch pipelines extend from pier to 4 steel storage tanks at rear, total capacity 486,000 barrels; same pipelines are used for bunkering vessels. In addition, one 12-inch pipeline extends from the former Narragansett Electric Co. wharf on adjacent property to 6 steel storage tanks at terminal, total capacity 321,000 barrels. Tankage is served primarily by pipeline.		

PIERS, WHARVES, AND DOCKS

CORPS OF ENGINEERS WATERWAY CODE LATITUDE	01179 LONGITUDE	41-48-52N 71-23-58W	01179 LONGITUDE	41-49-02N 71-23-38W
REFERENCE NUMBER OR MAP NO. 4	122	Dock Code No. 300	123	Dock Code No. 450
NAME	Providence Steamboat Co. Wharf.		Block Island Ferry Landing.	
LOCATION ON WATERFRONT	South and West sides of Fox Point at confluence of Seekonk and Providence Rivers. 1 India Street		Right bank of Seekonk River, approximately 2,000 feet east of Fox Point. India Point Park	
OWNED BY	Providence Steamboat Co.		ProvPort, Inc.	
OPERATED BY	Providence Steamboat Co. and Seaboats, Inc.		Interstate Navigation Co.	
PURPOSE FOR WHICH USED	Mooring company-owned vessels and barges.		Terminal for passenger ferry to Newport and Block Island, Rhode Island.	
TYPE OF CONSTRUCTION	Timber pile, concrete-surfaced, timber-decked wharf; partly fronting steel sheet pile bulkhead with part concrete-surfaced solid fill on west side; both sides partly fronted by timber fender system.		Timber pile, timber-decked, offshore wharf with 45- by 12-foot approach; one timber breasting dolphin in line with face on each side.	
DESCRIPTION	West face	East face	Face	
Dimensions (Feet)	408	382	50	
Depth Alongside at MLW Do.	29	15	16	
Breasting Distance Do.	408	382	70 w/dolphin.	
Total Berthing Space Do.	600	430	100	
Width of Apron Do.	Open and 7.		25	
Height of Deck at MLW Do.	10		8	
Load Capacity (Lbs. per Sq. Ft.)	-		-	
Lighted or Unlighted	Lighted.		Unlighted.	
MECHANICAL HANDLING FACILITIES	None.		None.	
RAILWAY CONNECTIONS	None.		None.	
HIGHWAY CONNECTIONS	Via driveway, asphalt, 12 feet wide, from India Street, concrete block, 30 feet wide.		Via India Street, asphalt, 30 feet wide.	
WATER SUPPLY (For Vessels)	Through 2-inch line.		Through 4-inch line.	
ELECTRIC CURRENT (For Vessels)	A.C., 110/220 volts.		A.C., 110 volts.	
FIRE PROTECTION (Other than City)	Hand extinguishers.		Hand extinguishers.	
REMARKS	Tugboat dispatch office is located at rear.		Ferry operates between June 22nd and Labor Day.	

City of Providence, Rhode Island

HARBOR MANAGEMENT PLAN 1998-2002

Vincent A. Cianci, Jr.
Mayor



Providence Department
of Planning and
Development

400 Westminster Street,
Providence, RI 02903

February, 1998

Louis Berger & Associates, Inc.

295 Promenade Street, Providence, RI 02908





Louis Berger & Associates, Inc.

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Tel 401.521.5980 • Fax 401.331.8956

A MEMBER OF THE BERGER GROUP

ENGINEERS • PLANNERS • SCIENTISTS • ECONOMISTS • ARCHAEOLOGISTS

February 26, 1998

Mr. Thomas Deller, Deputy Director
City of Providence
Department of Planning and Development
400 Westminster Street
Providence RI 02903

Attn: Sam Shamoon

Re: City of Providence - Harbor Management Plan, SAM Plan Update

Dear Thom:

Louis Berger & Associates, Inc. is pleased to submit twenty copies of the Harbor Management Plan/SAM Plan Update. This document reflects review comments received February 2. Also enclosed is Sam's copy of the draft of Section 4 and electronic files of text, photos and graphics.

The objective of this project has been the delivery of a draft Harbor Management Plan. Public participation is a key parameter in CRMC's final approval process. This document will serve as the appropriate first step in developing consensus.

It has been a pleasure compiling this document as the City of Providence plans for future use of its marine resources. I would be pleased to discuss with you any opportunities to serve the city as the plan is submitted for public review.

Sincerely;

LOUIS BERGER & ASSOCIATES, INC.

Pamela Morey Okolita, Project Manager
Principal Environmental Planner

Encl.

cc: Joe Pratt, Louis Berger & Associates, Inc.

Draft
Harbor Management Plan
Providence, Rhode Island

prepared by
Louis Berger & Associates, Inc.

in association with
Pare Engineering Corporation
Barbara Sokoloff Associates
Beckman/Weremay, Ltd.

for
City of Providence
Department of Planning and Development

February 27, 1998

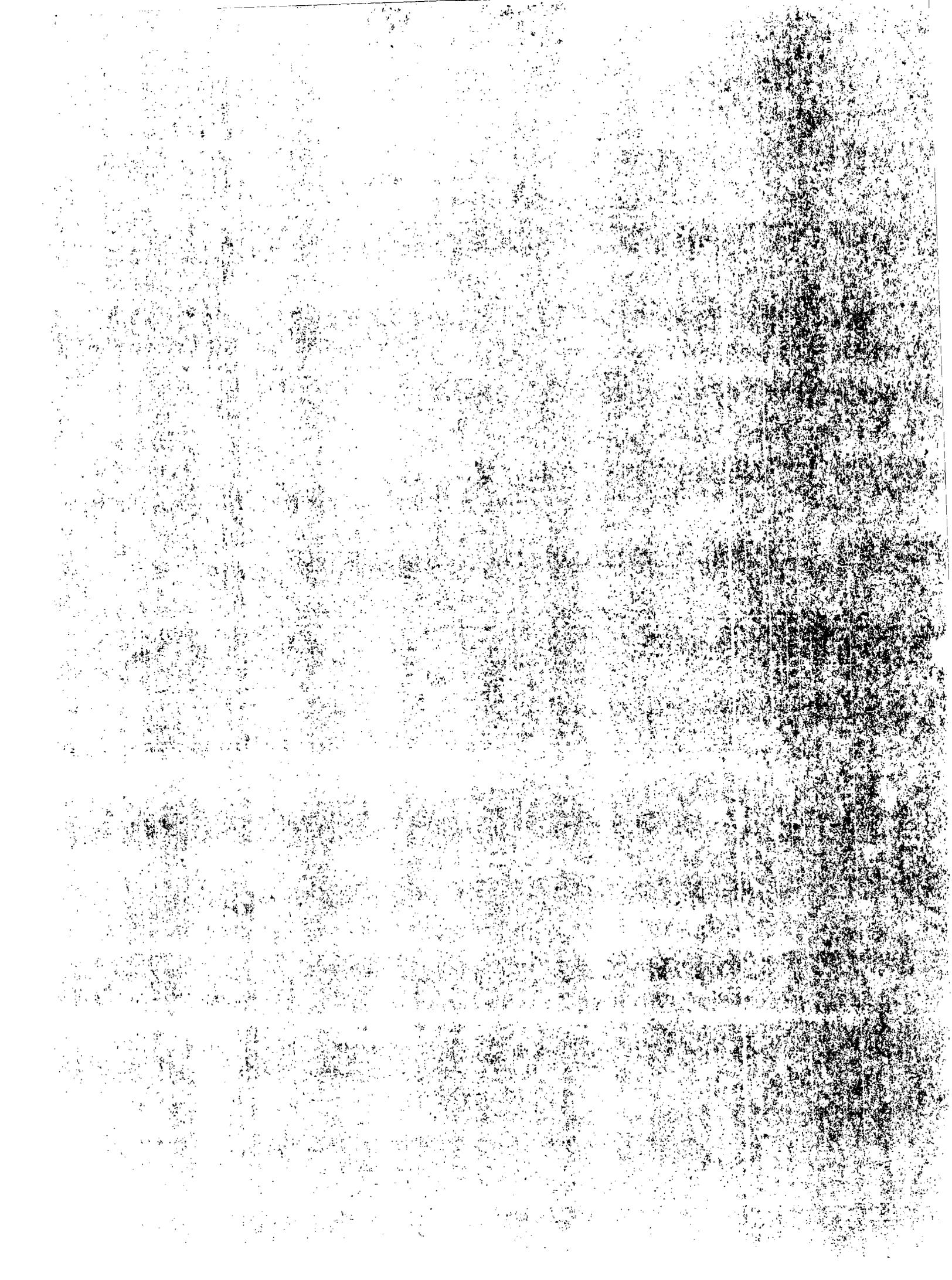


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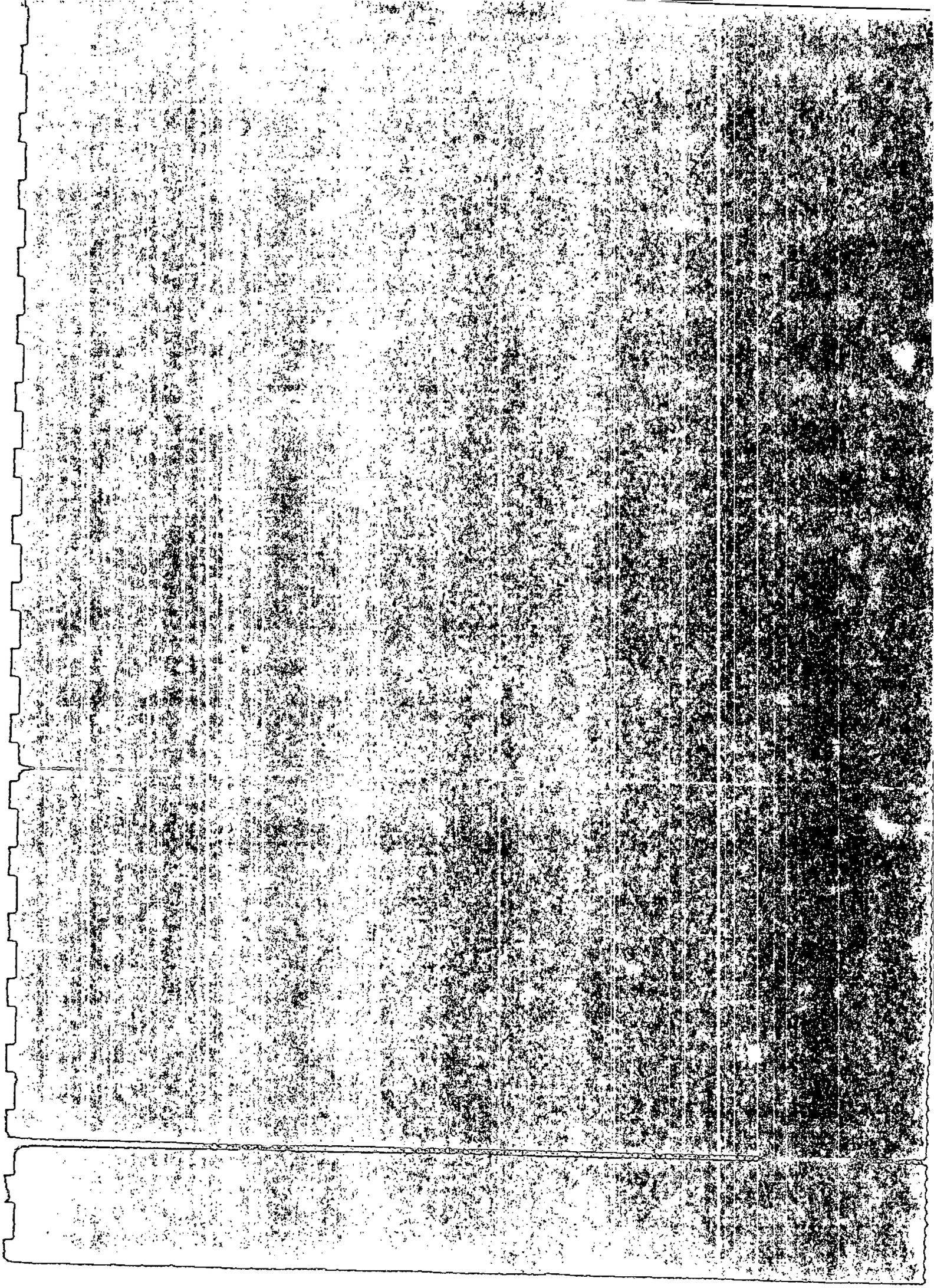
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**Providence Harbor: A Special Area Management Plan
 (Providence Update) SAM-1**

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Section 1

Executive Summary

The City of Providence has made remarkable strides in reinvigorating the water-based resources of this harbor city. Located at the confluence of several rivers, at the head of Narragansett Bay, the City has enjoyed a nautical heritage throughout history. Although this heritage has become less important in previous decades for the movement of cargo, its importance for recreation and marine transportation have increased dramatically in recent years.

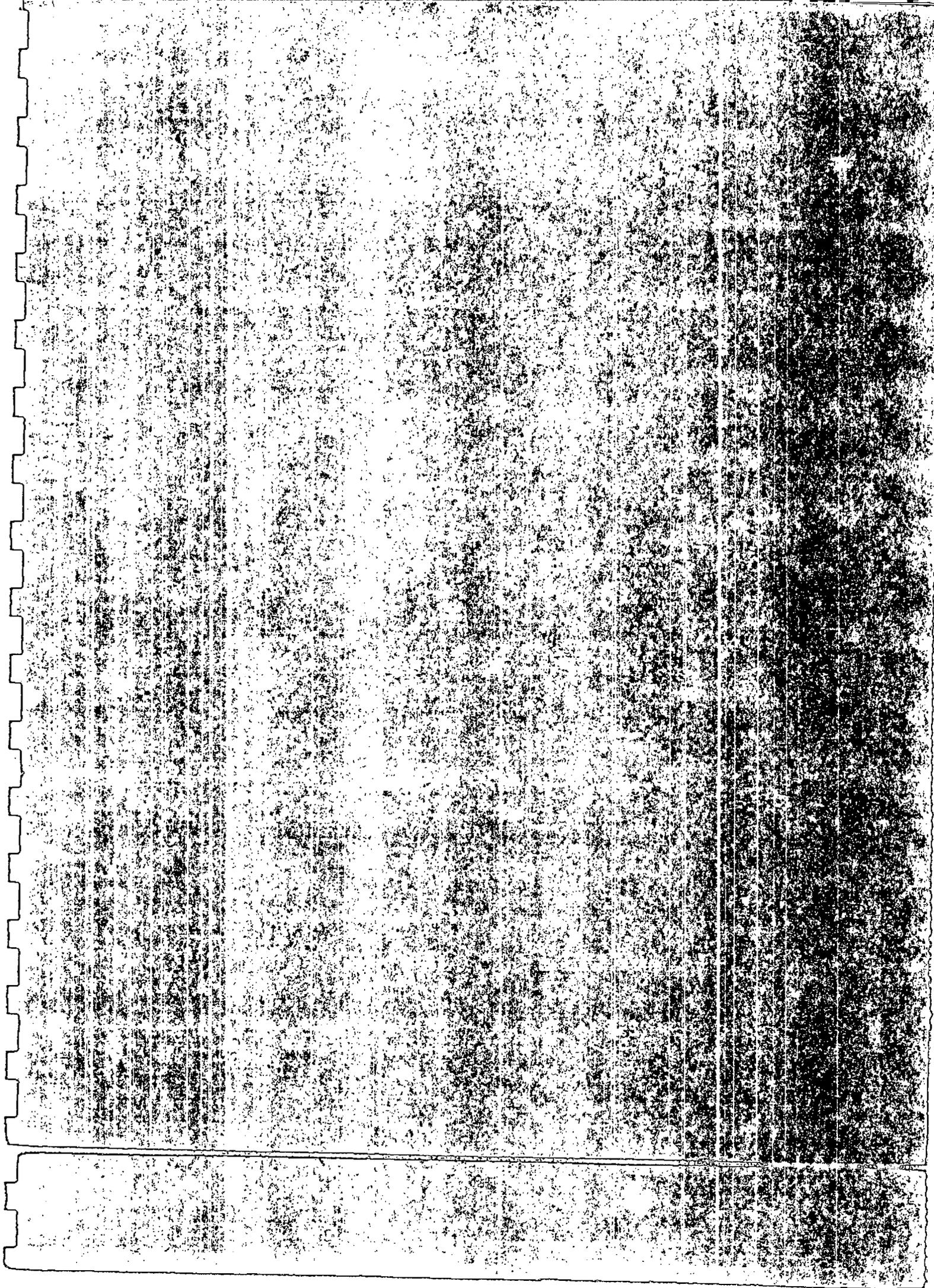
In response to increasing pressures and multiple conflicts over existing water resource uses, the State of Rhode Island has empowered the Coastal Resources Management Council (CRMC) to enact regulations and planning programs designed to proactively stimulate coastal communities to develop comprehensive municipal *harbor management plans* (HMPs). Submerged lands, coastal resources, and tidal waters of the state are subject to the State of Rhode Island's jurisdiction. These areas are owned by the State and held in trust for the public. The approval of municipal harbor management regulations and plans is regulated under Section 300.15 of the Coastal Resource Management Program. This section establishes that "all rules or management functions that apply to the use of tidal waters adjacent to a municipality" are considered municipal Harbor Regulations and are subject to review and approval by the CRMC.

Although CRMC guidance was followed in the crafting of this plan and CRMC approval is necessary for implementation, local participation is key to formulating the recommendations presented. A wide range of harbor users and regulators were consulted in the development of this plan. An active citizen participation effort, directed toward soliciting a broad range of comments, is required to formulate the final harbor management plan.

The key component of the Harbor Management Plan is the formation of the City of Providence Rivers and Harbor Commission, charged with implementing the recommendations of this plan. Other key functions of this commission would be to manage city piers and parks along the waterfront and to update state and local laws and ordinances to reflect current demands on the harbor.

The City of Providence requires a CRMC approved Harbor Management Plan as a tool in directing waterfront growth as it meets challenges for new docks, maintenance dredging, designation of single-use water areas, or improvement of water quality. This Harbor Management Plan offers the City a tool to meet these planning objectives. Appended to this document is an update of the *Providence Harbor Special Area Management (SAM) Plan*. An update of the SAM plan is required for CRMC approval of the Harbor Management Plan.

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Section 2

Vision Statement

Imagine

Spending a day sailing in the outer harbor or rowing on the Seekonk River, followed by a water taxi ride to Corliss Landing for a bite to eat on South Water Street. Imagine a gondola ride to Gardner Jackson Park to pick up a few things at the RISD bookstore, before boarding the Blackstone ferry for the trip back to Pawtucket. Or imagine coming to Newport for a convention and spending the day in Providence, with transportation via a high speed ferry up Narragansett Bay. Imagine taking a Boston whaler up from Warwick to Waterplace to see Water Fire on a beautiful summer evening. Or imagine a barge of new automobiles destined for Providence-area car dealerships or oil being barged directly to tanks along the Port of Providence without being off-loaded in the lower bay because of silting in the federal channel.

... All this will be possible in Providence within the next few years.

This Harbor Management Plan provides the City of Providence a tool to enable current and future waterside users safe, equitable access to open waters, parks, marinas, and piers and wharves in the port. The purpose of this Harbor Management Plan is to manage the in-water activities, in accordance with the CRMC's *Guidelines for the Development of Municipal Harbor Management Plans* and incorporating the City's enabling legislation. The Harbor Management Plan will assist the City's land-side development by virtue of the in-water activities.



Through implementation of this Harbor Management Plan, the City of Providence is providing a framework to guide the rebirth of Providence Harbor. Within the past decade the City has made remarkable progress in implementing a fundamental shift back towards the rivers and the ocean after years of neglect. Those who live, work and visit in the City of Providence can once more claim Narragansett Bay, the Providence River, the Seekonk River, the Woonasquatucket River, and the Moshassuck River as jewels of the Ocean State.

Through the significant public works projects both underway and on the drawing board, the City is poised to strengthen its position as a center of commerce and industry as well as an important tourist destination. And due to the geographical location of the City at the head of Narragansett Bay, it is integral that Providence set the pace for future urban waterfront development for all of Rhode Island's coastal communities.

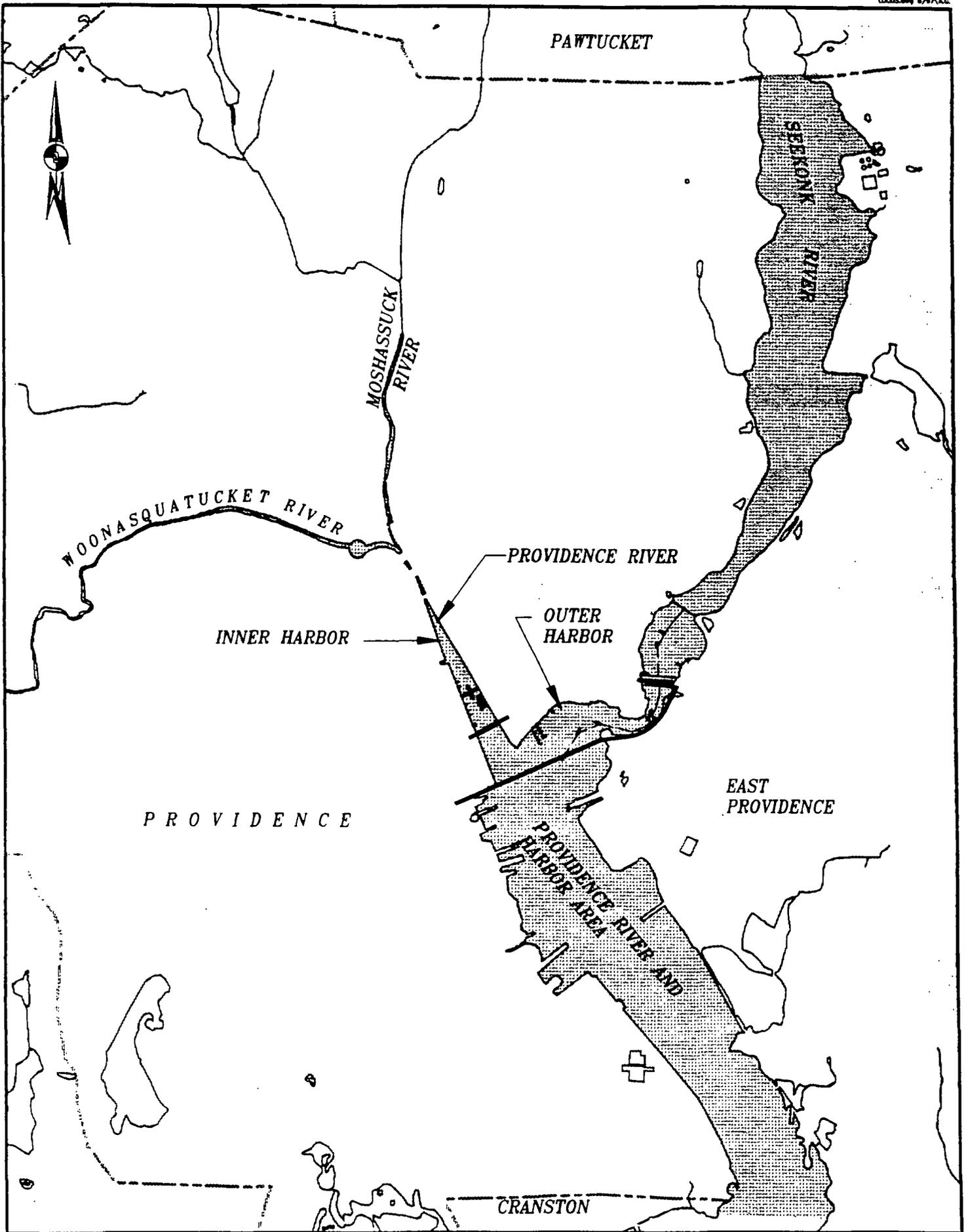
The purpose of the Harbor Management Plan is to control land side and water side development along the Providence, Moshassuck, Woonasquatucket and Seekonk Rivers in four separate integral project areas which define the Harbor:

- ▶ **The Seekonk River** This includes the area which is contained by a line which extends from the Pawtucket city line to the north, the East Providence city line to the east, and the Washington Bridge (I-195) to the south.
- ▶ **The Inner Harbor and the Rivers** This area consists of all tidal areas on the interior of the Fox Point Hurricane Barrier, including the Providence River, the Old Harbor area, Waterplace Park, the Woonasquatucket River, and the Moshassuck River.
- ▶ **The Outer Harbor** This includes the area outside of the Fox Point Hurricane Barrier, along the shoreline of India Point Park to the Washington Bridge, then southerly along the East Providence city line to what is now or formerly known as the Wilkes-Barre Pier. The southern edge of the area is defined by an imaginary line extending from the Wilkes-Barre Pier west to the terminus of Henderson Street.
- ▶ **The Port of Providence and Beyond** This includes all of the area which is legally defined as the responsibility of the City of Providence which lies south of the aforementioned Old Harbor.

The Harbor Management Plan provides the city with a tool to direct the use of harbor resources, complementing several projects which are already proposed, underway or completed. The proposed relocation and construction of a new Providence River Bridge south of the Hurricane Barrier will re-route interstate traffic out of residential neighborhoods and the Jewelry District downtown, and will re-establish pedestrian access to 45 acres of waterfront.

The relocation of Interstate 195 will have a dramatic impact on both waterfront development and on water borne traffic. The redevelopment of the Port of Providence will continue. There will soon be water taxis traveling in and out of the inner harbor area. All of these projects help fulfill the goals of mitigating traffic congestion and improving air quality in Providence (City of Providence, 1997).

This Harbor Management Plan addresses both immediate and future improvements to water traffic congestion, thereby benefiting short-term and long-term usability of these resources. A goal of the project would be to reduce potential conflicts in water usage while maximizing the benefit and multiple use of the Harbor.



LOUIS BERGER & ASSOCIATES, INC.

CITY OF PROVIDENCE

DEPARTMENT OF PLANNING AND DEVELOPMENT

PROVIDENCE HARBOR PROJECT AREA WATER LIMITS

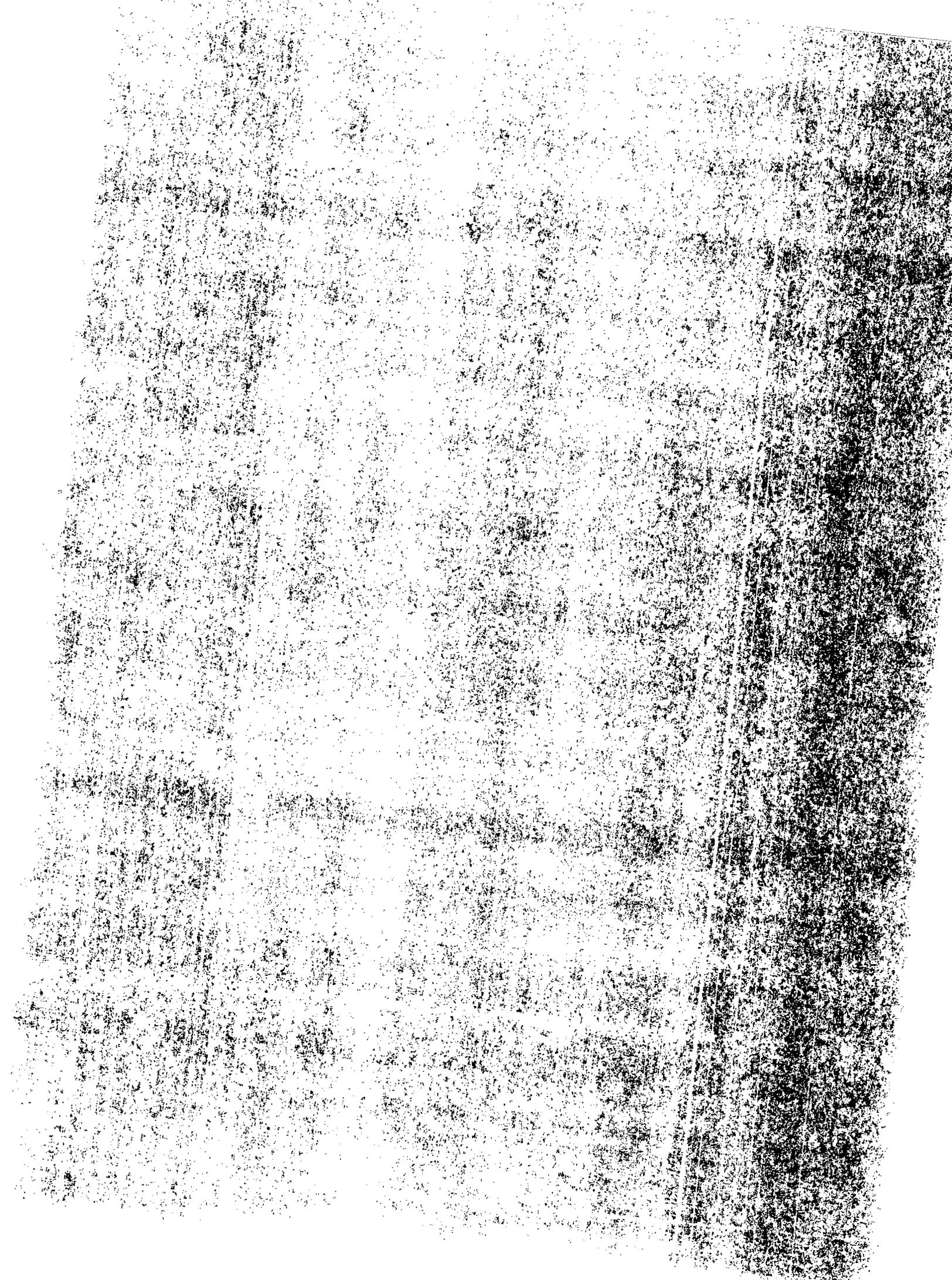
FIGURE 1

Source: Louis Berger & Associates, Inc.

Scale: 1" = 3000'

June, 1997

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Section 3 Implementation Strategy

Formulation of a meaningful Harbor Management Plan for the City of Providence requires that numerous players on the waterfront accept the recommendations of the plan and that various city and state departments and agencies take stewardship for implementation.

The following table summarizes the tasks and the responsibilities required to bring the plan to fruition. Years have also been identified to present a scope on the time frames required. The Rhode Island Coastal Resources Management Council requires that approved Harbor Management Plans be updated every five years; a five year time frame is therefore presented.

As indicated, formation of a Rivers and Harbor Commission is a key component of the plan. Many tasks are the responsibility of this mayor-appointed commission. Successful implementation of this Harbor Management Plan requires involvement from several key city agencies and departments including the Providence City Council, the Department of Planning and Development, the Department of Public Parks, the Department of Public Works, and the Providence Police Department Harbor Patrol. Participation from key state agencies is also essential to the success of this plan. These agencies include the Rhode Island Department of Environmental Management Office of Law Enforcement and Division of Water Resources, the Coastal Resources Management Council, the Rhode Island Department of Transportation, the Rhode Island Public Transit Authority, and the Public Utilities Commission.

Implementation Items	Responsible Party/Agency	1998	1999	2000	2001	2002
Responsible Party/Agency: R&HC = Rivers and Harbor Commission, , PCC = Providence City Council, CS = City Solicitor, HP = Providence Police Department Harbor Patrol, DPP = Department of Public Parks, DPD = Department of Planning and Development, DPW = Department of Public Works, PAD = Providence City Assessors Department, CRMC = Coastal Resources Management Council, CCC = City Charter Commission, PUC = Public Utilities Commission ● = ongoing, ○ = to be implemented						
A. HARBOR COMMISSION						
A-1 Create Providence Rivers and Harbor Commission	PCC	○				
A-2 Consider including the R&HC into the City Charter	CCC					
A-3 Amend Chapter 11 of Municipal Ordinance to reflect HMP	CS, CC		○			

Implementation Items	Responsible Party/Agency	1998	1999	2000	2001
Responsible Party/Agency: R&HC = Rivers and Harbor Commission. PCC = Providence City Council, CS = City Solicitor, HP = Providence Police Department Harbor Patrol, DPP = Department of Public Parks, DPD = Department of Planning and Development, DPW = Department of Public Works, PAD = Providence City Assessors Department, CRMC = Coastal Resources Management Council, CCC = City Charter Commission, PUC = Public Utilities Commission					
● = ongoing, ○ = to be implemented					
A-4 Coordinate with CRMC Subcommittee on Urban Ports and Harbors	R&HC	●	●	●	●
B. REGULATORY JURISDICTION					
B-1 Update Chapter 11 of Municipal Ordinances to assure marine safety	R&HC		○		
B-2 Establish regulations for waterfront facilities at inner harbor parks	DPP, R&HC		○		
B-3 Revise RIGL to limit Providence jurisdiction to waters north of Cranston	R&HC, State Legislature, CRMC		○		
B-4 Determine jurisdiction in undefined federal channel; develop memorandum of agreement between Providence and East Providence	R&HC, East Providence, PCC			○	
B-5 License water taxi and ferry service	PUC	●	●	●	●
C. MULTI-USE OF PROVIDENCE RIVERS					
C-1 Promote and enforce safe boating standards	HP, R&HC, RIDEM Marine Safety	●	●	●	●
C-2 Appoint the Rivers and Harbor Commission	Mayor, PCC		○		
C-3 Create pier regulations for multi-use	DPP, R&HC		○		
C-4 Enforce "no wake" speeds	HP, R&HC, RIDEM Marine Safety	●	●	●	●
C-5 Investigate need for single use areas	R&HC			○	
C-6 Investigate need and demand for moorings	R&HC				○
C-7 Investigate need and demand for transient anchorage areas	R&HC				
C-8 Coordinate with CRMC to delineate locations for Water Fire braziers	R&HC	●	●	●	●

Implementation Items	Responsible Party/Agency	1998	1999	2000	2001	2002
Responsible Party/Agency: R&HC = Rivers and Harbor Commission, PCC = Providence City Council, CS = City Solicitor, HP = Providence Police Department Harbor Patrol, DPP = Department of Public Parks, DPD = Department of Planning and Development, DPW = Department of Public Works, PAD = Providence City Assessors Department, CRMC = Coastal Resources Management Council, CCC = City Charter Commission, PUC = Public Utilities Commission ● = ongoing, ○ = to be implemented						
D. PUBLIC ACCESS						
D-1 Investigate legal status of ROW ownership	PAD	○				
D-2 Nominate paper streets to CRMC as designated rights-of-way to tidal areas	R&HC		○			
D-3 Develop public access at designated ROWs	R&HC			○		
D-4 Prevent further abandonment of ROWs to reflect RIGL 46-23-6.2	R&HC, PAD	●	●	●	●	●
D-5 Investigate feasibility of boat launch construction at Oxford Street	R&HC, DPD, DPP			○		
E. WATER QUALITY						
E-1 Develop harbor ordinance to reflect RIGL 46-12-39 through 46-12-41	PCC, CS, R&HC		○			
E-2 Coordinate enforcement of RIGL 46-12-39	R&HC, HP	●	●	●	●	●
E-3 Prohibit liveaboards at marinas without pump-out facilities	PCC, CS, R&HC		○			
E-4 Support RIDEM efforts to establish City waters as a "no discharge zone"	PCC, DPD, DPP, R&HC	●	●	●	●	●
E-5 Develop harbor ordinance to enforce "no discharge zone"	PCC, CS, R&HC		○			
E-6 Require Best Management Practices on land and at marinas	PCC, Building Department		●	●	●	●
E-7 Review and comment on CRMC permits regarding environmental impacts	R&HC, DPD	●	●	●	●	●

Implementation Items	Responsible Party/Agency	1998	1999	2000	2001
Responsible Party/Agency: R&HC = Rivers and Harbor Commission, PCC = Providence City Council, CS = City Solicitor, HP = Providence Police Department Harbor Patrol, DPP = Department of Public Parks, DPD = Department of Planning and Development, DPW = Department of Public Works, PAD = Providence City Assessors Department, CRMC = Coastal Resources Management Council, CCC = City Charter Commission, PUC = Public Utilities Commission ● = ongoing, ○ = to be implemented					
F. WATER USE CONSISTENCY WITH LAND USE					
F-1 Request CRMC designation change east of Park Street and north of the Fox Point Hurricane Barrier on the Woonasquatucket and Providence Rivers	R&HC, PCC		○		
F-2 Request CRMC designation change west of Park Street on Woonasquatucket River	R&HC, PCC		○		
F-3 Create Waterfront Downtown (W-D) zone	DPD		○		
G. NAVIGATION					
G-1 Appoint Commissioner of Wrecks	PCC, R&HC			○	
G-2 Maintenance dredging of Waterplace Park after mall/ramp construction	RIDOT		○		
G-3 Amend municipal harbor ordinance to limit vessel speed	PCC, CS, R&HC, HP, RIDEM		○		
G-4 Support Army Corps of Engineers in demolition of abandoned rail bridge	PCC, DPP, DPD	●	●	●	●
G-5 Institute semi-annual street sweeping in Woonasquatucket River watershed.	PCC, DPW			●	●
G-6 Institute regularly scheduled catch basin maintenance	PCC, DPW			●	●
G-7 Support CSO abatement project	Mayor, PCC, DPD, DPP	●	●	●	●
G-8 Investigate dredging upstream of Eagle Street Dam	R&HC, DPW			○	
G-9 Coordinate with CRMC to develop dredging maintenance plan	R&HC				○

Section 4

Issues, Findings, Policies, Objectives, and Implementation Strategy

Introduction

The Providence Department of Planning and Development has identified a number of issues to be addressed for management of harbor resources in the city. Key among the issues is the question of who sets policy and is in charge of the harbor management area. Many municipal regulations are outdated, reflecting more the days of schooners and tall-masted ships than scullers, gondolas, water taxis and jet skis. Issues facing the City of Providence as the Year 2000 approaches, therefore should be directed toward recognizing the marine resources of the city for recreation, marine transportation, as well as for cargo handling, and protecting these resources for the benefit of all residents and visitors alike.

Outlined below are a series of issues identified through contact with those involved with harbor issues. Input was solicited from municipal departments including the Department of Planning and Development, the Department of Public Parks, the Harbor Patrol of the Providence Police Department, Department of Public Works, Port Commission, ProvPort, Inc. and Emergency Response Committee. On the state level, input was sought from the Rhode Island Department of Environmental Management (RIDEM) Marine Safety Enforcement Division and Water Resources Division, RI Department of Transportation (RIDOT), Capital Center Project, and the Public Utilities Commission. Recreational interests contacted included the Narragansett Boat Club, the Brown University Boat Club, and the Community Boating Center. Commercial marine operations contacted included Capt. Joe Dempsey, local marinas, Baer Canoe Rentals, Interstate Navigation, and port interests.

Concerns expressed by these users of Providence harbor waters were then assessed in accordance with existing state and municipal regulations and policies. The issues identified by this divergent group are identified below. *Findings* or current conditions are documented for each issue, together with municipal *Policies*. *Objectives* are further identified to provide goals for the city to work toward implementing. *Issues* presented frequently address conflicts identified in the *Findings* discussion. *Implementation Strategies*, summarized in Section 3, provide guidance for city departments and others to achieve a viable, attractive, and safe harbor for all marine users in Providence.

The issues discussed below relate directly to CRMC's five major goals identified in the Special Area Management Plan (1983) for Providence Harbor:

- ▶ Balanced and compatible shoreline use (see F. Water Use Consistency with Land Use)
- ▶ Increased recreational opportunities and public access (see C. Multi-use of Providence Waters, D. Public Access)
- ▶ Port development (see C. Multi-use of Providence Waters)
- ▶ Improved water quality (see E. Water Quality)
- ▶ Coordination and consultation (see A. Providence Rivers and Harbor Commission)

A. PROVIDENCE RIVERS AND HARBOR COMMISSION

A1. FINDINGS

Although the City of Providence Home Rule Charter has established a Port Commission with jurisdiction over the municipal wharf, there is no regulatory body with authority over the entire harbor, including the inner harbor and rivers, and the Seekonk River.

In 1994 the City of Providence sold the former municipal wharf at Field's Point to ProvPort, Inc., a private organization. Although the Port Commission was relieved of its responsibilities by the sale, the municipal wharf will revert back to the City of Providence thirty years from that date. In 2024, the Port Commission will once again have jurisdiction over the Field's Point section of the city where its powers and responsibilities include the planning, construction and maintenance of berths, docks, and the management of the port district and all navigable waters.

No regulatory body in the City of Providence is charged with management of harbor resources on all tidal waters. The post of harbormaster remains unfilled and has largely been conducted by the US Coast Guard.

The CRMC Subcommittee on Urban Ports and Harbors is charged with undertaking a debris removal program and conducting CRMC site development proposal review, among others.

A2. POLICY

The City of Providence must regulate use of waters in various rivers uniformly.

The City of Providence must implement its Harbor Management Plan in accordance with requirements of the Rhode Island Coastal Resources Management Council.

A3. OBJECTIVES

- ▶ Create the Rivers and Harbor Commission by state legislation when the Charter Commission convenes in 1999.
- ▶ Broaden the powers and responsibilities formerly delegated to the Port Commission to the Rivers and Harbor Commission for all tidal waters under jurisdiction of the Providence Police Department Harbor Patrol (see 4.1 *Regulatory Jurisdiction*, below).
- ▶ Charge the Rivers and Harbor Commission as the regulatory body for the waters of the City of Providence, responsible for making reasonable rules and regulations for the use of these waters and implementing this Harbor Management Plan.

- ▶ Rivers and Harbor Commission to be a staffed department, responsible for all recreation and marine transportation issues in the harbor management plan area, exclusive of ProvPort activities at Field's Point. Such duties to include operation and maintenance of Waterplace Park, riverwalks and the Gardner Jackson Park, new and proposed docks on the Woonasquatucket and Providence Rivers, and future planning and development of the Woonasquatucket Greenway. Rivers and Harbor Commission to coordinate with Department of Public Parks and Department of Planning and Development.
- ▶ Eliminate the post of harbormaster after creation of the Providence Rivers and Harbor Commission. Rivers and Harbor Commission to coordinate with the Providence Police Department regarding the Harbor Patrol.
- ▶ Specify Providence Rivers and Harbor Commission membership to represent groups most concerned with implementation of the harbor management plan. Rivers and Harbor Commission to consist of seven members representing the recreational boating community, the port industry, the water transportation industry, the environmental community, and three citizens at large who are not affiliated with any of the these groups. Ex-officio representation to be provided from City of Providence departments including Public Parks, Police Harbor Patrol, and Planning and Development. As the need may rise, the Commission shall consult with representatives of adjacent cities.



Tug Boger Williams docked at the west end of India Street, in the Providence River inner harbor.

A4. ISSUES

The Providence Rivers and Harbor Commission would serve as a regulatory body to oversee implementation of the Harbor Management Plan and would act as a Board of Appeals to hear an individual aggrieved by the enforcement or implementation of the applicable portions of the management plan.

A5. PROVIDENCE RIVERS AND HARBOR COMMISSION IMPLEMENTATION STRATEGIES

Note: Numbers for implementation strategies are presented in Section 3.

- A-1 Providence City Council to create by ordinance, the Providence Rivers and Harbor Commission.
- A-2 The City Charter Commission to consider including the Rivers and Harbor Commission within the City Charter when the commission next convenes.
- A-3 Providence City Council to amend Chapter 11 of the Providence Municipal Ordinance to reflect the responsibilities of the Rivers and Harbor Commission in implementation of the Harbor Management Plan.
- A-4 Providence Rivers and Harbor Commission to coordinate with the CRMC Subcommittee on Urban Ports and Harbors to assure compliance with CRMC goals.

B. REGULATORY JURISDICTION

B1. FINDINGS

Providence Harbor Management Area

The Harbor Management Plan area of jurisdiction includes both landside and tidal waters on the Providence, Seekonk, Woonasquatucket and Moshassuck Rivers. Waterside boundaries are not as clearly defined. Landside areas are defined to include land subject to flooding during a storm with the probability to occur at least once within a 100-year period as determined by the Federal Emergency Management Agency. The Providence-East Providence municipal boundary typically follows the easterly side of the Seekonk River. Waterside jurisdiction of the harbormaster (an unfilled position), however, is determined by Rhode Island General Law (RIGL) §46-4-2 to:

Include all the public waters westerly of the easterly sides of the ship channels in Seekonk River, Providence River and Harbor and Narragansett Bay from the Pawtucket-Providence city line southerly to the point of intersection of the ship-channel side with a straight line drawn from Rumstick Point on the east shore to Rocky Point on the west shore, excluding that area subject to jurisdiction of the City of Cranston, pursuant to the provision of §46-4-5.1.

It is possible, under RIGL §46-23-15.1, for coastal municipalities sharing a common boundary along their public waters to enter into a binding memorandum of agreement allowing harbormasters and other officials responsible for enforcing HMP harbor ordinances from one municipality to enforce the harbor ordinances of the bordering municipality providing that both municipalities have HMPs approved by the CRMC and the memorandum of agreement is approved by the respective town or city councils. Although landside activities can be managed through the harbor management plan, as appropriate local ordinances allow, CRMC's approval of the harbor management plan may not extend to landside jurisdiction. Therefore, certain types of activities may be identified in the harbor management plan, to which the CRMC may not be able to extend approval. CRMC approval is limited to in-water activities which must be consistent with RIGL and the CRMC's regulations.

The area of the Providence Rivers and Harbor Commission's jurisdiction is described as follows for the four planning areas, north to south, and is illustrated in Figure I-A (maps 1 through 3), presented at the end of the Harbor Management Plan:

Seekonk River (north of the Washington Bridge): At the Providence-Pawtucket municipal line, the federal channel is located entirely within Providence municipal waters, as indicated in Figure I-A. (map 1) Jurisdiction extends to the east side of the federal channel (jurisdiction of the waters between the federal channel and the East Providence municipal boundary, although within the City of Providence, is under the jurisdiction of the East Providence harbormaster). At the shipping terminal south of the Bucklin Point Wastewater Treatment Facility (WWTF), the channel crosses into East Providence waters: the City of Providence therefore has jurisdiction up to the shipping

Inner Harbor and the Rivers (north of Fox Point Hurricane Barrier): The inner harbor portion of the harbor management area extends through downtown Providence, up the Providence River to the relocated Woonasquatucket and Moshassuck Rivers as indicated in Figure I-A (map 2). Key features of this portion include the area constructed as part of the Capital Center Special Development District, including Waterplace Park. Jurisdiction extends west on the Woonasquatucket River, along Kinsley Street to a dam near Eagle Street, and north on the Moshassuck River to Smith Street, south of a dam near Mill Street.

Port of Providence and Beyond (south of Henderson Street): The west side of the federal channel extends to the harbor line, at the end of piers on the Providence side of the Providence River; the east side of the channel extends to the harbor line and the end of piers on the East Providence side. See Figure I-A (map 3). The jurisdiction of the Providence Rivers and Harbor Commission therefore extends to the west end of piers on the east side. The municipal boundary, however, follows an irregular path across the end of the Wilkes Barre Pier, shifting into and out of the Fox Point Reach of the channel to Kettle Point in East Providence where the municipal boundary follows the shoreline. Jurisdiction of the Providence Rivers and Harbor Commission extends only to the east side of the channel and not the municipal line along the shoreline.

South of the Providence-Cranston municipal line the Providence Rivers and Harbor Commission continues to have jurisdiction of the federal channel only, approximately seven miles south to a line drawn between Rocky Point in Warwick and Rumstick Point in Barrington. The Cranston harbormaster has jurisdiction to the west side of the channel, the East Providence and Barrington harbormasters have jurisdiction east of the channel.

The Cities of East Providence and Warwick have approved harbor management plans and have harbormasters charged with enforcement. The City of Cranston is currently preparing a harbor management plan; the City of Pawtucket has no current intentions to prepare a plan. It is critical that the City of Providence work with the Cities of East Providence and Cranston in the management of harbor issues, in accordance with RIGL §46-23-15.1. This is especially important along the Seekonk River and along the federal channel in the Providence River. With jurisdiction south to the vicinity of Rocky Point and Rumstick Point it is important that all cities cooperate in enforcement actions.

Current Regulations

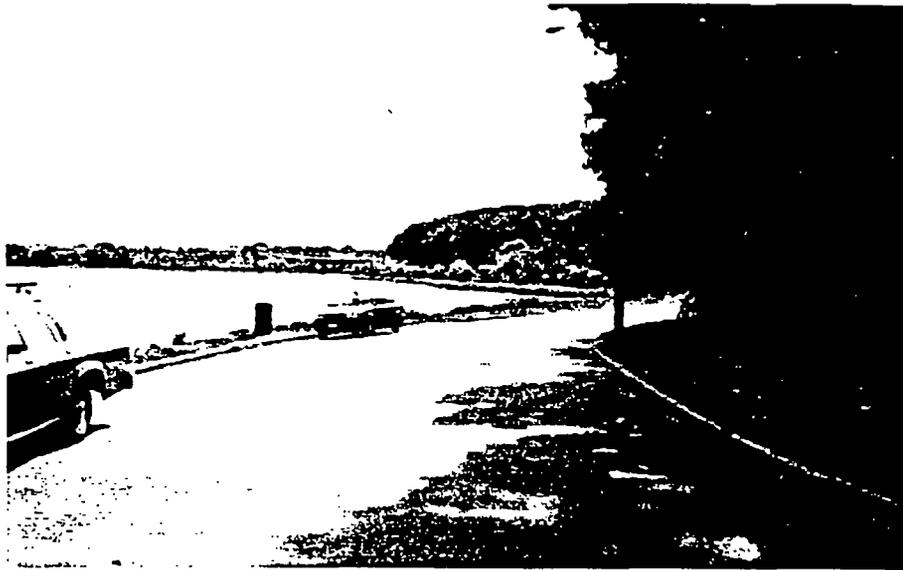
Regulations relating to use of Providence waters are promulgated in Rhode Island General Laws and Chapter 11 of the Providence Municipal Ordinances, as discussed in Appendix 1, *Regulations and Jurisdiction*. Many of these regulations are not current and require amendment to bring the City of Providence into compliance with Coastal Resources Management Council (CRMC) water type designation and current use of Providence waters to reflect the growth of recreation and marine transportation in the city.

The Providence Port Commission, established in Section 1016 of the Providence Home Rule Charter, is charged with developing the Port of Providence through the planning, construction and

Narragansett Electric operates parks at Collier Point and two landings at Point Street. Both have posted rules and regulations which are enforced by a security guard.

Licensing

The Public Utilities Commission (PUC) is charged under Title 39, Chapter 13, with licensing any company providing motorized transportation service for hire, operating between fixed points or over regular routes of the state. To protect public welfare, regulated carriers are required to maintain adequate insurance. The route of the Providence to Newport to Block Island ferry is therefore subject to PUC licensing, as is any water taxi service operating to and from any piers in the inner or outer harbor. The gondola is not subject to PUC licensing as it is not motorized; excursion service is not licensed as it returns to the same dock. The PUC also regulates fares.



View south on River Drive, of Seekonk River and Blackstone Park.

B2. POLICIES

The Cities of Providence and East Providence must work closely to manage use of Seekonk and Providence River waters where harbormaster jurisdiction extends beyond municipal boundaries.

Safety is the primary concern for use of all Providence waters.

Boating regulations must be enforced consistently by all enforcement agencies on the municipal, state and federal level.

According to Chapter 11 of the Providence City Ordinances, the duty of the Providence harbormaster is to manage the movement of commercial vessels in the federal shipping channel. This jurisdiction is specified in RIGL §46-4-2, extending seven miles south of Field's Point, through the municipalities of Cranston, East Providence, to Warwick and Barrington. The USCG, however, manages most commercial traffic in the federal channel. Currently the harbormaster's position is unfilled by the City of Providence.

B5. REGULATORY JURISDICTION IMPLEMENTATION STRATEGIES

- B-1 Rivers and Harbor Commission to update municipal port ordinance to assure safety of all marine uses.
- B-2 Providence Parks Department to collaborate with the Rivers and Harbor Commission on the establishment of regulations for use of waterfront facilities at inner harbor parks.
- B-3 State legislature to amend RIGL to eliminate position of harbormaster and transfer responsibilities to the Providence Rivers and Harbors Commission, and to limit Providence Rivers and Harbor Commission jurisdiction to the area south of the Pawtucket-Providence municipal boundary and north of the Providence-Cranston municipal boundary.
- B-4 Rivers and Harbor Commission to work with the City of East Providence to determine jurisdiction in the undefined channel between the Seekonk and Providence Rivers federal channels and to develop a memorandum of agreement between Providence and East Providence.
- B-5 The Public Utilities Commission to license water taxi service and any future ferry service in the inner harbor.

assent is required to maintain the braziers beyond the expiration date. Should navigational or other unanticipated impacts be realized prior to the expiration date of the assent, the CRMC is empowered to require the removal of all assented structures within a reasonable time frame.

The popular 14-mile East Bay Bike path which traverses through five East Bay communities between Bristol and Providence, has its northern terminus at India Point near the Gano Street exit of I-195. The RIDOT planned statewide bicycle facility network includes the vision of connecting the East Bay bikeway to the state's approximately 22-mile Blackstone River Bikeway project which would extend to the Massachusetts state line in North Smithfield. Currently segments of the Blackstone River Bikeway are under design. The routing for the bikeway through northern Providence has not yet been determined.



Water Fire, an environmental art performance, draws thousands to the Providence and Woonasquatucket Rivers.

The Woonasquatucket Greenway project, a pedestrian walkway, interpretive trail and bike path extending from Waterplace Park upstream to Dyerville on the Johnston line is being planned and funding has been identified for implementation. The ultimate goal is to create a greenway extending from India Point Park, up the Providence River to the Woonasquatucket River. Although a primary focus of the project is to enable Olneyville neighborhood residents to reclaim ownership of the Woonasquatucket River through education, awareness, and pride, the greenway also extends along the riverside promenade along Kinsley and Promenade Streets. This project, under the direction of the Providence Plan, is funded by the City and several national funds and involves multi agency coordination on the municipal, state and federal level. The Woonasquatucket Greenway project conforms with the City's Comprehensive Plan goal to create greenways and pedestrian pathways along all water bodies in the city.

Two rowing facilities, the Narragansett Boat Club on River Drive, and the Brown University rowing team with a boathouse south of the Washington Bridge adjacent to India Point Park, use

Rhode Island Public Transit Authority (RIPTA) continue to explore the feasibility of instituting ferry service to Pawtucket and Narragansett Bay harbors in Bristol, Warren, and Newport.

Interstate Navigation operates a passenger ferry with seasonal service to Block Island via Newport. One round trip daily departs from India Point Park. A docking permit is issued by the Providence Parks Department. A pump out facility is available at the India Point dock to discharge sanitary sewerage to the municipal sewer system.

Excursion service is provided by Capt. Joe Dempsey on South Water Street, north of the Hurricane Barrier. Capt. Joe has previously submitted proposals to the Public Utilities Commission to operate a water taxi service in the inner harbor. He currently operates one 12-passenger vessel from May to September, weather permitting.



Marco's gondola on the Providence River provides a world-class tour.

Gondola service, with "Marco" at the helm, has recently been initiated in the inner harbor and rivers with a dock at Citizens Bank. This tourist-oriented service provides a scenic tour from Waterplace to the Hurricane Barrier from May to September.

The Blackstone Valley Tourism Council offers excursion tours on the *Blackstone Explorer*, a 49-passenger, shallow draft, no wake river boat. For a six-week period, in either the spring and fall or summer and fall, the *Blackstone Explorer* offers 45-minute tours from the Point Street Landing, up river to Waterplace Park, down river through the Hurricane Barrier, and back. Four or five tours are scheduled daily. The Council has a license with the PUC and an agreement with Narragansett Electric to utilize the dock. Parking is available at the adjacent lot at Davol Square.

RIDOT continues to play an instrumental role in supporting multimodal marine transportation in Providence as demonstrated by the several key projects involving provision of high speed

Providence. Year round operation is proposed. It is anticipated that the grant would fund subsidized operation for three to five years.

The Blackstone Ferry project envisions two 48-passenger commuter shuttles which would serve the 5,500 people who currently commute from Pawtucket to Providence. During off-peak hours, the vessels would carry tourists to historic Pawtucket and the Blackstone Valley National Heritage Corridor. This project is noted in the State's Water Transportation Plan for the Year 2010 to be incorporated into the State Guide Plan. The project is consistent with the City of Providence Comprehensive Plan. It is also consistent with City of Pawtucket and East Providence Harbor Development Plans and other water-related studies.

The Blackstone ferries are proposed as shallow-draft vessels with an air-draft allowing for safe navigation under the Point Street Bridge, other Providence canal bridges, and if possible, into Waterplace Park. Each shuttle's speed would be approximately 18-22 knots for total trip time of 25 minutes. School Street Pier or would provide the northern terminus in Pawtucket with a possible intermediary stop at Bold Point in East Providence. If clearance beneath the Point Street Bridge is not possible, Narragansett Electric docks on the West Side of the Providence River would likely be the docks used for ferry service.



Port of Providence at Fields Point on Providence River.

Port of Providence

Historically the Port of Providence served as the principal cargo-handling area in the city. Ships calling at Providence include tankers, dry bulk carriers, roll-on roll-off ships, break bulk carriers, container ships and other freight carriers. A tug boat company and a ferry service operate out of the Fox Point/India Point area. Naval and Coast Guard vessels, cruise ships, and tall sailing ships may also visit periodically.

C4. ISSUES

As the city's waterfront becomes more popular, conflicts will arise between user groups with diverse needs. Safety must not be compromised as multiple use is encouraged. Funding for inner harbor and river piers prioritizes use for commercial over recreational use.

Currently there are no mooring fields in the City of Providence. If the need for moorings and mooring fields is identified through public participation and input, this must be addressed in the HMP. CRMC guidelines for the *Development of Municipal Harbor Management Plans* outline mooring requirements. As indicated, sufficient depth and protection from wind are not available at locations providing existing suitable landside use for development of mooring fields.

Port use for transport of heavy cargo is severely limited by shoaling in the federal Providence River channel. See Section 4.G. *Navigation*.

C5. MULTI-USE OF PROVIDENCE WATERS IMPLEMENTATION STRATEGIES

- C-1 The Providence Harbor Patrol to promote and enforce safe boating standards pursuant to RIGL §46-22 and proposed harbor regulations (see Appendix 1).
- C-2 The Rivers and Harbor Commission to provide overall management of all tidal waters as defined by RIGL.
- C-3 The Providence Parks Department and the Rivers and Harbor Commission to create regulations for use of piers and floats in the inner harbor area which enable multiple use for recreation when not in conflict with commercial (marine transportation) use as specified in grant applications for these facilities.
- C-4 The Harbor Patrol to be charged with enforcement of speed and operation regulations in the inner harbor and rivers where wakes reflect off of walls and bridges, creating dangerous conditions for canoes and kayaks and in posted reaches of the Seekonk River where scullers and rowers area easily capsized by wakes.
- C-5 The Providence Rivers and Harbor Commission (see Section 4.A) to investigate the need to initiate single-use areas for such uses as sculling, rowing, canoeing, and kayaking to protect the safety of participants, or to establish "no wake" zones in areas of adequate expanse for safety of small boats.
- C-6 The Providence Rivers and Harbor Commission to investigate the need and demand for public mooring fields in the harbor management area. If warranted, the Providence Rivers and Harbor Commission is to conduct site feasibility studies, and, if feasible, establish regulations and create a municipal mooring field.

D. PUBLIC ACCESS

D1. FINDINGS

Public access is provided at numerous public parks including Waterplace Park, Gardner Jackson Park, Doubloon Landing, and Corliss Landing in the inner harbor, Gano Street Playground (no developed waterfront), and Blackstone Park along the Seekonk River, and India Point Park in the outer harbor. Facilities range from passive recreation opportunities with paths and seating, to ball fields for active recreation and provide scenic waterfront vistas. Floats and piers provide dock space at several parks. See Appendix IV, *Public Access* for a description of facilities at each site. Additional public access is provided at parks constructed and operated by Narragansett Electric at Collier Point Park and Point Street Landings. Facilities include those for passive recreation, the only boat ramp on the Providence side of the river, and docks.

Public access is also provided through rowing classes offered by the Narragansett Boat Club and sailing classes at the Community Boating Center.



Piers at Collier Point Park; owned and operated by Narragansett Electric.

Numerous unpaved or paper streets are listed by the Providence Assessor's office as providing potential access to the shoreline. The CRMC subcommittee on Rights-of-Ways publishes a listing of all CRMC designated Rights-of-Way to tidal areas of the state, including two with access to the Seekonk River in Providence: Butler Avenue and Irving Avenue.

Property currently privately-owned but vacant may have the potential to provide public access to the shore. A vacant parcel located along Oxford Street, in the vicinity of the former Shepard

D-5 Rivers and Harbor Commission to investigate the need and feasibility of constructing a boat launch at the eastern end of Oxford Street, an available right-of-way to the harborfront.

The CRMC identified five major goals in the Special Area Management Plan (1983) for Providence Harbor. Improved water quality is one of the goals.

E2. POLICY

The City of Providence supports actions to improve water quality, including the Narragansett Bay Commission's Combined Sewer Overflow (CSO) abatement program.

The City of Providence supports efforts to minimize public and private discharges of pollutants into the City's waters.

The City must enforce the prohibition of sanitary waste discharges from MSDs while in the harbor management area per RIGL §46-12-39.

The City of Providence supports the CRMC policy insuring that marinas with liveboards provide pumpout facilities.

The City sanctions CRMC designations of coastal wetlands and other such marine habitats.

E3. OBJECTIVES

- Encourage the installation and use of Best Management Practices at marinas and waterfront commercial properties.



Corliss Landing Park on the Providence with Old Harbor Marina and the Point Street Bridge in the background.

F. WATER USE CONSISTENCY WITH LAND USE

F1. FINDINGS

Coastal Resources Management Council (CRMC)

According to RIGL §46-23, it shall be the policy of the state to preserve, protect, develop, and where possible, restore the coastal resources of the state for this and succeeding generations through comprehensive and coordinated long-range planning and management designed to produce the maximum benefit for society from these coastal resources. See Appendix 3, *Resource Inventory*, for further description of CRMC definitions and allowable activities in its designated type waters.

The CRMC identified five major goals in the Special Area Management Plan (1983) for Providence Harbor. Balanced and compatible shoreline use is identified as one of the major goals.

CRMC has designated the waters of Providence as two water types as indicated in Figure II-2B, existing CRMC water use map:

- ▶ Providence and Woonasquatucket Rivers are Type 6, Industrial Waterfronts and Commercial Navigation Channels.
- ▶ Seekonk River outside of the federal channel is Type 4, Multipurpose Waters; the channel is Type 6. A wetland along Grotto Brook near Gulf Avenue south of Butler Hospital is a coastal wetland in Type 4 waters designated for protection.

Type 4 Waters - Multipurpose Areas: The CRMC policies for multi-purpose waters are to maintain a balance among the diverse activities that coexist in Type 4 waters (as described in Appendix 3); therefore, allowable and non-allowable uses for these areas will be measured against the degree to which they impair other activities such as fishing, water quality, navigation and recreational uses.

Type 5 Waters - 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. 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 are allowable uses in Type 5 waters. There are currently no Type 5 waters designated in the Providence harbor management area.

The existing zoning found along the Providence, Seekonk, Moshassuck, Woonasquatucket Rivers reflects the current land uses as indicated in Figure II-2A, Municipal Zoning. The City created three Waterfront Zoning Districts which recognize the value and dynamic nature of the coastal features and river-fronts as well as their values as unique and valuable natural resources:

- ▶ W-1, Waterfront - Commercial / Residential District promotes waterfront access and uses which improve the integration of the waterfront and the neighborhoods adjacent to the waterfront
- ▶ W-2, Waterfront - Mixed Use District enhances and creates public access to the waterfront as a public resource for the benefit of present and future generations
- ▶ W-3, Waterfront - Port / Maritime Industrial District promotes the Port of Providence and related maritime industrial and commercial uses within the areas of Providence's waterfront

Few land use changes have occurred along the Seekonk River over the previous twenty years. Land use continues to be dominated by mixed commercial development south of Waterman Square and parkland with adjacent residential development north to Grotto Brook. Butler Hospital and Swan Point Cemetery continue to dominate land use along the northern shoreline. Commercial cargo transport to industrial establishments in Pawtucket and East Providence which utilized the Seekonk River federal channel, has declined over the years. Land uses along the Port of Providence continue to be dominated today, as in the past, by port activities.

In a decision on denying a marina permit for a project on the Seekonk River, the CRMC cited that the river between the Henderson and Washington Bridges is unique, providing the only location in the state with suitable rowing conditions for crew teams. CRMC indicated that existing multi-use should not be jeopardized by a proposed use.

See Appendix 3, *Resource Inventory*, Land Use and Zoning for further information on municipal land use, zoning and proposed development in the Providence harbor management area. See Figure II-3 for a compilation of proposals and plans for the use of Providence harbor shore.

F2. POLICY

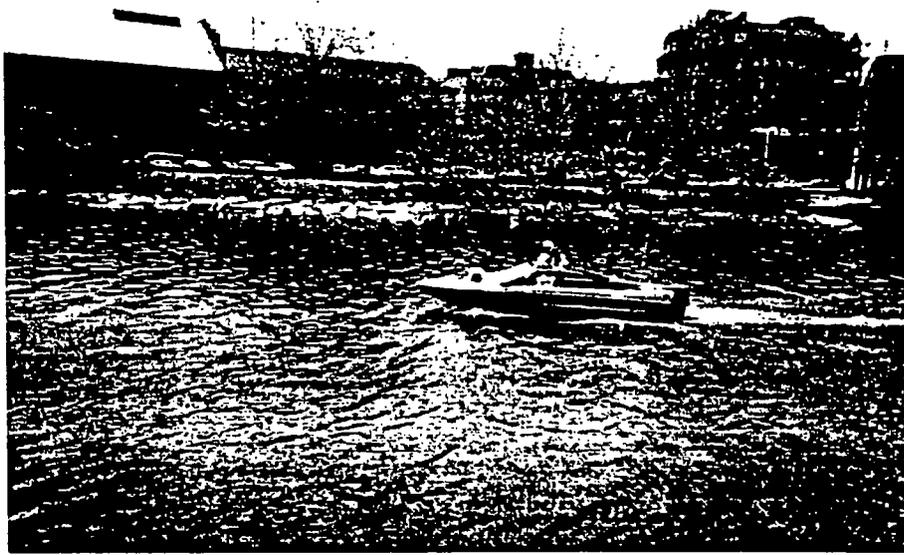
The City of Providence must petition CRMC to maintain consistency between the designated water type and adjacent land use on shore. Critical areas include waters north of the Fox Point Hurricane Barrier proposed for development upon relocation of the I-195 bridge.

The City of Providence shall continue to review proposed development projects for consistency with CRMC's policies.

The City of Providence supports revision of zoning regulations in accordance with Old Harbor Plan recommendations.

F5. WATER USE CONSISTENCY WITH LAND USE IMPLEMENTATION STRATEGIES

- F-1 Request that CRMC change water use designation from Type 6 to Type 5 Commercial and Recreational Harbors north of the Fox Point Hurricane Barrier on the Providence River and east of Park Street on the Woonasquatucket River.
- F-2 Request that CRMC change water use designation from Type 6 to Type 4 Multi-purpose Waters west of Park Street on the Woonasquatucket River.
- F-3 Revise Providence municipal zoning ordinance to create a Waterfront Downtown (W-D) zone as follows: *This zone is intended to encourage revitalization and restoration of the historic business area and to accommodate appropriate expansion of the downtown area while enhancing and creating public access to the waterfront as a public resource. Uses of the D-1 zone are permitted under this zone.*



Power boaters on the Providence River cruise by Doubloon Landing

G2. POLICIES

The City must investigate maintenance dredging options for Waterplace Park.

The City supports the US Army Corps of Engineers efforts to dredge the Providence River up to Crawford Street.

The City must clear all debris as soon as practical in accordance with §11-21(21) of the current Municipal Ordinance.

The City supports the demolition of the abandoned rail bridge at India Point as demonstrated by securing the necessary funds for the City's portion of the removal costs.

The City must clearly mark any hazards or debris that cannot be removed or corrected to insure the safety of the recreational and commercial users of the harbor.

The City supports the efforts of RIDEM to post speed signs/buoys and establish no wake zones in the inner harbor and Seekonk River.

The City must post clearance signs on all structures that might impede safe navigation of commercial and recreational vessels.

It is anticipated that, following completion of the mall/ramps and implementation of NBC CSO abatement measures on the Woonasquatucket, maintenance dredging of Waterplace Park will be required much more infrequently. It may also be anticipated that contaminant levels of dredged material would be lower than when the rivers were relocated in the early 1990's and that disposal of dredged material would be less difficult to accomplish. It may be presumed that some of the sediment load of the river is deposited upstream of the dam at Eagle Street. Routine dredging behind the Eagle Street dam would increase available space for deposition of sediment, resulting in reduced sediment loading west of Waterplace.

Dredging of the federal channel downstream of the Crawford Street bridge in Providence River entails disposal of the dredged materials. These sediments are known to be contaminated with potentially hazardous substances and must be disposed of in accordance with state and federal law.

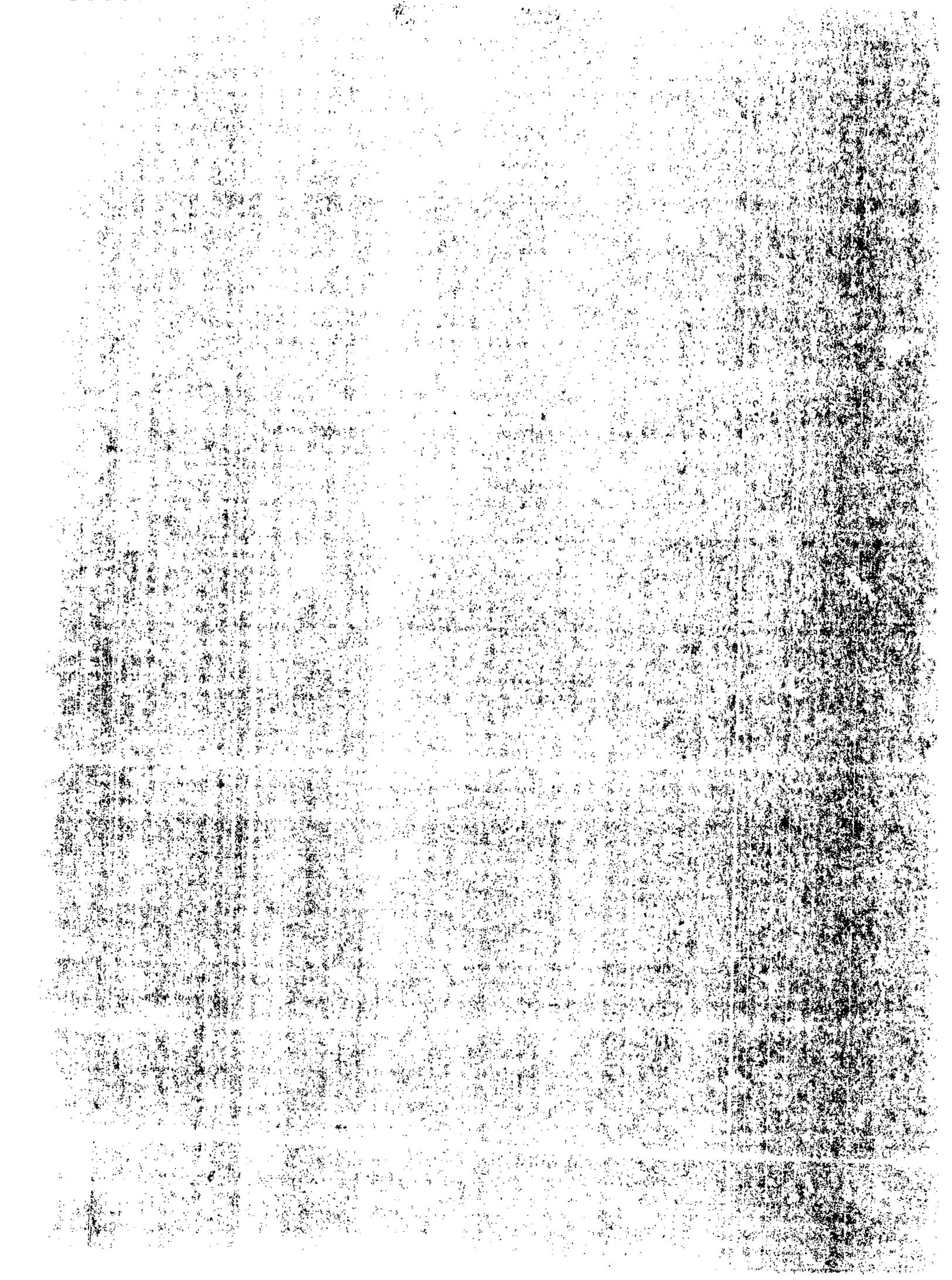
In the early 1990's the ACOE commenced work necessary for a proposed maintenance dredging project for the federal shipping channel in the Providence River. Currently, a Draft Environmental Impact Statement (EIS) for the Providence River and associated harbor terminals dredging project is scheduled to be completed in the spring of 1998. The Final EIS is expected to be ready in the fall of 1998. The ACOE may commence the dredging as early as the fall of 1999.

G5. NAVIGATION IMPLEMENTATION STRATEGIES

- G-1 On the recommendation of the Providence Rivers and Harbor Commission, the Providence City Council to appoint a Commissioner of Wrecks in accordance with RIGL §46-10. The Commissioner of Wrecks would be responsible for identification of abandoned vessels, loose floating debris and docks, notification of owners, initiation of wreck removal, notification and scheduling of Providence Department of Public Works and RIDEM to assist in removal as needed, and initiating efforts to recover from property owners the costs expended for the purpose of debris and wreck removal.
- G-2 City of Providence to require that maintenance dredging of Waterplace Park be conducted upon completion of construction at the Providence Place Mall and highway ramps.
- G-3 The City shall amend the municipal harbor ordinance to limit vessel speeds (and/or wake) in the inner harbor, outer harbor, Seekonk River and the federal channel (see Appendix 1, *Regulations and Jurisdiction*).
- G-4 The City shall continue to support the efforts of the US Army Corps of Engineers to demolish the abandoned rail bridge at India Point and ensure safe navigation of the Seekonk River.
- G-5 The City shall institute semi-annual street sweeping in the Woonasquatucket River watershed to reduce sediment load in the river and resultant deposition in Waterplace Park.

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Appendix 1 REGULATIONS AND JURISDICTION

Regulations for use of open waters of Providence are specified by both municipal ordinance and Rhode Island General Law (RIGL). Many of these regulations predate current marine use of the harbor and therefore amendments and/or replacement of ordinances and law are required to bring current use into compliance. For ease of interpretation, regulations no longer relevant have been indicated with strikeouts (~~strikeouts~~); updates are indicated in redline (redline).

1.1 EXISTING REGULATION AND ORDINANCES

1.1.1 Rhode Island General Law

RIGL §46-4-2 authorizes ~~the~~ and empowers the City of Providence to appoint a harbormaster and to ordain and establish ordinances necessary to carry out the provisions of this sections, as indicated below. Note that the position of harbormaster (with jurisdiction seven miles south of the city) is currently unfilled; the US Coast Guard currently coordinates use of the channel for shipping. Redline and strike-out text proposed changes to redefine the jurisdiction of the Providence Rivers and Harbor Commission (assuming the duties of the harbormaster) to reflect current conditions.

TITLE 46 WATERS AND NAVIGATION CHAPTER 46-4 HARBORS AND HARBOR LINES

§ 46-4-2 City and town control of harbors --Harbor masters --Extension of Providence jurisdiction. - The council of any city or town is hereby authorized and empowered to appoint a harbor master for the harbors within the confines of the city or town, and to ordain and establish such bylaws and ordinances and establish such fees and compensation as the city council or town council may deem necessary and expedient for carrying out the provisions of this section; provided, that the jurisdiction, powers, and duties of the harbor master of the city of Providence shall include all the public waters westerly of the easterly sides of the ship channels in Seekonk River, Providence River and Harbor and Narragansett Bay from the Pawtucket-Providence city line southerly to ~~the point of intersection of the ship channel side with a straight line drawn from Rumstick Point on the east shore to Rocky Point on the west shore, excluding that area subject to jurisdiction of the city of Cranston, pursuant to the provisions of § 46-4-5.1~~ the municipal boundary of the cities of Providence and Cranston, and all acts of the general assembly and ordinances of the city of Providence, now or hereafter passed, relative to the harbor of the city of Providence, shall apply to and be in force relative to the public waters. The council of the town of Little Compton is hereby authorized and empowered to enact ordinances to regulate or ban the setting of lobster pots, fish nets, or cribs, within the harbor at Little Compton to prevent interference with the use of moorings or navigation therein.

<u>DATE</u>	<u>SOURCE</u>	<u>DESCRIPTION</u>
1996	RI General Laws 46-4-5	<i>East Providence harbor lines -jurisdiction</i> The jurisdiction of the city of East Providence shall include all of the public waters easterly of the easterly sides of the ship channels in the Seekonk River, Providence River and Harbor, and Narragansett Bay from the Pawtucket - East Providence city line southerly to the point of intersection of those ship channel sides with a straight line drawn from Gaspee Point on the west shore to Nayatt Point on the east shore; and all of the public waters on the northerly side of a line running sixty-five degrees (65°) true from the intersection formed by the straight line drawn from Gaspee Point to Nayatt Point and the ship channel side to the point of intersection with the East Providence - Barrington boundary line; and all of the public waters, westerly and northerly, in Bullock Cove, of the East Providence - Barrington boundary line to the point of intersection of the boundary line and the mean high water line.
1996	RI General Laws 46-4-2	<i>City and town control of harbors - Harbor masters - Extension of Providence jurisdiction</i> Jurisdiction, powers, and duties of the harbor master of the city of Providence shall include all the public waters westerly of the easterly sides of the ship channels in Seekonk River, Providence River and Harbor and Narragansett Bay from the Pawtucket - Providence city line southerly to the point of intersection of the ship-channel side with a straight line drawn from Rumstick Point on the east shore to Rocky Point on the west shore, excluding that area subject to jurisdiction of the city of Cranston. Pursuant to the provisions of 46-4-5.1, and all acts of the general assembly and ordinances of the city of Providence, now or hereafter passed, relative to the harbor of the city of Providence, shall apply to and be in force relative to the public waters.
1991	RI General Laws 46-4-5.1	Same as 1996, RI General Laws 46-4-5.1 Cranston harbor lines -jurisdiction
1991	RI General Laws 46-4-5	Same as 1996, RI General Laws 46-4-5 East Providence harbor lines -jurisdiction
1991	RI General Laws 46-4-2	Same as 1996, RI General Laws 46-4-2 City and town control of harbors - Harbor masters - Extension of Providence jurisdiction
January 9, 1918	Providence City Council Resolution No. 28	Request General Assembly to change Harbor Line substantially as indicated on City Engineer's plan 043051
July 12, 1910	Providence City Council Resolution No. 280	Cranberry Island purchased by the Squantum Association from the City
January 14, 1910	Providence City Council Resolution No. 30	Request Congress to extend the Channel of the Providence River to the Westerly Harbor Line between a point just above Harbor Pier Junction and the southerly side of Field's Point
		No new harbor lines established in the State during this year.

<i>DATE</i>	<i>SOURCE</i>	<i>DESCRIPTION</i>
1879 Harbor Commissioners Report	(approved 4/27/1878 by General Assembly)	Harbor line on the west side of the Providence River between Crawford Street Bridge and Point Street Bridge
	(approved 4/8/1878 by General Assembly)	Harbor lines in Pawtucket, from the falls to Bensley's Point to Bass rock. Also harbor lines on the west side of Seekonk River from Bower Street to Central or Red Bridge
	under consideration by the Board	Harbor line from Sassafras Point to Field's Point
	Public Hearing	Establishment of harbor lines on the east side of the Seekonk River and Providence Harbor
	Public Hearing	Establishment of harbor lines from Field's Point to Pawtuxet beacon
	under consideration by General Assembly	Harbor line on the east side of the Providence River from Crawford Street Bridge to Fox Point
Feb. 9, 1874	Providence City Council Resolution No. 431	Recommend that harbor line on east and west side of Providence River be fixed after report is made by engineers of the US coast survey

1.1.3 Providence Home Rule Charter

The following Section 1016 outlines the responsibilities of the Port Commission. Many of these responsibilities have since been taken over by the formation of ProvPort, Inc. The Charter should remain in effect until such time as ProvPort reverts to the City.

1016. Port Commission.

There shall be a Port commission for the Port of Providence of seven (7) members, five (5) of whom shall be appointed by the mayor to serve for staggered three-year terms, and two (2) of whom shall be elected by the city council from among its own members to serve for four-year terms. The initial appointments by the mayor shall be made during the month of January, 1983 in such manner that two (2) such appointees shall serve for terms of three (3) years, two (2) for terms of two (2) years, and one for a term of one year. In each succeeding January the mayor shall make such appointments as may be required to fill the places of commissioners who terms are due to expire during that month. The commission members elected by the city council shall be chosen in January of 1983 and every fourth year thereafter. In the event of vacancies in the membership of the commission, such vacancies shall be filled by the mayor or by the city council, as the case may require, for the unexpired term or terms. The commission shall, at its first meeting in February of each year, elect its chairperson and such other officers as it may see fit, and shall have the authority to make and amend rules for the conduct of its business.

- (a) The port commission shall have the following powers and responsibilities:
- (1) To develop the Port of Providence through the planing, construction and maintenance of all needful berths, docks, structures and facilities, and through the encouragement to the maximum extent possible of use of the same by shippers and the maritime industry generally;

- Sec. 11-20. Definition of the boundaries of the port district of the port of Providence.
 Sec. 11-21. Prohibited activities on and within the waters of the city.

*Charter laws reference - Powers of city, sec. 2.1 et seq.

Cross references - Obstructing streets leading to, adjoining harbor or river, sec. 23-3; bridges, sec. 23-154 et seq.; operation of vessels under, through bridges, sec. 23-160 et seq.

State law references - Treatment of shipping and navigation under state law, chapters 46-1 -- 46-11, Gen. Laws 1956; according to sec. 46-10-1, commissioner of wrecks and shipwrecked goods shall be appointed annually by council, but no such ordinance has been enacted; shore development, ch. 46-3, Gen. Laws 1956; harbor, harbor lines, ch. 46-4, Gen. Laws 1956; construction of port facilities, ch. 46-5, Gen. Laws 1956; obstructions to navigation, ch. 46-6, Gen. Laws 1956.

Special act relative to harbor and public waters of Town of Providence, see digest of 1822, as amended by Act of Jan. 21, 1837, Act of Oct. 27, 1841, Act of May 9, 1845, and Act of May 4, 1888; special act establishing harbor line on westerly side of Providence River south of Fields point and authorizing city to take riparian rights, P.L. 1940, c. 839; special act establishing harbor line between Fox Point and railroad bridge at India Point, P.L. 1865, c. 557, as amended by P.L. 1928, c. 1241; special act establish harbor lines on easterly side of river from Crawford Street Bridge to Fox Point, P.L. 1879, c. 758, as amended by P.L. 1928, c. 1241; other special acts authorizing establishment of harbor lines, Acts of March 3, 1855; P.L. 1885, c. 476; P.L. 1890, c. 914; P.L. 1892, c. 1096; P.L. 1896, c. 424.

Sec. 11-1. Harbor lines on west side of river from Dorrance Street wharf to Sassafras Point.

The harbor line on the west side of the river, from Dorrance Street wharf to Sassafras Point, is hereby established as follows:

Beginning at the southeast corner of Dorrance Street wharf, and running south, thirty-five degrees east, six thousand six hundred and fifty-five feet, to a point one hundred and sixty feet west of the center of the first dolphin north of Sassafras Point; thence turning and running in a direction south, about fifty-one and one-fourth degrees east, eighteen hundred and forty feet, to the edge of the channel near Sassafras Point, and passing one hundred and twenty-five feet west of the center of the dolphin at Sassafras Point; the position of these dolphins and of Dorrance Street wharf being determined by Rosecrans' harbor chart in the city clerk's office.

(Ord. 1914, ch. 26, sec. 1; Rev. Ords. 1946, ch. 16, sec. 18)

Sec. 11-2. Authority of harbor master as to anchorage station, management and control of vessels.

The harbor master shall have full power and authority to prescribe regulations and give directions regarding the anchorage station, management and control of all vessels within the harbor of Providence.

(Ord. 1914, ch. 27, sec. 1; Rev. Ords. 1946, ch. 16, sec. 1)

State law references-Authority of council to appoint harbor master and prescribing territorial extent of his powers and duties, Section 46-4-2, Gen. Laws 1956; duty of harbor master to give notice of wrecks, Section 46-6-15, Gen. Laws 1956; special act authorizing council to pass ordinances relative to harbor master, Act of March 11, 1859; special act relative to jurisdiction of harbor master, P.L. 1923, c. 1121.

Sec. 11-3. Records of arrivals and departures to be kept.

The harbor master shall keep an accurate daily record in a suitable book of the arrival and departure of vessels at the port of Providence, specifying the ports from which vessels arrive as well as the ports for which vessels sailing from this port are bound, and, so far as possible, a record of the principal items of merchandise comprising the cargoes of such vessels. This record of the arrival and departure of vessels shall be open to public inspection.

(Ord. No. 1914, ch. 27, sec. 13; Rev. Ords. 1946, ch. 16, sec. 15)

Sec. 11-4. Anchoring according to direction of harbor master.

Every vessel entering the city harbor shall be anchored by the master or person in command thereof, according to the directions of the harbor master.

(Ord. 1914, ch. 27, sec. 2; Rev. Ords. 1946, ch. 16, sec. 2)

Sec. 11-5. Moving vessels not properly anchored.

All vessels not anchored according to the directions of the harbor master shall be forthwith moved by their crews under his direction. If any such vessel not have sufficient crew to move the same, such vessel shall be moved by the harbor master, and the expense thereof shall be paid by the owner or master of said vessel, and may be recovered by the harbor master of such owner or master by an action, in the name of the city, before any court of competent jurisdiction.

(Ord. 1914, ch. 27, sec. 3; Rev. Ords. 1946, ch. 16, sec. 3)

(Ord. 1914, ch. 27, sec. 13; Rev. Ords. 1946, ch. 16, sec. 14)

~~Sec. 11-16. Quarterly reports of harbormaster.~~

~~The harbormaster shall make a quarterly report to the council including therein the total statistics of the commerce of the port of Providence shown by his daily record book and such other information as he shall deem advisable.~~

~~(Ord. 1914, ch. 27, sec. 13; Rev. Ords. 1946, ch. 16, sec. 16)~~

~~Sec. 11-17. Uniform of harbormaster.~~

~~The harbormaster shall at his own expense, provide himself with a uniform consisting of a dark blue double-breasted sack coat, with brass buttons and shoulder straps with the words "harbormaster" inscribed thereon, dark blue vest and dark blue trousers. He shall also wear a blue cloth navy cap with the words "harbormaster" inscribed thereon. This uniform shall be worn by the harbormaster when on duty.~~

~~(Ord. 1914, ch. 27, sec. 12; Rev. Ords. 1946, ch. 16, sec. 12)~~

~~Sec. 11-18. Port agent; appointment, powers and general duties.~~

~~The director of public works as soon as may be after his appointment and qualification shall appoint, subject to the approval of the mayor, a port agent. Such port agent, subject to the control of the director of public works, shall have full and complete charge, direction, supervision, management, care and control of the municipal wharf or terminal. Subject to such civil service provisions as may be enacted by ordinance, the port agent shall, subject to the approval of the director of public works, have the appointment and removal of all deputies, clerks, assistants, and other subordinates serving under his direction.~~

~~(Ord. 1941, ch. 1050, sec. 1; Rev. Ords. 1946, ch. 16, sec. 19)~~

~~Sec. 11-19. Port agent to solicit business for port.~~

~~In addition to his other duties it shall be the duty of the port agent to seek out, solicit, and interest ship officials, manufacturers, shippers and others, who have occasion to use transportation, in the facilities and advantages of the port of Providence.~~

~~(Ord. 1941, ch. 1050, sec. 2; Rev. Ords. 1946, ch. 16, sec. 20)~~

Sec. 11-20. Definition of the boundaries of the port district of the port of Providence.

[The boundaries of the port district of the port of Providence are as follows:] Beginning at the division line of Plat 101 and Plat 56, said point being a point on Terminal Road and the range of the westerly property line of lot 5 on City of Providence Assessor's Plat 56; thence in generally northerly direction, along the division line of Plat 101 and Plat 56, to an angle in the plat division line; thence turning an interior angle of 142 degrees, 10 minutes, 35 seconds and running northerly along the plat division line to the center of the Providence River channel; thence following the centerline of the channel in a generally southeasterly direction and parallel with the harbor line to the division line between the City of Providence and the City of Cranston; thence generally westerly along the city division line of Providence and Cranston line to the southwesterly corner of Lot 300 on City of Providence Assessor's Plat 56; thence generally northerly along the westerly line of lot 300 to the northwesterly corner of lot 300 on City of Providence Assessor's Plat 56; thence easterly along the northerly line of lot 300 to an angle; thence southerly twenty (20) feet to a corner; thence easterly along the northerly line of Lot 300 to the easterly street line of Michigan Avenue; thence northerly along the easterly street line of Michigan Avenue to the southeasterly intersection of California Avenue and Michigan Avenue; thence easterly along the southerly street line of California Avenue to the plat division line of Plat 56 and Plat 87; thence northwesterly along the plat division line of Plat 56 to the northerly street line of Ernest Street; thence westerly along the northerly street line of Ernest Street to the southeasterly intersection of Ellis and Ernest Streets; thence northeasterly along the easterly street line of Ellis Street to the southeasterly intersection of Ellis Street and Terminal Road; thence running in a generally northwesterly direction across Terminal Road to the northwesterly intersection of Ellis Street and Terminal Road; thence westerly along the northerly line of Terminal Road to the intersection with the range of the westerly property line of Lot 5 on City of Providence Assessor's Plat 56, said line also being the plat division line of Plat 101 and Plat 56, said point being the point and place of beginning.

(Ord. 1984, ch. 84-66, sec. 1, 9-27-84; Ord. 1993, ch. 93-30, sec. 2, 9-24-93)

- (12) Operate a motorboat or vessel on and within any waters of the city towing a person or persons on water skis, a surfboard or similar device beginning at one (1) hour after sunset and ending at one (1) hour before sunrise;
- (13) Engage in water skiing, surfboarding, or similar activity at any time between the hours beginning at one (1) hour after sunset and ending at one (1) hour before sunrise, or within areas in which said activities are prohibited;
- (14) Operate or manipulate any motorboat, 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;
- (15) Conduct a regatta, motorboat, or other boat race, marine parade, tournament, or exhibition, except on the terms and conditions specifically set forth by the port commission;
- (16) Refuse to move or stop on oral command of the, assistant harbormaster, or police officer operating from a patrol boat identified as such, and exercising the duties lawfully assigned to him or her;
- (17) Engage in scuba diving, skin diving, or snorkeling in an area where power or motorboats are operated, unless the proper warning flags, as set forth in state law, are posted;
- (18) Operate a motorboat or vessel within fifty (50) feet of any warning flag as set forth in state law;
- (19) Construct and/or place a mooring without a permit issued by the port commission;
- (20) Throw, dispose of, deposit, or cause to be thrown, disposed of, or deposited, bottles, glass crockery, cans, scrap metal, junk, paper, garbage, refuse or debris of any nature, or any noxious substance in or upon any of the waters within the city;
- (21) Deposit or abandon a vessel or structure upon the shore, a public right-of-way or on and within the waters of the city. When any vessel or structure is deposited or abandoned in the waters of the city, the same may be removed by the police department, or its lawfully authorized agent.
 - a. *Notice of removal of vessel/harbor structures.* If the person who owns, has an interest in, or exercises any control over the vessel or structure, or otherwise is known, the chief of police, or his lawfully designated agent, shall give written notice by certified mail to said person to remove the vessel or structure within a specified time.
 - b. *Removal of vessel/harbor structures.* If the vessel or structure is not removed within the time specified in the notice and in a manner and to a place satisfactory to the chief of police, or his lawfully designated agent, or if no such person is known to the chief of Police, or his lawfully designated agent, upon whom the notice can be served, then the chief of police, or his lawfully designated agent, may proceed to remove, or cause the vessel or structure to be removed, in a manner and to a place the chief of police, or his lawfully designated agent, shall deem appropriate.
 - c. *Liability.* In the event that such person identified in paragraph (1) above, shall allow a vessel or structure to be removed by the chief of police, or his lawfully designated agent, in accordance with this ordinance, then such person shall be liable to pay the cost and expenses of the removal and storage, or to repay the same when paid by the city. The expense may be recovered in an action brought by the city solicitor against the owner(s). If the owner(s) are unknown or the vessel or structure is unclaimed within ninety (90) days of the removal. The city may sell the vessel or structure. The proceeds from the sale shall be used to defray the cost the city incurred in the removal and storage of the vessel or structure, and in the administration of this section.
- (22) Engage in rafting on a single mooring or anchor, unless such rafting does not unreasonably interfere with any adjacent single moorings or anchorages. Motorboats and/or vessels in a raft shall be manned at all times;
- (23) Operate a marine toilet at any time so as to cause or permit to pass or to be discharged into harbor waters, any untreated sewage, or other waste matter or contaminant of any kind, and/or dumping of holding tanks containing anything other than fresh water or sea water into harbor waters;
- (24) Moor or anchor a houseboat unless such mooring or anchoring is done within designated areas.

- (3) Any person who violates any provision of subsections (a)(2), (4), (8), (9), (10) or (24) of this section shall be guilty of a misdemeanor and shall be subject to a fine not to exceed one thousand dollars (\$1,000.00), or imprisonment not to exceed one (1) year, or both for each violation.
- (4) Any person charged with any violation set forth in subsections (a)(3)a., b., (5), (7), (11), (12), (13), (14), (15), (16), (17) or (18) of this section and notified in writing by a police officer to appear to answer such charge before the Providence Municipal Court may, in lieu of such appearance, elect to appear in person or by one duly authorized by him in writing, before the clerk of said court, admit the truth of said charge, and pay to said clerk the designated fine; provided that such appearance, admission and payment be made at the office of said clerk during regular business office hours, within sixty (60) days of such notification, and failure to so appear shall be deemed a waiver of the right to dispose of such charge without personal appearance in court.
- (5) In those cases where mail is used for payment of such fine, the payment shall be by check or by money order, and in those cases where payment is attempted with a check drawn against insufficient funds, an additional payment of twenty-five dollars (\$25.00) shall be imposed against the violator to defray administrative costs.
- (6) The payment of a fine to the clerk of the municipal court as herein provided for any violation set forth in subsections (a)(3)a., (5), (7), (11), (12), (13), (14), (15), (16), (17) and (18) shall operate as a final disposition of the charge.
- (7) Notice of any violation set forth in subsections (a)(3)a., (5), (7), (11), (12), (13), (14), (15), (16), (17) and (18) shall indicate the offense charged, a schedule of fines for such violation, the time within which such fine by mail may be exercised, the place to which such fine may be mailed and such other information as well enable the person charged to take advantage of the provisions hereof.

(Ord. 1993, ch. 93-30, sec. 3, 9-24-93)

In Section 11-1, harborlines are taken to mean boundary areas, as opposed to the boundary of the Port as defined in Section 11-20. State litigation is currently underway that may definitely settle the jurisdiction of the allowances of an approved harborline. At present, the term harborline carries the meaning of the right to access navigation (as in "out to the harbor") to engage in commerce. Ultimately, the CRMC is the regulatory body that decides what activities can be conducted within the tidal waters of the state regardless of the presence of a harborline.

1.2 PROPOSED LAWS AND ORDINANCES

1.2.1 Revised Rhode Island General Law

Create the Providence Rivers and Harbor Commission by amending RIGL to establish enabling legislation for the City of Providence. RIGL §46-4-2 should be revised as indicated on page I-1 to eliminate jurisdiction of the Providence harbormaster south of the Providence-Cranston municipal boundary (a duty largely conducted by the US Coast Guard).

The following RIGL enabling legislation is recommended to reflect the need to establish a regulatory body in the City with jurisdiction of all tidal waters of the city under the jurisdiction of the Harbor Management Plan, as afforded by RIGL §46-4 and the CRMC's *Guidelines for the Development of Municipal Harbor Management Plans*, March 1997 draft.

RIGL §46-4

Providence Rivers and Harbor Commission.

City Ordinances - Ord. 1993, ch. 93-30, sec. 3, 9-24-93; Ord. 1914, ch. 26, sec. 1; Rev. Ords. 1946, ch. 16, sec. 18; Ord. 1914, ch. 27, sec. 1; Rev. Ords. 1946, ch. 16, sec. 1; Ord. No. 1914, ch. 27, sec. 13; Rev. Ords. 1946, ch. 16, sec. 15; Ord. 1914, ch. 27, sec. 2; Rev. Ords. 1946, ch. 16, sec. 2; Ord. 1914, ch. 27, sec. 2; Rev. Ords. 1946, ch. 16, sec. 2; Ord. 1914, ch. 27, sec. 3; Rev. Ords. 1946, ch. 16, sec. 3; Ord. 1914, ch. 27, sec. 7; Rev. Ords. 1946, ch. 16, sec. 7; Ord. 1914, ch. 27, sec. 13; Rev. Ords. 1946, ch. 16, sec. 13; Ord. 1914, ch. 27, sec. 9; Rev. Ords. 1946, ch. 16, sec. 9; Ord. 1914, ch. 27, sec. 5; Rev. Ords. 1946, ch. 16, sec. 5; Ord. 1914, ch. 27, sec. 6; Rev. Ords. 1946, ch. 16, sec. 6; Ord. 1914, ch. 27, sec. 8; Rev. Ords. 1946, ch. 16, sec. 8; Ord. 1914, ch. 27, sec. 14; Rev. Ords. 1946, ch. 16, sec. 17; Ord. 1914, ch. 27, sec. 19; Rev. Ords. 1946, ch. 16, sec. 10; Ord. 1914, ch. 27, sec. 4; Rev. Ords. 1946, ch. 16, sec. 4; Ord. 1914, ch. 27, sec. 13; Rev. Ords. 1946, ch. 16, sec. 14; Ord. 1914, ch. 27, sec. 13; Rev. Ords. 1946, ch. 16, sec. 16; Ord. 1984, ch. 84-66, sec. 1, 9-27-84; Ord. 1993, ch. 93-30, sec. 2, 9-24-93.

Cross references - Obstructing streets leading to, adjoining harbor or river, sec. 23-3; bridges, sec. 23-154 et seq.; operation of vessels under, through bridges, sec. 23-160 et seq.

State law references - Treatment of shipping and navigation under state law, chapters 46-1 -- 46-11, Gen. Laws 1956; according to sec. 46-10-1, commissioner of wrecks and shipwrecked goods shall be appointed annually by council, but no such ordinance has been enacted; shore development, ch. 46-3, Gen. Laws 1956; harbor, harbor lines, ch. 46-4, Gen. Laws 1956; construction of port facilities, ch. 46-5, Gen. Laws 1956; obstructions to navigation, ch. 46-6, Gen. Laws 1956.

Special act relative to harbor and public waters of Town of Providence, see digest of 1822, as amended by Act of Jan. 21, 1837, Act of Oct. 27, 1841, Act of May 9, 1845, and Act of May 4, 1888; special act establishing harbor line on westerly side of Providence River south of Fields point and authorizing city to take riparian rights, P.L. 1940, c. 839; special act establishing harbor line between Fox Point and railroad bridge at India Point, P.L. 1865, c. 557, as amended by P.L. 1928, c. 1241; special act establish harbor lines on easterly side of river from Crawford Street Bridge to Fox Point, P.L. 1879, c. 758, as amended by P.L. 1928, c. 1241; other special acts authorizing establishment of harbor lines, Acts of March 3, 1855; P.L. 1885, c. 476; P.L. 1890, c. 914; P.L. 1892, c. 1096; P.L. 1896, c. 424.

State law references-Authority of council to appoint harbormaster and prescribing territorial extent of his powers and duties, Section 46-4-2, Gen. Laws 1956; duty of harbormaster to give notice of wrecks, Section 46-6-15, Gen. Laws 1956; special act authorizing council to pass ordinances relative to harbormaster, Act of March 11, 1859; special act relative to jurisdiction of harbormaster, P.L. 1923, c. 1121.

Editor's note - Section 1 of ch. 93-30, adopted Sept. 24, 1993, repealed sec. 11-20, which pertained to violations and penalties and derived from Ord. 1914, ch. 27, sec. 11 and Rev. Ords. 1946, ch. 16, sec. 11. Section 2 of ch. 93-30 renumbered sec. 11-21 as sec. 11-20 and Section 3 of ch. 93-30 added a new sec. 11-21.

Sec. 11-1 Purpose and Applicability

Sec. 11-2 Policy

Sec. 11-3 Definitions

Sec. 11-4 Area of Jurisdiction

Sec. 11-5 Administration and Enforcement; Rivers and Harbor Commission

Sec. 11-6 Regulated Activities

Sec. 11-7 Fees; Harbor Management Fund

Sec. 11-8 Penalty

Sec. 11-9 Disclaimer of Liability

Sec. 11-1 Purpose and Applicability

(a) Purpose.

The regulations set forth in this chapter are made in accordance with the city harbor management plan for the purpose of promoting the public health, safety and general welfare of the citizens of the City and the general public at large that uses the City's waterfront. These regulations are designed to implement the harbor management plan, to provide for the safe harbor and use of boats, and to provide for the proper disposal of waste. These regulations are made with specific consideration given to the fragile resources existing in and along the City's waterfront while permitting its safe and reasonable use by people.

(b) Applicability.

The provisions of this chapter, and any rules and regulations adopted pursuant thereto, shall be applicable to and shall govern the use of harbor lands, waters, facilities and activities under the jurisdiction of the City of Providence. This

Anchoring - To secure a vessel temporarily to the bottom of a water body by dropping an anchor or anchors or other ground tackle from a vessel.

Channel - Any water areas that are federally maintained and reserved for unobstructed movement of vessels.

Commission - The Rivers and Harbor Commission.

CRMC - The Coastal Resources Management Council.

Director - The Director of the Rivers and Harbor Commission.

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

Rivers and Harbor Commission - The commission established or designated in accordance with this chapter to carry out responsibilities associated with the development, oversight, and administration of municipal harbor programs.

Harbor Management Plan (HMP) - The City of Providence master plan for development, maintenance, and conservation of its waterfront resources.

Harbormaster - An official appointed in accordance with this chapter to carry out the provisions of this chapter. There shall be a chief harbormaster who is responsible for the supervision and direction of all other harbormasters. If this position is not filled, the duties of the harbormaster shall become the responsibility of the Rivers and Harbor Commission.

Houseboat / Floating Home - A building constructed on a raft, barge or hull that is used primarily for single family habitation. Houseboats may only be anchored in a permitted marina. Discharge of sanitary waste from houseboats into the waters of the City is prohibited.

Launching Ramp - Any man-made or natural facility used for the launching and retrieval of boats (Sec. 300.4, Coastal Resources Management Program)

Marina - Any dock, pier, wharf, float, floating business or combination of such facilities that service five or more recreational boats as a commercial enterprise or in association with a club (Sec. 300.4, Coastal Resources Management Program)

Motorboat - Any vessel whether or not the vessel is propelled by machinery. for the purposes of this chapter, motorboat shall not include houseboats as defined in the General Laws of Rhode Island, any ferry, canoes, and rowboats twelve (12) feet in length or less.

Operate - To navigate or otherwise use a motorboat or vessel.

Person - An individual, group of people, partnership, firm, corporation, association, organization, trust, company, or other entity.

Resident - Any person whose legal residence or place of principal operation is the City.

Vessel - Every description of watercraft, other than a seaplane on water, used or capable of being used as a means of transportation on water. Specifically excluded by this definition are floating homes or houseboats.

Wake - A wave generated by a vessel.

Water Dependent Use - Activities or uses that can only be conducted on, in, over, or adjacent to tidal waters or coastal ponds because the use requires access to the water for transportation, recreation, energy production or source of water; also includes non-water dependent activities that provide access to the shore to broad segments of the public.

Sec. 11-4 Area of Jurisdiction

All waterfront areas, as detailed in the Harbor Management Plan for the City of Providence, shall fall under the jurisdiction of the city and shall be governed by this chapter and any rules and regulations adopted by the city. More specifically, it is that area of the waters of the city encompassed by the following description:

all the public waters westerly of the easterly sides of the ship channels in Seekonk River, Providence River and Harbor and Narragansett Bay from the Pawtucket - Providence city line southerly to the point of intersection of the ship-channel side with a straight line drawn from Rumstick Point on the east shore to Rocky Point on the west shore, excluding that area subject to jurisdiction of the city of Cranston;

[The boundaries of the port district of the port of Providence are as follows:] Beginning at the division line of Plat 101 and Plat 56, said point being a point on Terminal Road and the range of the westerly property line of lot 5 on City of Providence Assessor's Plat 56; thence in generally northerly direction, along the division line of Plat 101 and Plat 56, to an angle in the plat division line; thence turning an interior angle of

recovered by the harbormaster of such owner or master by an action, in the name of the city, before any court of competent jurisdiction.

5. Remove, from time to time, any vessel not employed in receiving or discharging cargo, to make room for others requiring to be accommodated, and shall by the sole judge of the fact of any vessel's being fairly and legitimately engaged in receiving or discharging the cargo. He / she may also determine the extent, time and manner of accommodation respecting the stations of vessels, which should be extended by the owners or masters thereof to each other, and to required such accommodation to be extended.
6. Have the care, control and management of the city ships and of any public landings or floats maintained by the city.
7. Carry out all other powers and duties authorized to the harbormaster under various state and federal marine laws, including but not limited to Marine Sanitation Device (MSD) inspection and discharge responsibilities afforded through the U.S. coast Guard, MARPOL ANNEX V, Section 312 of the Clean Water Act, Title 46-22 of the General Laws of Rhode Island, and future laws to be enacted.
8. The harbormaster shall make a quarterly report to the council including therein the total statistics of the commerce of the port of Providence shown by his daily record book and such other information as he shall deem advisable.
9. The harbormaster shall attend daily at an office to be provided by the city and shall have regular office hours.

Other Harbormasters. There shall be other harbormasters as needed determined by the chief harbormaster, who shall be appointed by the mayor and serve at the pleasure of the mayor. The harbormaster(s) shall work for the chief harbormaster and shall have the power and duties delegated to them by the Director.

Compensation. The chief harbormaster and the harbormaster(s) shall receive an annual stipend and shall be compensated for expenses incurred in the performance of their duties. All compensation shall be included in the Commission's budget, and acted upon by the City Council.

Qualifications. The chief harbormaster and the harbormaster(s) shall be required to possess knowledge of harbormaster management techniques such as those offered through the Rhode Island Harbormaster Association training program. The chief harbormaster shall, at minimum, show and maintain proficiency in: basic First Aid and CPR; seamanship / towing; boating safety enforcement; law enforcement / probable cause; liability; harbor management; pollution control / fisheries; oil spill response; and water quality. Other qualifications include small boat handling, navigation, oral and written communication, budgeting, and administrative procedures.

Sec. 11-6 Regulated activities

(a) Moorings

If the need for public moorings is determined through public participation, regulations will be proposed.

(b) Guest Anchorage

A boat may anchor on its own anchor up to 48 hours in the public waters of the City. Written consent of the chief harbormaster is necessary for extended visits of more than 48 hours. No vessel will be allowed to anchor in the city waters utilizing his / her own ground tackle and be left unattended. The owner or operator and party may go ashore, but shall not leave the area. They shall be available to tend to the vessel in the event of heavy weather.

(c) Vessel Speed

1. The operation of any vessel within the coastal water and harbor areas of the City of Providence shall proceed in a manner which protects all persons and property from damage from waves, wake, and operation. Operators of vessels within the coastal waters and harbor areas of the City of Providence shall comply with state regulations on vessel speeds and wake which establishes a maximum speed for vessels at five (5) miles per hour, no wake (RIGL §46-22-9).
2. No person shall operate a motorboat or vessel at a speed of greater than five (5) miles per hour no wake within the areas designated by the Commission;
3. No person shall operate a motorboat or vessel within non-designated areas at a speed greater than forty-five (45) miles per hour during the hours from sunrise to sunset and twenty-five (25) miles per hour during periods of darkness or other periods of restricted visibility;
4. The City hereby designates the following vessel speed zones, to be established and marked immediately by City Council petition to the Rhode Island Department of Environmental Management Division of Boating Safety:

8. No person shall operate a motorboat or vessel on and within the waters of the city for towing a person or persons on water skis, or a surfboard or similar device unless there is in the motorboat or vessel a person at least twelve (12) years of age, in addition to the operator, in a position to observe the progress of the person or persons being towed; and at least one (1) personal flotation device (PFD) for each person being towed;
9. No person shall operate a motorboat or vessel on and within any waters of the city towing a person or persons on water skis, a surfboard or similar device beginning at one (1) hour after sunset and ending at one (1) hour before sunrise;
10. No person shall engage in water skiing, surfboarding, or similar activity at any time between the hours beginning at one (1) hour after sunset and ending at one (1) hour before sunrise, or within areas in which said activities are prohibited;
11. No person shall operate or manipulate any motorboat, 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;
12. No person shall conduct a regatta, motorboat, or other boat race, marine parade, tournament, or exhibition, except on the terms and conditions specifically set forth by the Commission;
13. No person shall engage in scuba diving, skin diving, or snorkeling in an area where power or motorboats are operated, unless the proper warning flags, as set forth in state law, are posted;
14. No person shall operate a motorboat or vessel within fifty (50) feet of any warning flag as set forth in state law;
15. No person shall throw, dispose of, deposit, or cause to be thrown, disposed of, or deposited, bottles, glass crockery, cans, scrap metal, junk, paper, garbage, refuse or debris of any nature, or any noxious substance in or upon any of the waters within the city;
16. No person shall moor or anchor a houseboat unless such mooring or anchoring is done within designated areas.
17. Swimming is prohibited in all federal navigation channels, navigation fairways, and transient anchorage areas. Fishing and shellfishing are prohibited in all federal navigation channels and navigation fairways. The placement of lobster pots, pot floats, and fish nets is also prohibited in all federal navigation channels and navigation fairways.
18. In accordance with the Coastal Resources Management Program, Section 300.5, houseboats or floating businesses are prohibited from mooring or anchoring unless within the boundaries of a marina. Houseboats or floating businesses shall tie into pumpout facilities.
19. The police and fire departments may use the city launch at night, when not required for use by the harbor master in the performance of his duties, for the purpose of patrol of the harbor and other public waters within the city, and may employ a night engineer on said launch, the expense thereof and any other expenses of running said launch at night for paid purpose to be paid from the appropriation for said departments.

(e) Abandoned Vessels or Harbor Structures

No person shall deposit or abandon a vessel or structure upon the shore, a public right-of-way or on and within the waters of the city. When any vessel or structure is deposited or abandoned in the waters of the city, the Director is authorized and empowered to remove the same or cause the same to be removed.

1. *Notice of removal of vessel/harbor structures.* If the person who owns, has an interest in, or exercises any control over the vessel or structure, or otherwise is known, the Director, or his/her lawfully designated agent, shall give written notice by certified mail to said person to remove the vessel or structure within a specified time.
2. *Removal of vessel/harbor structures.* If the vessel or structure is not removed within the time specified in the notice and in a manner and to a place satisfactory to the Director, or his / her lawfully designated agent, or if no such person is known to the Director, or his / her lawfully designated agent, upon whom the notice can be served, then the Director, or his / her lawfully designated agent, may proceed to remove, or cause the vessel or structure to be removed, in a manner and to a place the Director, or his/her lawfully designated agent, shall deem appropriate.
3. *Liability.* The owner (or such other person notified) of a vessel or structure removed by the Director in accordance with this chapter shall be liable to pay the cost and expenses of the removal and storage, or to repay the same when paid by the city. The expense may be recovered in an action brought by the city solicitor against the owner(s). If the owner(s) are unknown or the vessel or structure is unclaimed within ninety (90) days of the

(b) Harbor Management Fund

A harbor management fund is hereby created to receive and expend monies for harbor management purposes determined by the City. All revenues generated by fines levied under the provisions of the harbor management ordinance shall be deposited into this fund. Funds shall be disbursed for purposes directly associated with the management and implementation of the harbor management plan. Monies from this fund may be allocated to the chief harbormaster or his/her designee for the purpose of enforcing the provisions of the harbor management plan and/or the harbor management ordinance. The harbor management fund shall be established, budgeted, and administered in a manner consistent with the procedure contained within the City of Providence Charter and funded through the Commission's annual budget as a line item.

Sec. 11-8 Penalty

Note: see attached for a sample violation notice

The general penalties provided for by Section 1-10 of the Code of Ordinances shall apply to violations of this chapter, except that any person electing to appear before the clerk of the court, or in lieu of a personal appearance electing to enter an appearance by mail, and admitting the violations charged shall be punished by a fine as set forth for each violation as follows:

1. Any person who violates any provision of subsections (c)(1), (c)(2), (d)(14) or (j) of Section 11-6 of this ordinance shall be subject to a fine of fifty dollars (\$50.00) for each violation.
2. Any person who violates any provision of subsections (d)(4), (d)(12), (h), (i) or (j) of Section 11-6 of this ordinance shall be subject to a fine of one hundred dollars (\$100.00) for each violation.
3. Any person who violates any provision of subsections (d)(8), (d)(9), (d)(10) or (d)(11) of Section 11-6 of this ordinance shall be subject to a fine not to exceed two hundred dollars (\$200.00) for each violation.
4. Any person who violates the provisions of subsection (c)(3) of Section 11-6 of this ordinance shall be subject to the following fines:

	<u>MPH In Excess of Speed Limit</u>	<u>Fine</u>
a)	1 - 10.....	\$ 25.00
b)	11 - 15.....	50.00
c)	16 - 20.....	75.00
d)	21 - 25.....	100.00
e)	26 and above.....	5.00 per mile in excess of speed limit

5. Any person who violates the provisions of subsection (c)(3) of Section 11-6 of this ordinance shall be required to attend a boating safety course in addition to the payment of any fine. In the event a fine as set forth for each violation is not paid or a plea of not guilty is not entered by any person charged with any violation prior to the fourteenth day after the date of the violation, said fine shall be doubled. In the event a fine as-set forth for each violation is not paid or a plea of not guilty is not entered subsequent to the fourteenth day after the date of violation, said fine shall be tripled.
6. Any person who violates any provisions of subsections (d)(5), (d)(15), (e), (f), or (k) of Section 11-6 of this ordinance shall be guilty of a petty misdemeanor and shall be subject to a fine not to exceed five hundred dollars (\$500.00), or imprisonment not to exceed thirty (30) days, or both for each violation.
7. Any person who violates any provision of subsections (d)(1), (d)(2), (d)(3), (d)(6), (d)(7) or (d)(16) of Section 11-6 of this ordinance shall be guilty of a misdemeanor and shall be subject to a fine not to exceed one thousand dollars (\$1,000.00), or imprisonment not to exceed one (1) year, or both for each violation.
8. Any person charged with any violation set forth in subsections (c), (d)(4), (d)(8), (d)(9), (d)(10), (d)(11), (d)(12), (d)(13), (d)(14), (i), or (j) of Section 11-6 of this ordinance and notified in writing by a police officer to appear to answer such charge before the Providence Municipal Court may, in lieu of such appearance, elect to appear in person or by one duly authorized by him in writing, before the clerk of said court, admit the truth of said charge, and pay to said clerk the designated fine; provided that such appearance, admission and payment be made at the office of said clerk during regular business office hours, within sixty (60) days of such notification, and failure to so appear shall be deemed a waiver of the right to dispose of such charge without personal appearance in court.

WARNING
NOTICE

OFFICER

BADGE NO.

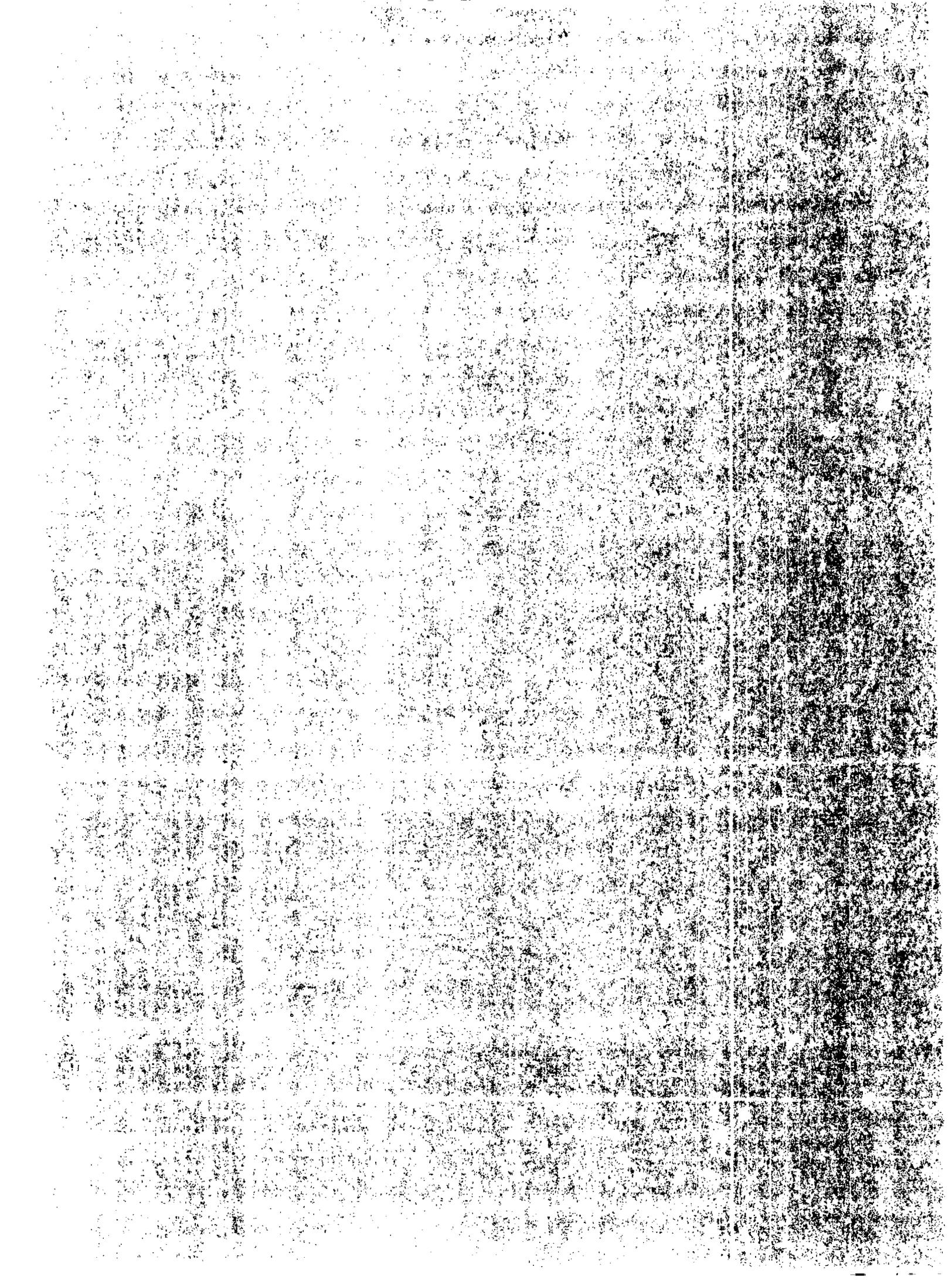
NO.

**CITY OF PROVIDENCE
HARBOR COMMISSION
DIVISION OF ENFORCEMENT**

NAME & ADDRESS

D.O.B. HT. WT. SS#
HAIR EYES DATE
TIME PLACE
BIRTHPLACE RACE
ATTITUDE LIC# KIND
VEHICLE USED ENG. NO.
REG. OWNER & ADDRESS

MAKE OF VEHICLE TYPE
EQUIPMENT HELD
OFFENSE
TITLE CH. SEC.
REMARKS



Appendix 2

HISTORY OF PROVIDENCE WATERWAYS

2.1 Background

In the Spring of 1636, Roger Williams, a religious and political fugitive from the Massachusetts Colony, crossed the Seekonk River in a canoe and landed at what is now known as Roger Williams Square on Gano Street. He then paddled around Fox Point and up the Great Salt River, now known as the Providence River. When Williams landed at the confluence of the Woonasquatucket and Moshassuck Rivers, he set his final camp and named it Providence. There have been many changes to the shorelines of Providence since the times of Roger Williams.

In the early 1600's the Providence River was wider and more easily navigable. Downtown Providence was a marshy peninsula known as Weybosset. North of the Weybosset the Great Salt Cove extended for hundreds of acres and was deep enough for the tallest ships. The cove extended west for more than a mile as a broad, flat valley of salt marshes which surrounded the Woonasquatucket River.

A sand bluff stood to the north where the State Capitol is located and to the east was a tidal estuary. To the north, where Charles Street is now, the Moshassuck River cascaded over a small waterfall into the estuary. Several small coves and brooks marked the shoreline between a peninsula at Davol Square and Fields Point, along the area now dominated by wharves and piers.

Mile End Cove, located on the east side of the Providence River where Wickenden Street meets I-195, was fed by a small brook that is now Brook Street. South of the cove was Foxes Hill, no longer visible, and then Fox Point. The shoreline of a much wider Seekonk River was sandy at India Point and steeply wooded to the north (RISD, 1974).

2.2 Maritime Trade

Historically, all trade and most travel in and out of Providence was by sea. Larger ships would anchor in the Providence River and send cargo and passengers upstream in small boats. International trade began as early as 1654 with construction of wharves on the Providence River beginning in 1680. By the mid-eighteenth century, Providence ships travelled to the Caribbean, South America, Africa, and eventually to the West Indies.

At the time, Newport was the predominant city in Rhode Island and all trade had to clear through Newport customs. Providence did not come into her own until after the British occupation of Newport in the mid to late 1770s. Newport trade was shattered by the end of the Revolutionary War and Providence stepped in to fill the void.

The height of Providence's maritime history was in the late eighteenth century. The entire settlement was located in the area known as the waterfront today and Market Place was the heart

Mediterranean. Oil companies established depots in the lower harbor along Allens Avenue to replace the many coal wharves of Dyer Street.

Most passenger ships discontinued service with the arrival of the automobile and the rest ceased during the WWI. With the exception of the coal deliveries to power plants, the resumption of the Block Island ferry service after WWI, and the use of tugboat moorings, the working port had completely abandoned the upper harbor. The wharves and adjacent buildings which were destroyed or damaged during the Hurricane of 1938 were never repaired. Hurricane Carol, in 1954, destroyed the wharves and freight buildings at Fox and India Points. These storms assured that the active life of the upper harbor was finished (Warner, 1985).

2.4 Bridges

The first bridge to cross the Providence River was a wooden bridge built in 1660 where Weybosset Street is now. During the mid 1800s, several bridges spanned the river: the Park Bridge (1848), the Exchange Bridge (1848), and the new Weybosset Bridge (1843). By 1867, more than two hundred thousand people still crossed the river on the India Street and James Street ferries. By this time, the rivers were seen more as an inconvenience than as a trade route. To make crossing the river easier, the first Point Street Bridge was completed in 1872 as work began on the Crawford Street Bridge. The city was becoming increasingly congested. The common solution to this problem was to build roadways that not only crossed the Providence River but also encroached on its shores.

By the early 20th century the upper Providence River had become an eyesore and a source of embarrassment. In 1914, the City Planning Commission wanted to cover the river completely. In 1926, the Whitten Report proposed a plan to extend the Crawford Street Bridge over the river and use the extra space for parking. In 1946, the City Planning Commission recommended that an expressway be built down the center of the river and that the flow be confined to underground culverts (Warner, 1985).

2.5 Seekonk River

The Seekonk was spared much of the attention afforded to the Providence, Woonasquatucket, and Moshassuck Rivers. Its shores remained almost unchanged until only a hundred years ago. Even after development began along the Seekonk, the waterfront lots weren't quickly developed. The location where Roger Williams first landed was covered by twenty feet of fill in 1893 when the park was developed. In 1878 when Gano Street was built, this area was excavated down to bare slate and abandoned.

Rhode Island was the center of the American oyster industry and the Seekonk River was the heart of Rhode Island's oyster industry. The most abundant supplies were north of Wickenden Street and where the Brown University boathouse stands today. The oyster population started to decrease before 1920 due to the pollution associated with sewage discharges and gasoline spills. The oyster industry was forced to completely close Seekonk operations by 1940.

Butler Hospital Interceptor Sewer Project. Sites evaluated included the Red Slipper Site (RI 1877) and the Shaded Seekonk Site (RI 1876) (previously RI 929). Other archaeological sites recorded at Butler Hospital are prehistoric sites RI 658, RI 929, and RI 1878, a historic site at Goose Point.

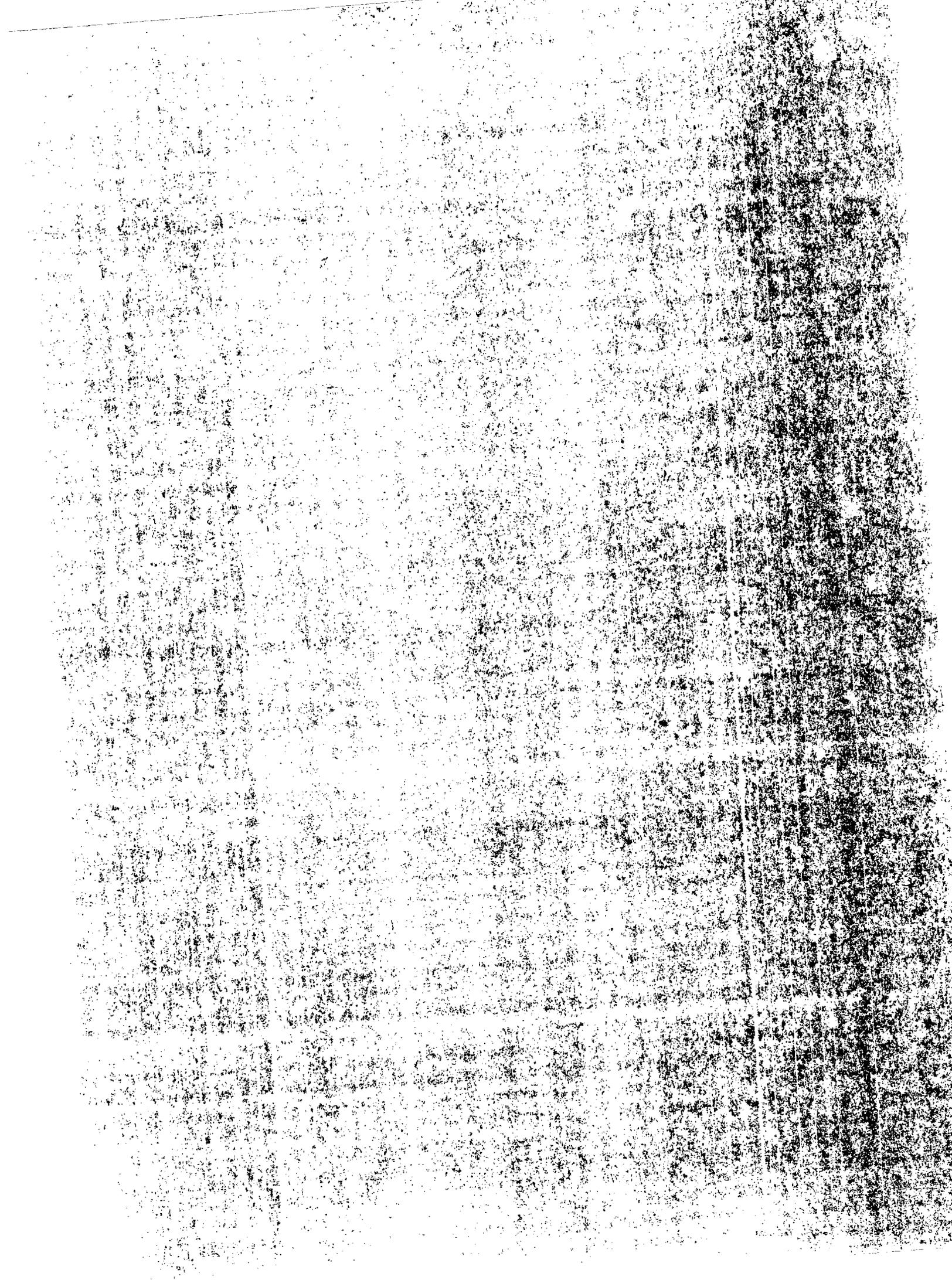
- Constance Witherbee Park at Richmond Square
- Washington Bridge South over the Seekonk River

All of the undisturbed land area north of the Henderson Bridge is considered by RIHPHC as archaeologically sensitive because the area retains much of its original topography. The shoreline between the Henderson Bridge and Fox Point has undergone significant development, and has been altered and filled (Narragansett Bay Commission, 1994).

Blackstone Valley National Heritage Corridor

In Providence the Blackstone Valley National Heritage Corridor (BVNHC) includes the shoreline of the Seekonk River, the Outer Harbor between the Washington Bridge (I-195) and the Hurricane Barrier, and north along the east shore of the Providence River to north-south Amtrak line. Any federally funded or permitted projects proposed on the East Side of Providence must demonstrate consistency with the goals and objectives of the BVNHC Plan (the so called "purple book"). Water quality improvements, recreation, and tour boats are generally consistent with this plan.

The Woonosquatucket River is in the process of being nominated as American Heritage River. This nomination is being coordinated by the RIHPHC, BVNHC and the City of Providence. Water quality improvements and recreational use are typically consistent activities on American Heritage Rivers.



Appendix 3 RESOURCE INVENTORY

3.1 Water Quality

Rivers tributary to the Narragansett Bay have been subject to numerous sources of industrial, commercial, and residential pollution since the Industrial Revolution. The Woonasquatucket, Moshassuck, and Blackstone (upstream of the Seekonk River) Rivers--provided a much needed source of power, and a convenient method of waste disposal. Wastes from fabric dyeing, metalworking, leather tanning, mills, and other activities were dumped into the rivers. These activities, which are no longer discharging, have severely diminished the quality of these waters to the point that water contact recreation is limited and aquatic habitats have nearly disappeared in many of the waterways included in the Providence Harbor. Over time, large quantities of toxins have also accumulated in the sediments of the rivers and the Narragansett Bay, and contributed to the degraded quality of the waterways.

Minimum health standards were enacted in the late 1890s which led to the construction of municipal sewer collection and treatment systems, including the Field's Point WWTF around 1900 and the Bucklin Point WWTF in 1952. To convey the sewage to the treatment facilities, large interceptor pipes were constructed. The system does not, however, have the capacity to convey all sanitary sewage and stormwater to WWTFs. To minimize the problems of these large volumes, overflow pipes were built into the system. These overflow pipes continue to allow combined stormwater and sanitary sewage to flow into the river during rain events when the capacity of the interceptor sewer is exceeded.

3.1.1 Combined Sewer Outfalls

Presently, during most rainstorms, outfalls still divert some combined sewage to the nearby waterways. This diversion of CSOs--coupled with all other non-point sources of pollution--deteriorates the quality of the water, creating odors, and causing an unsightly appearance on the river from floating debris. The high incidence of fecal coliform associated with CSOs during the overflow events has caused the closing of shellfishing harvesting areas in Narragansett Bay. To date, extensive water quality studies have been performed to determine the magnitude of the pollution problem. These studies have shown that the waters are contaminated with copper, lead, nickel, hypoxia, PCBs, and fecal coliform. Water quality modeling has also been performed to investigate the effects of various mitigation alternatives (NBC, 1994).

In recent years, important steps have been taken by the Narragansett Bay Commission (NBC) to reduce pollutant loadings on the watercourses in the metropolitan Providence area as part of the CSO plan. The NBC maintains the CSOs and the treatment facility at Field's Point in Providence. The NBC also maintains the Central Falls and Pawtucket CSOs and the WWTF at Bucklin Point. Wastewater treatment plants have been upgraded, and some CSO abatement improvements have been made to the existing system.

Since 1982, when the NBC took over management of the sewage system from the city of

Providence, it has spent approximately \$90 million to improve the Field's Point WWTF. In addition, the NBC has invested approximately \$23 million on improvements to the Bucklin Point WWTF to meet permit limits. At this time, the NBC is reassessing the CSO plan and is expected to make a decision by mid summer 1997. Two alternatives are under consideration and one has been approved. Once a design has been selected, completion of the new CSO facilities could take twenty years or longer. Construction of either of the three alternatives will most likely have a significant impact on the Providence shorelines. Whether this impact will be temporary or permanent depends on the alternative(s) chosen.

3.1.2 Rhode Island Department of Environmental Management Water Resources

Water quality standards for the waters of Providence are set by the Water Resources Division of the Rhode Island Department of Environmental Management (RIDEM). The water quality standards define the water quality goals of a water body, by designating the use or uses to be made of the water and by setting criteria necessary to protect the uses. Therefore, the designated water quality standards may not reflect current water quality conditions. Water quality standards are intended to protect public health and welfare, enhance the quality of water and serve the purposes of the Clean Water Act and the General Laws of Rhode Island. Whenever attainable, water quality standards should: provide water quality for the protection and propagation of fish, shellfish, and wildlife and for the recreation in and on the water; take into account their use and value as public water supplies; and take into consideration their use for agricultural, industrial, and other purposes including navigation.

All surface waters are classified according to the most sensitive beneficial use of the resource which it is intended to protect. The RIDEM water use classifications as they are defined in the 1988 "Water Quality Regulations for Water Pollution Control" are shown in Table 3-1 and as they appear in August, 1997 "Water Quality Regulations" are as follows:

Freshwater

Class A - These waters are designated as a source of public drinking water supply, for primary and secondary contact recreational activities and for fish and wildlife habitat. They shall be suitable for compatible industrial processes and cooling, hydropower, aquacultural uses, navigation, and irrigation and other agricultural uses. These waters shall have good aesthetic value.

Class B - These waters are designated for fish and wildlife habitat and primary and secondary contact recreational activities. They shall be suitable for compatible industrial processes and cooling, hydropower, aquacultural uses, navigation, and irrigation and other agricultural uses. These waters shall have good aesthetic value.

Class B1 - These waters are designated for primary and secondary contact recreational activities and fish and wildlife habitat. They shall be suitable for compatible industrial processes and cooling, hydropower, aquacultural uses, navigation, and irrigation and other agricultural uses. These waters shall have good aesthetic value. Primary contact

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 following partial uses may be assigned to a waterbody segment where applicable, and may affect the application of criteria. These designations are represented by lower case letters, a or b, and appear in brackets next to the classification.

- a. **CSO** - These waters will likely be impacted by combined sewer overflows in accordance with approved CSO Facilities Plans and in compliance with rule 19.E.1 of the RIDEM Water Quality Regulations and the Rhode Island CSO Policy. Therefore, primary contact recreational activities; shellfishing uses; and fish and wildlife habitat will likely be restricted.
- b. **Concentration of Vessels** - These waters are in the vicinity of marinas and/or mooring fields and therefore seasonal shellfishing closures will likely be required as listed in the recent (revised annually) RIDEM document entitled Shellfish Closure Areas. For Class SA waters, all Class SA criteria must be attained at all times.

The proposed (in the 1997 draft) water use classifications for the Providence and Seekonk Rivers within the project area are Class SB1{a}. The proposed classification for the Woonasquatucket River is Class B1{a} and for the Moshassuck River is B{a}. The current water use classifications for the Providence and Seekonk Rivers are Class SC within the project area. The current classification for the Woonasquatucket and Moshassuck Rivers are Class C. These classifications are based on quantitative measure of general and specific physical, chemical, and biological criteria.

Providence River: (Class SC) The Providence River is formed by the confluence of the Moshassuck and Woonasquatucket Rivers in the center of Providence. From its head, the River runs south approximately 1.3 miles to the hurricane barrier at Fox Point. The River is generally quite shallow and narrow in this reach. At low tide, the River almost empties, becoming completely fresh as far south as the I-195 bridge. Below the bridge, the River widens and becomes deeper. Just below the hurricane barrier at India Point, the Seekonk River joins the Providence River. Below this point, the River continues to widen to its mouth at Conimicut Point, approximately eight miles south of Fox Point, where it becomes Upper Narragansett Bay (Wright, 1991). The Providence River is influenced by urban land use in Providence, East Providence, Cranston, and Warwick.

The northern end of the River from India Point to Gaspee Point/Bullock Point is designated Class SC. Cruises sponsored by the Narragansett Bay Project found that throughout the entire Bay, the highest pollutant concentrations were found in the Providence River. Of the parameters measured throughout the Bay; phosphorus, nitrogen, silica, copper and nickel were higher in the Providence River with the inorganics exceeding the USEPA's chronic water quality criteria. Measurements of oxygen showed periods of anoxia or near anoxia in the bottom waters of the Providence River, although these levels were never low enough to prevent fish and bottom dwellers from living

there. (RIDEM, 1990).

The entire 6.6 square miles of the Providence River are determined to be in non-supporting designated uses. (RIDEM, 1990)

Woonasquatucket River: (Class C) The drainage area contributing to the Woonasquatucket River from its mouth is 51.9 square miles and extends into Johnson, Gloucester and Smithfield. (RIDEM, 1990) The River flow is an average of 64 MGD. All of the waterbodies located within this watershed are designated as Class B waters.

From its headwaters to a point 1.6 miles downstream the River is designated as Class B. From there to the point where it merges with the Moshassuck River and empties into the Providence River, the River is designated as Class C. The Class C segment flows south and east through downtown Providence where pollutants from CSOs and urban runoff contribute to poorer water quality. The 1988 USGS data indicated elevated concentrations of copper, cadmium, nitrate and total phosphorus. The elevated concentrations of the organic parameters, nitrate and phosphorus, may indicate eutrophic conditions (RIDEM, 1990). Previous Narragansett Project reports indicate exceedance of PCB Aquatic Life Criteria (RIDEM, 1994).

In summary, 30.15 river miles are fully supporting and fishable/swimmable, with 8.66 miles being threatened. Approximately 9.3 miles of the River are not supporting designated uses and are not attainable for fishing/swimming. (RIDEM, 1990)

Moshassuck River : (Class C) The 23.7 square mile Moshassuck River drainage area flows through the towns of Cumberland, Lincoln and North Providence and the cities of Pawtucket, Central Falls, and Providence. The average river flow is 27 MGD.

The Moshassuck River has a limited recreational value due to the effects of point discharges and non-point pollution sources as well as the size of the River. (Appendix H) Point sources include the 12 combined sewer overflows and/or by-passes into the River. Non-point sources include runoff from farmlands in agricultural areas upstream, failing septic systems, and urban runoff.

The downstream segment extending 5.00 miles upstream from the mouth is designated as Class C. The second segment extends the remainder of the River, 4.12 miles, and is designated as Class B. (RIDEM, 1990) The downstream segment, being within a highly urbanized watershed, has elevated levels of sodium, chloride, total coliform, and fecal coliform, although they do not exceed current standards or guidelines. While only giving a limited amount of information, water samples were taken and tested by the USGS in 1988. Both copper measurements exceeded acute and chronic criteria. One of two mercury samples also exceeded chronic criteria, and nitrate concentrations were elevated. (RIDEM, 1990)

Seekonk River: (Class SC) The Seekonk is the receiving water of the Blackstone River from Pawtucket and flows 5 miles through the urbanized cities of Providence, East Providence and Pawtucket. The Seekonk is one of the primary tributaries to the Providence River and Narragansett Bay. Much of the land along the Blackstone River is used for industrial purposes. Both rivers remain a source of cooling water to industrial and utility firms along its banks.

The Blackstone River flows into the Seekonk River at the dam in Pawtucket and is the primary tributary of the Seekonk River. Within Rhode Island, the Blackstone River extends 16 miles through Woonsocket, North Smithfield, Cumberland, Lincoln, and Pawtucket. The Blackstone River has a drainage area of 472 square miles (USGS, 1990); 71 percent of its watershed is located in Massachusetts. (RIDEM, 1990)

"Both point and nonpoint sources of pollution are contributing to the non-support of designated uses in the Seekonk. Upstream inputs from the Blackstone River, 11 combined sewer overflows and/or by-passes, the Bucklin Point Wastewater Treatment Facility, and urban runoff and highway runoff are all believed to contribute to heavy metal concentrations that exceed chronic and acute criteria." (RIDEM, 1990) The entire five miles of the Seekonk do not support designated uses and the fishable/swimmable goal is not attainable. (RIDEM, 1990)

3.1.3 Marine Discharges

Although federal law requires all recreational boats with an installed toilet to be equipped with approved marine sanitation devices (MSDs), boats still discharge treated wastes legally and untreated wastes illegally into coastal waters. The discharge of these sanitary wastes may have a significant impact on the quality of the water by increasing the Biological Oxygen Demand (BOD) and introducing pathogens into the water and will contribute to the degradation of the water quality in Providence Harbor.

RIDEM is currently developing a permit application to give the entire Narragansett Bay a "no discharge" status. This permit application is being filed by RIDEM to the USEPA and is contingent on the existence of "adequate and reasonably available" pump-out stations for boater use. USEPA Region I guidelines state that there must be at least one pump-out station for every 600 boats in non-transient harbors. Once the "no discharge" status has been obtained, RIGL 46-12-39 prohibits sewage discharges from boats and RIGL 46-12-40 and RIGL 46-12-41 give authority to the police officers, harbormasters, and assistant harbormasters to enforce RIGL 46-12-39 and penalize violators.

3.2 Coastal Resource Management Council

The purpose of this section is to provide guidance to municipalities in applying the policies of the Coastal Resources Management Council (CRMC) related to maintaining, and where possible, improving water quality. These guidelines ensure that municipalities develop goals and recommendations in their harbor management plans that will be consistent with the goals of the CRMC in addressing water quality issues.

The Coastal Resources Management Council recognizes the unique and precious resources inherent in the state's coastal waters and is committed to protect and continually improve the water quality for the general public welfare of the citizens of the state. It is considered of paramount importance to identify, measure and document all sources of both direct (point) and indirect (nonpoint) pollution and potential threats of pollution. Pollution sources from both land and water sources should be identified and the impacts of this pollution mitigated to the greatest extent practicable.

The Coastal Resources Management Program (the Red Book) provides guidelines for allowed activities in particular areas of the state's coastal waters, and contains applicable standards and practices which must be used to mitigate impacts to water quality. The following is a list of allowed and prohibited uses of specific water areas under the CRMP. In many cases, a certain use may be allowable only with restrictions, such as mooring areas in densities which do not violate water quality standards. Water type designations are a means of controlling development in the coastal areas, much like land development is controlled through zoning ordinances.

Generally, any activity or alteration that is proposed for tidal waters, coastal ponds, shoreline features and areas that are contiguous to shoreline features are required to receive a Coastal Resource Management Council Assent through the issuance of a permit for such activity. The tidal waters and shoreline areas have been assigned to one of six use categories which are directly linked to the characteristics of the shoreline, since the activities on the shore are directly linked to the uses and qualities of adjoining water areas.

Concentrations of vessels can often be significant sources of pollution; sewage, gas, oil, and bottom paints are all potential pollutants. In order to protect water quality, the DEM regulates the density and number of boats allowed in marinas, mooring areas, and harbors through the Water Quality Certification process. A primary emphasis of this program is the protection of public health and shellfishing areas. Allowable numbers of boats are dependent on the relationship between the area covered by the marina or mooring field, water depth, proximity to shellfish resources and availability of vessel holding tank pumpout facilities.

Water Type - The Coastal Resource Management Council (CRMC) has designated coastal waters and waters within the state according to use suitability under six water use type categories. The categories are defined in Table 3.2. These categories are directly linked to the characteristics of the shoreline. The activities on the adjacent mainland are the primary determinant of the uses and qualities of any specific water site.

The CRMC has designated the Providence and Woonasquatucket Rivers as Type 6 waters as well as the federally maintained channel in the Seekonk River. Line "b" shown in Figure II-2B is a straight line running generally WNW from the Union Oil property boundary south of Bold Point in East Providence to the westerly boundary of India Point Park in Providence. Up river of this line the Seekonk River is designated as Type 4 with the exception of the shipping channel. The Moshassuck River is not given a CRMC designation because it is not considered navigable water.

3.3 Natural Resources

3.3.1 Conservation Areas

There are no conservation areas within the project area.

3.3.2 Wetlands

Freshwater wetlands are considered important natural resources with diverse qualities. They provide fish, wildlife and plant habitat; they contribute to biodiversity; they provide flood

**TABLE 3.2
CRMC WATER USE CATEGORIES**

Category	Definition
Type 1 Conservation Areas	One or more of the following: water areas that are within or adjacent to the boundaries of designated wildlife refuges and conservation areas; water areas that have retained natural habitat or maintain scenic values of unique or unusual significance; water areas that are particularly unsuitable for structures due to their exposure to severe wave action, flooding, and erosion
Type 2 Low Intensity Use	Waters in areas with high scenic value that support low-intensity recreational and residential uses; seasonal mooring areas where good water quality and fish and wildlife habitat are maintained
Type 3 High Intensity Boating	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 4 Multi-Purpose Waters	Large expanses of open water in Narragansett Bay and the Sounds which support a variety of commercial and recreational activities while maintaining good value as a fish and wildlife habitat; open waters adjacent to shorelines that could support water-dependent commercial, industrial, and/or high-intensity recreational activities
Type 5 Commercial and Recreational Harbors	Waters that are adjacent to waterfront areas that support a variety of tourists, recreational, and commercial activities; included waterbodies are Newport Harbor, Bristol Harbor, Warren waterfront, Wickford Harbor, Old Harbor-Block Island, East Greenwich Harbor, and Watch Hill Harbor
Type 6 Industrial Waterfronts and Commercial Navigational Channels	Areas extensively altered in order to accommodate commercial and industrial activities; includes all or portions of the following areas: Port of Providence, Tiverton shipping area, Quonset Point and Davisville, Coddington Cove, Melville, Galilee and Jerusalem, and Westerly waterfront

Source: RICRMP

protection; and they contribute to water quality maintenance. Wetlands in the project harbor management area are under the jurisdiction of both the RIDEM Division of Wetlands and the U.S. Army Corps of Engineers, the latter regulating via Section 404 of the Clean Water Act.

Wetlands including those adjacent to waters of the United States, are defined by the U.S. Army Corps of Engineers as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The term adjacent means bordering, contiguous, or neighboring, including those areas separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, etc. Waters of the U.S. is defined as a) navigable waters; b) wetlands; c) tributaries to navigable waters, including adjacent wetlands, lakes and ponds; d) interstate waters, their tributaries and wetlands; e) all other waters, including isolated wetlands, streams, etc. (Section 404 of the Clean Water Act). The US Fish and Wildlife Service has mapped wetland areas on 2000-scale base mapping as part of its National Wetlands Inventory (NWI).

The 1971 Wetlands Act of Rhode Island also regulates the alteration of freshwater wetlands. It is state policy under this act to preserve the purity and integrity of the swamps, marshes, bogs, and other wetlands and waters of the state. The Act defines freshwater wetlands as marshes, bogs, ponds, river and stream floodplains and banks, areas subject to flooding or storm flows, emergent and submergent plant communities in any body of freshwater, including rivers, streams and that area of land within 50 feet of the edge of any bog, marsh, swamp, or pond. Wetlands also are defined by plant species in that Act.

Providence River - The shoreline of the Providence River is tidally influenced and has been disturbed by the activities associated with urban and maritime activities. According to the NWI map, there are two isolated wetland areas within the project area along the Providence River. The first is a small open water body near the petroleum storage facilities north of the former state wharf and south of the Sprague oil tanks or City Wharf as denoted on the map. This wetland has been confirmed by field examination not to exist, the site being occupied by a stockpile of road salt. The second wetland area is identified on the county Soil Survey Map as a storm water drain ditch in the near-tidal/intertidal zone of the Providence River at the foot of Thurbers Avenue. This wetland comprises Matunuck Mucky Peat, a soil unit typically associated with tidal marshes.

Woonasquatucket River - South of Exchange Street, immediately downstream of the point where the Moshassuck joins the Woonasquatucket, the NWI map recognizes the more natural state of tidal influence of the Woonasquatucket River with its classification of the open water as estuarine wetland (E1OW). Extreme channelization and manipulation of the Woonasquatucket River at Water Place Park has resulted in the disabling of the watercourse to support any other natural wetland conditions beyond the floodway of the river. Upstream wetland areas are typically confined to the river banks (R2OW). The river is tidally influenced to a dam near Eagle Street (R1OW).

Moshassuck River - The Moshassuck River has also been channelized to a great extent along the majority of its course. The result is the disabling of the Moshassuck to support normal wetland conditions along much of its course, even within the open waters of the existing channel. However, the reach within the project area has a NWI classification of E1OW.

Seekonk River - Downstream of the Main Street dam in Pawtucket, the Seekonk River is tidally influenced and given two distinct classifications by the USF&WS on the NWI maps. The majority of the river is classified as estuarine subtidal open waters; the dredged channel within the Seekonk River is classified as estuarine inter-tidal flat-bottom waters. Both classifications denote open water wetland conditions.

Several wetlands indicated on the NWI maps included York Pond and Blackstone Pond at Blackstone Park, and a marsh at the mouth of Grotto Brook which is located between the BU Hospital Grounds and Blackstone Park. It should be noted that the marsh associated with Grotto Brook is designated for preservation by the Rhode Island Coastal Resources Management Council (CRMP, 1996). This marsh is noted for its vegetative character and its importance as a wildlife habitat.

3.3.3 Soils

Nearly the entire Harbor Management Plan area comprises soils classified by the U.S Department of Agriculture, Soil Conservation Service (1981 Soil Survey of Rhode Island) as Urban Land or urban land complexes. The Udorthents-Urban land complex consist of moderately well drained to excessively well drained soils that have been disturbed by cutting or filling, and areas that are covered by buildings and pavement. Most cut areas were used as a source of fill material, but in some areas cuts were used to level areas for the development of building sites and recreational facilities and roads. Most of the filled areas were built up and leveled to accommodate urban development.

The Merrimac-Urban land complex consists of well drained soils and Urban land, and are generally located on terraces and outwash plains, following the course of the rivers in the harbor management area. These land areas have been used primarily for homesites, shopping centers, industrial development, and other urban purposes.

The Urban land series consists mostly of sites for buildings, paved roads and parking lots, and are mapped as occupying the most intensely built up portion of the harbor management area.

The SCS Soil Survey also identifies the occurrence of several other soils mapping units from a singular series, but these units occupy a significantly smaller amount of land area than the urban land units. The soil unit from the Hinckley soil series found in Providence is a gravelly sandy loam, hilly (HkD). This unit is typically situated on terraces, outwash plains, kames, and eskers. Depending upon the specific slope of this soil, it is of high permeability and generally suitable for community development. The HkD unit is generally situated on steep slopes and wooded.

Along the tidally influenced Seekonk and Providence Rivers, the SCS Soil Survey identifies two soil mapping units associated with drainages entering those waters. These mapping units are the Adrian Muck. and the Matunuck mucky peat. Both of these units are located on nearly level terrain, are poorly to very poorly drained, and considered hydric soil units. Tidal wetlands (tidal marshes) are generally supported by these soil units, especially the Matunuck unit.

Soils of Agricultural Importance: According to the SCS (Important Farmlands Mapping, June 1980), there are soils within the harbor management area classified as Additional Farmland of Statewide Importance. The location of these soils includes the area surrounding Grotto Brook near Butler Hospital and a small area between Parkside Drive and the Seekonk River within Blackstone Park, both in Providence. At both locations, the classification results from the capability of the Hinckley soil mapping units to support crop and pasture yields. The SCS reports that the use of this land for agricultural purposes is unlikely given current land use.

It should be noted, however, that at the Grotto Brook area, the actual soils include Adrian muck (hydric soil) and hilly Hinckley gravelly loams, both generally unsuitable for agricultural production. The area in Blackstone Park mapped as important farmland soils includes a pond which exists at that location.

3.3.4 Wildlife Resources

Species potentially occupying or utilizing the riparian areas include raccoon, moles, rats, woodchucks. Extensive channelization and rip-rapping of many of the area waterways, and development of nearly all of their shorelines, has limited the opportunity for underground habitat for many species of animals which typically represent the community of water-edge species. Waterfowl species utilize the open water environments, taking advantage of the emergent vegetation which provides shelter and nesting, and an abundance of invertebrate and fish forage. Mallards, Mute Swans, Canada Geese frequent many of the rivers within the project area. Other species, including the Great Blue Heron, have utilized the open water and shorelines in the project area.

According to the coordinator of the RI Natural Heritage Program (RIDEM, Division of Planning and Development, May 24, 1997 correspondence), there are currently no occurrences of endangered/threatened species within the harbor management area.

3.3.5 Aquatic Ecology

The aquatic fauna which inhabits the rivers in the project area are limited by the quality of the water. The ecological health and diversity of the species are closely related to pollutant loads and the water quality of the aquatic habitats.

These rivers have been subjected to large scale pollutant loads since early in the 1800s. Discharges from industrial, commercial and residential sources have resulted in levels of pollutants which exceed chronic levels, and eliminated many organisms which are sensitive to pollution. As a result, only the few species which can tolerate degraded habitats remain. Loss of species diversity and lower biomass of the plant and animal communities is a direct result of the poor water quality of these rivers (Narragansett Bay Commission, 1994).

Additionally, sediments of these rivers often have high levels of pollutants due to their long history of discharges. These sediments can be resuspended during high flow conditions, and the pollutants within continue to leach during dry-weather flows (Narragansett Bay Commission, 1994).

Combined sewer overflows and treatment plant bypasses degrade water quality and are detrimental to aquatic life. The release into the receiving waters particularly the Blackstone, Seekonk, and Moshassuck Rivers of nutrients, metals, and organic and inorganic compounds reduce the amount of oxygen available for marine life, cause systemic stress and contribute to disease and death of marine organisms. Furthermore, these materials pose health concerns for humans from viruses and bacteria for those who eat seafood and to swimmers and other direct contact recreational users. Despite improvement to water quality resulting from implementation of measures to reduce toxic discharges, these pollutants have reached such proportion in receiving waters that over 500 acres of prohibited shellfishing areas exist on the Providence River and approximately 1000 acres of conditionally approved shellfishing grounds exist in the Upper Narragansett Bay. Additionally, non-point and point-source pollution continues to contravene the aquatic ecology of the rivers in the harbor management area (Narragansett Bay Commission, 1994).

Providence River - A detailed characterization of the aquatic wildlife resources in the Providence River was accomplished as part of the Manchester Street Station Repowering Project environmental documentation. The study focused on three sources of information: published studies, 10 years (1975-85) of intake screen data from the Manchester and South Street Stations, and aquatic sampling at several stations in the Providence River from October 1988 to June 1989. A study of the upper Providence River estuarine ecosystem conducted in 1995 to supplement available information regarding the characteristics of the intertidal habitat, concluded that the benthic communities in the intertidal zone to the Providence River appear to be relatively similar to the benthic communities in the subtidal zone. None of the species observed in the intertidal zone are restricted to intertidal habitats. Sampling conducted as part of the I-195 Environment Impact Statement (EIS) corroborated with the detailed data from the Manchester Street Repowering Environmental Assessment (RIDOT, 1996).

Different species of flora and fauna are associated with different habitat on stone walls, rip-rap slopes, and concrete bridge piers in the Providence River. Taxonomic groups identified in the study area during the Manchester Street Repowering EA study were approximately 16 percent marine, 54 percent freshwater, and 24 percent estuarine reflecting the influence of freshwater inputs to the harbor system. Diatoms represented the highest number to taxa with 116 species from 31 genera. The greatest abundances were *Navicula* (32 species), *Achnanthes* (10 species), and *Nitzschia* (9 species). Eight species of blue-green algae and seven species of green algae were also identified. The diatoms were dominant from March through May while the green algae *Enteromorpha intestinalis* and the blue-green *synechococcus sp.* became dominant in June, especially in the inner harbor (RIDOT, 1996).

The muddy river bottom supports populations of benthic macroinvertebrates on the Annelida/Polychaeta, Annelida/Oligochaeta, Mollusca/Bivalvia, and Arthropoda groups. Low species diversity and patchy spatial distribution of these organisms indicated that their populations are under stress, probably as a result of pollutant concentrations and periodic anoxic conditions within the harbor. Polychaetes, or bristle worm, were the most abundant in numbers of species and numbers of organisms. Populations of *Nereis succinea* and *Streblospio benedicti* prevailed as these are populations which are capable of quick colonization in areas impacted by pollution and tolerant of salinity changes respectively (RIDOT, 1996).

The water column contains populations of ichthyoplankton (fish eggs and larvae), phytoplankton (algae), and zooplankton (small animal), which vary with seasonal conditions. Ichthyoplankton species include Winter flounder, grubby and Sand Lance larvae as well as Fourbeard rockling, alewife and Wrass eggs at frequencies which depend on the breeding cycle of each species. Phytoplankton included principally diatoms (Halies) in 94 genera of which about 50% were freshwater forms; and green algae in 50 taxa and 32 genera of which 94% were freshwater forms. Diatoms tended to dominate in a winter-spring bloom, but flagellates in the genera *Cyclotella*, *Eutreptia*, and *Plagioselmis* dominate in the summer as the diatom abundance decreases. Zooplankton in 52 taxa including those in the major groups *Coelenterate Medusae*, *Rotifera*, *Annelida/Polychaeta*, *Mollusca*, *Copepoda*, *Cladocera*, *Cirripedia*, *Decapoda*, and *Ceratognatha* also occur in the Providence River (RIDOT, 1996).

The water column also contains a number of finfish and motile macrobenthic species. The

following includes typical and representative macroscopic aquatic organisms located in the upper reaches of the Providence River. Finfish includes Alewife, Atlantic herring, Atlantic silverside, Blueback herring, Menhaden, Mummichog, Rainbow smelt, Silver hake, Striped bass, Striped killifish, Tautog, Weadfish, and Winter flounder. Benthic invertebrates include: Quahog, Eastern crab, Coot clam, Bristle worm (RIDOT, 1996).

Woonasquatucket River - Based on field observation, the Woonasquatucket River supports limited quantities of carp. Other fish and shellfish, such as menhaden, quahogs and mussels often found in polluted waters may also be found in this river (NBC, 1989).

Seekonk River - Urbanization and increased pollutant loads have diminished the diversity of shellfish and other aquatic life in the Seekonk River. According to studies by Santschi, P.H. et al., and Doering, P.H. and Pilson, M.E.Q., accumulation of metals in the sediment of the Seekonk River have posed a serious threat to the benthic communities, including the hard-shell clam or quahog, the soft shell clam, and the mussel which inhabit the sediments.

Moshassuck River - The aquatic life within the Moshassuck River appears to be the most limited of the rivers in the harbor management area. Large volumes of wastes deposited in the river over time and the relatively small dry weather flows have kept much of the sediments in these rivers contaminated. Urbanization within the watershed of the Moshassuck River continues to place heavy pollutant loads on it.

The result of such poor water quality is the great reduction in aquatic life within the river. Chronic levels of pollutants, particularly iron, copper, lead, zinc and chromium, has accounted for the loss of fish population. Frogs were seen on the banks of the Moshassuck, indicating that motile creatures can survive in it for various periods of time. The aquatic regime of the Moshassuck supports insect larvae, some crustaceans which feed on bacteria and algae, tubicolous worms, rotifers and protozoa (Narragansett Bay Commission, 1994).

3.3.6 Shellfishing

Although the Seekonk River was once the center of the Rhode Island oyster industry, the river has, for many decades now, been fouled to the point that it has been permanently closed to shellfishing. According to the RIDEM Notice of Polluted Shellfishing Grounds from May 1994, the Providence River and upper Narragansett Bay, north and west of a straight line from Conimicut Point to Old Tower at Nayatt Point, are permanently closed to shellfishing. This includes the tributaries of these waters which are north and west of this line.

3.4 Land Use and Zoning

3.4.1 Existing Land Use and Zoning

The existing zoning found along the Providence, Seekonk, Moshassuck, Woonasquatucket Rivers reflects the current land uses. See Figure II-1, General Shoreline Use, and Figure II-2, Municipal Zoning. The City created three Waterfront Zoning Districts which recognize the variable and dynamic nature of the coastal feature and riverfronts as well as their values as unique

valuable natural resources. These three zones are:

W-1 Waterfront: Commercial / Residential District

This zone is intended to promote primarily residential development while allowing limited commercial uses as well as appropriately scaled mixed use developments; to promote waterfront access and uses which improve the integration of the waterfront and the neighborhoods adjacent to the waterfront.

W-2 Waterfront: Mixed Use District

This zone is intended to promote a balance among appropriately scaled residential, commercial, and light industrial development; to enhance compatible development with adjacent areas and surrounding residential neighborhoods; to enhance and create public access to the waterfront as a public resource for the benefit of present and future generations; and to provide a transition between the Port / maritime Industrial uses and surrounding neighborhoods.

W-3 Waterfront: Port / Maritime Industrial District

This zone is intended to promote the Port of Providence and related maritime industrial and commercial uses within the areas of Providence's waterfront; to protect the waterfront as a resource for water-dependent industrial uses; and to facilitate the renewed use of a vital waterfront.

Along the Providence River from the Cranston City line to the split of the Moshassuck and Woonasquatucket Rivers, the following zoning is found (as presented in SAM Plan Figure II-2, Municipal Zoning): W-3 (Waterfront: Port / Maritime Industrial District); M-2 (Heavy Industrial District); W-2 (Waterfront: Commercial / Industrial District); D-2 (Downtown: Mill District); D-1 (Downtown: Central Business District); OS (Open Space District); and C-2 (General Commercial District). The land uses along the river include the Providence Port, the City Pier, Field's Point Wastewater Treatment Facility, the Narragansett Electric Power Station, Old Harbor Marina, Davol Square, recreational areas including Gardner Jackson Park, and numerous office/retail areas north of the Hurricane Barrier.

Along the Moshassuck River from the Providence River to the end of the Harbor Management Project area at Smith Street, the following zoning is found: D-1 (Downtown: Central Business District) and OS (Open Space). The land use in this area includes Parcels 4E and 6 of the Capital Center Project (vacant) and Roger Williams National Park.

Along the Woonasquatucket River from the Providence River to Eagle Street, the zoning is: D-1 (Downtown: Central Business District); D-2 (Downtown: Mill District); and M-1 (Industrial District). Land uses in this area include Waterplace Park, the Promenade River Walk, numerous office and retail areas, and some manufacturing areas.

Along the Seekonk River from the Providence River to the East Providence City line, the existing zoning includes: W-2 (Waterfront: Commercial / Industrial District); PS (Public Space); C-2 (General Commercial District); OS (Open Space); W-1 (Waterfront: Commercial / Residential District); and R1 (One Family District). Land uses in this area are diverse and include Swan

Point Cemetery, Butler Hospital, Blackstone Park, the Narragansett Boat Club, commercial office development at and near Waterman Square, and the Gano Street Playground.

3.4.2 Proposed Land Use and Zoning

It is recommended that future development along the rivers and harbor area of Providence be water-oriented. The waterfront is a valuable resource to the City of Providence and should be enhanced at every opportunity.

The existing zoning and land use are in compliance with the City's Comprehensive Plan, dated May 1992. Subsequent to the Comprehensive Plan, the I-195 Old Harbor Plan was prepared in October 1992. In light of the City's existing waterfront districts, the proposed relocation of I-195 and the implementation of the Old Harbor Plan, it is recommended that a Waterfront Downtown (W-D) district be created. This district would include the area between the relocated I-195 and the split of the Woonasquatucket and Moshassuck Rivers. This new zone would assist in future development of the area and enhance its water-oriented appeal. The W-D zone would be a combination of the D-1 (Downtown: Central Business District) and the W-2 (Waterfront: Mixed Use District) zones. The recommended language for the W-D zone is as follows:

W-D Waterfront Downtown

This zone is intended to encourage revitalization and restoration of the historic business area and to accommodate appropriate expansion of the downtown area while enhancing and creating public access to the waterfront as a public resource. Uses of the D-1 zone are permitted under this zone.

3.4.3 Proposed Development

Several projects are currently proposed in the Harbor Management Areas as indicated in Figure II-3, A Compilation of Proposals and Plans for the Use of the Providence Harbor Shoreline. Relocation of I-195 has proceeded through the final environmental impact statement stage and is currently in final design. This project entails replacement of the existing Providence River bridge located north of the Point Street bridge and south of Dyer Street, with a new crossing in the vicinity of the Fox Point Hurricane Barrier. See Old Harbor Plan discussion below.

The Koffler Group recently unveiled plans for Riverview Place, a complex of stores, a medical center and assisted-living center at Butler Avenue and Pitman Street on the Seekonk River, south of Waterman Square. Butler Avenue, currently an unpaved street south of Pitman Street, is designated as a CRMC right of way to the river; the Koffler Group proposes a grassy median and pedestrian walkway to provide access to the waterfront.

Providence Place Mall is currently under construction on a 13.2-acre site west of Waterplace Park on the Woonasquatucket River. The multi-story mall will span the Woonasquatucket River, the rail line, and extend from Memorial Boulevard and the current I-95 ramp to Hayes Street, south of the State House. New ramps are proposed to provide access from I-95 to Kinsley Street and the mall. Riverside walks are planned to provide pedestrian access between the Promenade and Woonasquatucket Greenway on the west and Waterplace Park to the east.

Handicapped accessible floating docks are proposed at Waterplace Park and at Dyer Street landing. Funding for construction is provided by Rhode Island Department of Transportation and Federal Highway Administration with local contribution. These docks will provide facilities for the high speed ferry (proposed under a Congestion Management/Air Quality funding award), other ferries and water taxis. Dredging to minus 10 feet mean high water is proposed at Dyer Street; dredging is also proposed at Waterplace Park. The grant application specifies that the docks be designed for transient use and overnight mooring will be prohibited. The entire facility including the ramps and docks will be ADA-compliant. A chain will be installed at the top of each of the ramps to the floating docks to discourage use in inclement weather (Gordon G. Hoxie, FHWA Division Administrator, letter of approval and / or authorization to William D. Ankner, RIDOT Director, dated April 7, 1997). Additional docks are proposed at Citizens Bank and Gardner-Jackson Park.

3.4.4 Old Harbor Plan

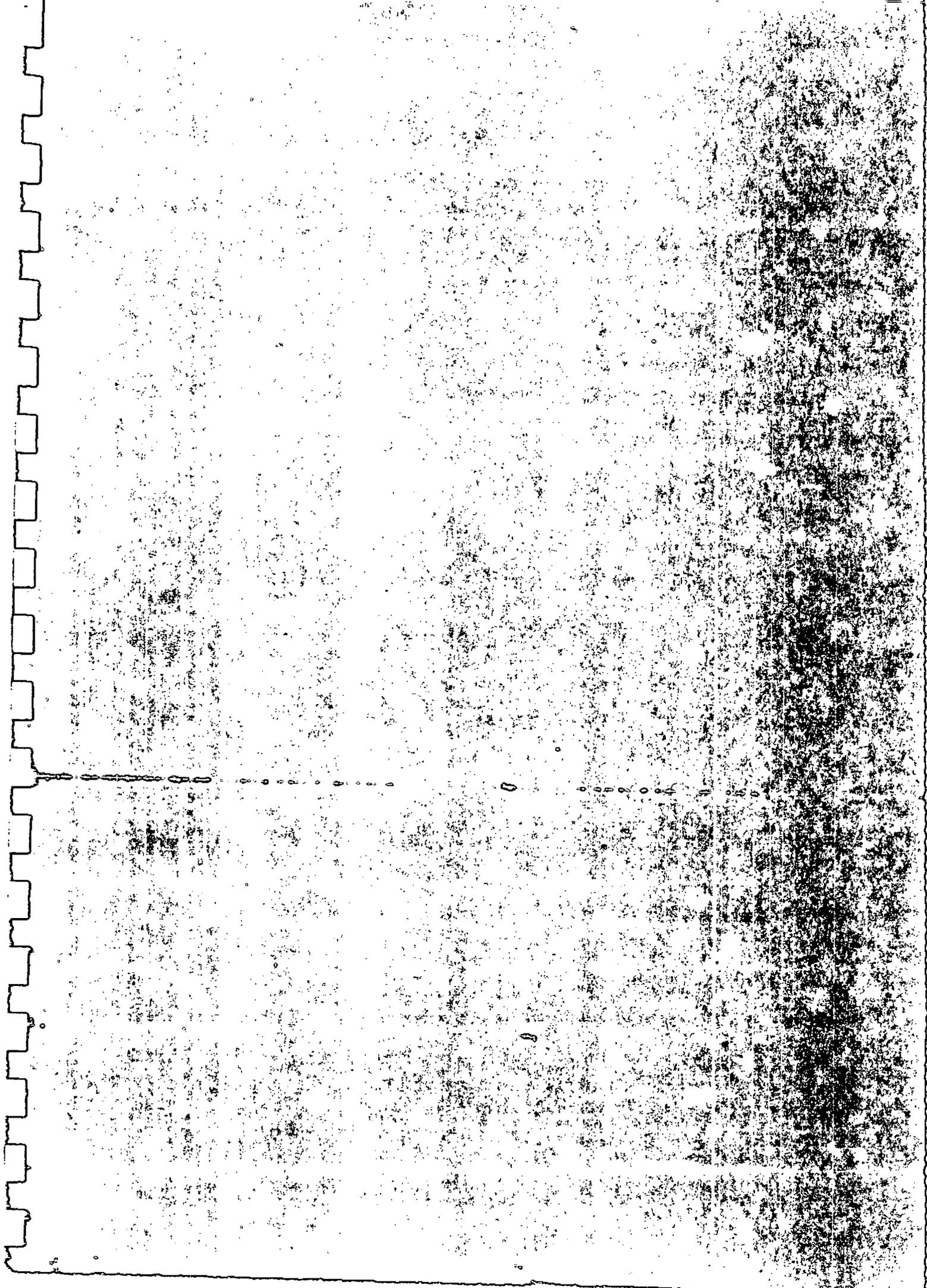
The *I-195 Old Harbor Plan 1992* written by William D. Warner, Architects and Planners was sponsored by the City of Providence, the State of Rhode Island and The Providence Foundation. A prevalent goal of the plan was to integrate the reclamation of the waterfront with public transportation by land and water. The plan objectives relevant to the Providence Harbor Management Plan are: identify accessible waterfront made available by the relocation of I-195 and define the nature and potential of the reclaimed "Old Harbor". The physical plan entails riverwalks, parks, plazas, boat landings, and the addition of water taxis and ferry boats. Other aspects of the physical plan include the development of small seaport clusters at Corliss Landing, Dyer Street and Doubloon Landing. These villages will be separated by harbors and parks all linked together by water transportation and a system of continuous riverwalks. Suggested public improvements involve the creation of riverwalks extending public access to the water, extension of the East Bay Bike Way from the Washington Bridge to the Crawford St. Bridge and reclamation of the Old Harbor, requiring dredging and construction of boat locks.

Waterfront development indicated in the Old Harbor Plan encompassed development at Davol Square and South Street Station with significance placed on the creation of several waterfront districts.

- Waterfront development at Davol Square and adjacent South Street Station will be more urban in scale and relate to the massing of the existing brick structures.
- Quay Port, the largest of the waterfront districts proposed under the Old Harbor Plan, will be located at the foot of Dorrance Street where the old shipping quays used to be. The buildings defined by a tight grid of narrow streets and pedestrian alleys will be small two to six story structures with pitched roofs. Retail is slated for the ground floors of the buildings with apartments occupying the upper floors. There will be a village square, town dock, museum ship, and lighthouse observation tower with a museum of Rhode Island lighthouses in its base. The centerpiece of Quay Port will be the "festival" marketplace featuring a Rhode Island Shore Dinner Hall. Subsequent revisions to the Quay Port design have been made as part of the I-195 value engineering. Quay Port concepts have been scaled back extensively.

- At Corliss and Doubloon Landings small scale buildings with footprints of 1,200 to 2 SF are intended to lend a seaside village character to the area.

Old Harbor Plan public improvements relevant to the Providence Harbor Management include: new parks and open space, landscaped riverwalks, reconstructed sea walls, docks boardwalks, and reclamation of the "Old Harbor". Circulation improvements to Memorial Boulevard south from Crawford Street following Dyer, Clifford, and Eddy Streets, shift it west, yielding a larger waterfront district. The addition of a Park "bridge" over I-19 connect the East Side with India Point Park will enhance public water access. Improvements currently inaccessible portions of the waterfront would result in a continuous riverwalk from Seekonk River to India and Fox Points up the eastern shore of the Providence River to Waterplace then down the western shore arriving at Collier Point, south of the Hurricane Barrier. Circulation improvements are the extension of the East Bay Bikeway from the Washington Bridge to Crawford Street Bridge and reclamation of the "Old Harbor". This would require; dredging upper harbor for better navigability, installation of boats locks at the Hurricane Barrier to maintain water level at Mean High Water, water taxi service between Waterplace and India Point Park, restore operating features of the Point St. Bridge to expand presently restricted boat access to low vehicle clearance, and the establishment of a Waterfront Heritage Trail.



Appendix 4 PUBLIC ACCESS

Public access to the shore and contiguous water areas is a right long recognized as inherent to citizens of the United States and is a right that will continue to be honored and protected by careful planning and management of coastal resources. The right of the public to use the shoreline has its beginning in ancient civilizations that enacted laws and codes to protect this use. The Roman Emperor Justinian (483-565 A.D.) first recorded the public trust doctrine, which stated that:

No one is forbidden access to the seashore. The public use of the seashore, as of the sea itself, is part of the law of nations, consequently everyone is free...to dry his nets and haul them up from the sea...

The principle of this edict was that the shore and the sea were "common to all" and could not be privately owned. This understanding of Roman law carried forth into laws of European nations. England's Magna Carta (1215) noticed the public's right to fishing and navigation. Numerous interpretations and clarifications of this basic premise gave Queen Elizabeth I title to the tidal lands. The early American colonists brought with them this English common law concept of keeping coastal access open for all new settlers. As the American colonies grew and matured, control of the tidelands was assumed by the states as a public trust, where public trust means that the people of the state have placed the legal title of the public trust land with the government of that state to protect their rights to its use.

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

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

Public Access is a general term used to describe the way the public legally reaches and enjoys the coastal areas and shoreline of the State which are held in public trust. Public access includes:

- a. Physical access: the ability to reach the shoreline from upland areas via perpendicular access points such as right-of-ways, boat launching ramps, and fishing piers; and the ability to pass and repass horizontally along the shoreline as guaranteed by the Rhode Island State Constitution.
- b. Visual access: the provision of unobstructed views of the coast and shoreline areas. Examples of visual access include; viewing platforms, observatories, scenic drives, and innovative architectural designs that provide unobstructed views.

c. Interpretive access: the provision of signage, plaques, etc., or the use of innovative techniques which serve to educate the public about the historical, ecological, or cultural significance of a site or the industrial/commercial utilization of public trust resources. Interpretive access may also include other methods which impart a sense of public ownership and understanding of public trust resources.

Amenities which enhance public access opportunities such as picnic tables, public restroom lighting, etc.. and other improvements are vital contributions to public access.

4.1 PUBLIC ACCESS INVENTORY

The Recreational Facilities Inventory provided in Table 4-1 provides an up-to-date assessment recreational facilities designed to facilitate public usage and enjoyment at these sites. Traditionally, local governments have played the major role for providing residents with land active recreational pursuits and more recently for passive enjoyment and conservation of public lands. In addition to the municipal stewards private entities, both commercially oriented and non-profit, provide land and facilities for recreational facilities. Sites acknowledged in this inventory include active and passive recreational sites including public parks, playfields, playgrounds and boating facilities. The information from this inventory will aid in determining the ability of recreational resource base to accommodate current and anticipated demands for various types of outdoor recreation.

Access Inventory Sheets are presented as Attachment A. Sites inventoried include public parks and public and private recreation areas (including marinas, boat clubs, and utility owned park areas). The City of Providence Assessors Inventory of Shorefront Property is presented as Attachment B.

**Table 4-1
Recreation Facilities Inventory**

SITE NAME	PUBLIC/ PRIVATE	DOCKS / RAMPS	BIKE / PED PATHS	TOTLOT EQUIP	PARKING	PLAY FIELDS	ACTIV PASSIVE
SEEKONK RIVER							
BLACKSTONE PARK, River Dr.	public	no	bicycle/ walking/ jogging	no	on-street	no	passive
NARRAGANSETT BOAT CLUB, River Dr.	private	yes	no	no	yes	no	active
GANO ST PARK Fremont St.	public	no	no	playground	yes	baseball, basketball, soccer, softball	active
ROGER WILLIAMS LANDING, Gano St.	public	no	no	no	on-street	no	passive

SITE NAME	PUBLIC/ PRIVATE	DOCKS / RAMPS	BIKE / PED PATHS	TOTLOT EQUIP	PARKING	PLAY FIELDS	ACTIVE / PASSIVE
INNER HARBOR AND RIVERS							
CORLISS LANDING, South Water St.	public	no	no	no	on-street	no	passive
DOUBLOON LANDING South Water St.	public	canoe put- in	no	no	15 minute pull-off	no	active
OLD HARBOR MARINA, South Water St.	private	slips	no	no	on-street	no	active
POINT ST LANDINGS, Point St.	public access/ privately owned	dockage	no	no	on-street	no	active/ passive
HARBORVIEW TRAIL, South Water Street	public	no	bicycle/ walking/ jogging trail	no	on-street	no	passive
GARDNER JACKSON PARK, South Main St.	public	dock	no	no	on-street	no	passive
MARKET SQUARE, South Main St.	public	no	no	no	on street	no	passive
WATERPLACE PARK, Memorial Blvd.	public	docks	walking/ jogging	no	on-street	no	active/ passive
PROMENADE RIVER WALK, Promenade St.	public	no	walking/ jogging	no	on-street	no	active/ passive
OUTER HARBOR							
INDIA PT PARK, India St.	public	dock	bicycle/ walking/jogging/ festivals	yes	yes	soccer	active/ passive
BOOTLEGGER MARINE, India St.	Private	yes	no	no	off, street	no	active
COMMUNITY BOATING CENTER, India Pt. Park	public	dock	no	no	yes	no	active
HUNTER MARSTON BOATHOUSE, India St.	private, Brown Univ.	ramp, dock	no	no	yes	no	active
EAST BAY BIKEWAY at Washington Bridge	public	no	bicycle/ walking/ jogging	no	on-street	no	active
COLLIER PT PARK, Henderson St.	public access/ privately owned	ramp and dock	no	no	yes, off street	no	passive
PORT OF PROVIDENCE							
STATE PIER , Allens Ave.	public	dock	no	no		no	active

4.2 PUBLIC ACCESS POTENTIAL FOR RIGHTS-OF-WAYS

Table 4-2 provides the City of Providence with an up-to-date assessment of public rights of way as listed in the Providence Assessors Plans, and as classified by the Coastal Resource Management Council (CRMC). Public access to the shore and contiguous water areas is a right long recognized as inherent to citizens of the U.S. and is a right that will continue to be honored and protected by careful planning and management of coastal resources. At a minimum, the area below the Mean High Water (MHW) line is open to public access. Public access to the shore is guaranteed in order that the citizens of the state have access to the shore and waters in general and are not prevented from reaching the waters during low tide. The CRMC has been authorized by the state Legislature to manage this public resource. In Rhode Island public access to the shore is provided by designated Rights-of Way which are the primary means by which the public reaches the shoreline and water areas. Access to the shore traditionally used by the public is being displaced by commercial and residential developments. Some access sites are not being maintained and/or marked, and thus have become "incorporated" or "privatized" by adjacent property owners. Some public sites are illegally blocked off. CRMC recommends that an aggressive approach to maintain existing sites, identify and develop new sites, and identify and prioritize future sites shall be developed by the City to ensure public access to the shore.

The following information addressed physical, visual and interpretive access potential from parks, visual access from parallel streets, and physical, visual and interpretive access potential from marinas/boat yards and rights-of-way. Information is presented for the following harbor management areas: Seekonk River, Inner Harbor (including Providence, Moshessuck, and Woonosquatucket River) and the Outer Harbor.

**Table 4-2
Public Access Potential for Rights-of-Ways**

ROW'S (Plat/Lot)	POTENTIAL FOR PUBLIC ACCESS/ NOTES	SUITA- BILITY BOAT RAMPS/ CANOE PUT-INS	POTENTIAL VIEWS & PASSIVE REC	POSSIBLE PARKING AREAS	FEASIBILITY BASED ON EXISTING SITE CONDITIONS	SHORE LINE	ADJ. PLAT/ LOT
SEEKONK RIVER							
EAST TRANSIT ST (to Beach St. paper st) 17/416 & 368 (Note 2)	access from Gano St. thru used car lot	yes	Seekonk River	Gano St	yes, possible linkage with Gano St. Park	natural, heavy vegetation	1
FREEMONT ST (to Beach St. paper st) 17/368 & 14/328 (Note 2)	Gano St. Park	yes	Seekonk River	existing lot 10 spaces at Gano St. Park	yes	natural, heavy vegetation	1
BUTLER AVE CRMC ROW 15/460 & 35 (Note 3)	yes, with major site improvements	yes	Seekonk River	on street	yes	natural, heavy vegetation	15/460 & 15/35

ROW'S (Plat/Lot)	POTENTIAL FOR PUBLIC ACCESS/ NOTES	SUITABILITY BOAT RAMPS/ CANOE PUT-INS	POTENTIAL VIEWS & PASSIVE REC	POSSIBLE PARKING AREAS	FEASIBILITY BASED ON EXISTING SITE CONDITIONS	SHORE LINE	ADJ. PLAT/ LOT
IRVING ST CRMC ROW 41/14 & 234 (Note 2)	Adj to Blackstone Park	yes	Seekonk River	on street	extremely limited	steep slope, heavy veg.	44/14 & 234
OUTER HARBOR							
INDIA ST (BROWN) 17/54 & 620 (Note 2)	existing public access/ NBC sewer cyphon bldg	ramps/put ins with grade restraints	Hurricane Barrier, Prov. River/ passive rec	yes	no public access	man-made	17/54 & 620
INDIA ST (FOX PT) (Note 2)	yes	ramps/put ins with grade restraints	Seekonk River, East Prov./ active rec.	paved parking	no public access	man-made	18/332 & 34
PORT OF PROVIDENCE							
THURBERS AVE (Note 2)	limited, remote site in industrial area, no trespassing signs	yes	East Prov. & Prov. Harbor, limited potential for passive rec.	none	no direct access over public lands	unpaved rock and mud, drainage swale, limited veg.	1
PUBLIC ST (Notes 1 & 2)	private prop. Northeast Petroleum	-	-	-	-	-	1

Note 1: Plat/Lot adjacent to 46/389 & 325.

Note 2: Public Right of Way according to Providence Assessors Plans.

Note 3: Adjacent property proposed for retail development. Site crossed by NBC Sewer Interceptor.

4.3 Seekonk River

4.3.1 Parks

Gano Street Park, Gano Street

- Physical access - There is no existing provision for public access to the extensive waterfront on the Seekonk River. There is potential for public water access based on grade (no bluffs, bulkheads, or steep slopes make access difficult).
- Visual Access - There are seasonal views to the shoreline and beyond almost entirely obstructed by dense vegetation. This views could be improved by thinning vegetation.
- Interpretive Access - Existing signage for rules of the park is present. There is the potential to increase interpretive access at this site with historical, ecological, or cultural information relevant to the site and neighborhood, including Roger William's landing, information on the Blackstone River - Seekonk River as a major drainage basin extending into Massachusetts, Indian settlements along Narragansett waterways.

Roger Williams Landing, Gano Street

- Physical access - There is no physical, or potential for, access at this site, located several blocks from the shoreline.
- Visual Access - There are no views, or potential views, to the shoreline.
- Interpretive access - There is an existing plaque with historical information pertaining to the site. This could be expanded to an outdoor classroom with signage featuring key cultural and historical information on the site and surroundings which could serve to educate the public.

Blackstone Park, River Drive

- Physical Access - River Drive separates the river from the park property. Although the park does not have frontage on the river, the feeling when driving or walking along River Drive is that the park provides access to the Seekonk.
- Visual Access - Existing views from River Drive provide vistas across the Seekonk River, rowers, shorebirds, other recreational users of the river, and land on the East Providence shoreline.
- Interpretive Access - The site does not utilize any interpretive access. Signage including ecological, historical, or cultural information may serve as a benefit to enhance the site. The site was constructed by the Works Progress Administration during the 1930's. This shoreline is one of the few natural shorelines in Providence, showing only minimal influences of filling.

Blackstone River Bikeway

Although the bikeway extends north of Providence up the Blackstone River, based on a lack of neighborhood support the bikeway has not been extended between Pawtucket and the Washington Bridge.

4.3.2 Physical Access via Marinas and Boat Clubs

Narragansett Boat Club, River Drive - Existing physical access to the shoreline is provided to this private boat club.

4.3.3 Visual Access from Parallel Streets

River Drive - See Blackstone Park, above.

4.3.4 Street Access - Rights-of-Way (ROW)

Beach St. at East Transit St. and Fremont St. - within Gano St. Ballfields

- Physical Access - Although dense vegetation blocks direct physical access to the shore, the existing grade does not preclude development of future access for fishing or passive recreation.
- Visual Access - Although visual access is blocked by thick vegetation, vistas could be opened through clearing and landscaping the site with grass and low-growing shrubs.
- Interpretive Access - There is no existing interpretive access. There is potential for the addition of interpretive access to educate public users of the site.

Butler Avenue (CRMC ROW)

- Physical Access - Although there is no developed physical access to the site, adjacent property has been proposed for development. Public access along the CRMC ROW is a design feature.
- Visual access - There are limited views due to dense vegetation; clearing will open vistas to the south toward the bascule rail bridge and open waters of the Seekonk.
- Interpretive Access - There is no interpretive access at the site. The site could benefit from the addition of interpretive access.

Irving Street (CRMC ROW)

- Physical Access - There is limited potential for physical access because of the steep gradient from Irving Street to the Seekonk because of the steep gradient from Irving Street - River Drive intersection to the river.
- Visual access - Existing views of the Seekonk River could be improved with vegetative framing.
- Interpretive Access - There is no interpretive access at the site. This site would benefit from the addition of interpretive signage describing the historic and prehistoric archaeology of the area (based on findings at Butler Hospital, located north of Grotto Brook), and describing the estuary at Grotto Brook.

4.4 Inner Harbor and Woonasquatucket and Moshassuck Rivers**4.4.1 Parks****Harborview Trail**

- Physical Access - A fence blocks access to the adjacent shoreline from South Water Street, north of Corliss Landing Park on the Providence River.
- Visual Access - There are ample views up and down the Inner Harbor.
- Interpretive Access - Although there is existing signage calling out the site, it could be improved by adding more information.

Corliss Landing, South Water Street

- Physical access - The park currently provides access to the bulkheaded Providence River shoreline north of the Fox Point Hurricane Barrier.
- Visual Access - The park affords dynamic views of the Providence inner harbor including such diverse views as an adjacent marina, the historic Point Street Bridge, Narragansett Electric's Manchester Street Station, and the Fox Point Hurricane Barrier.
- Interpretive Access - Although general information is posted, the site could be improved with interpretive description of past uses of the Fox Point area, data on the extent of flooding during the 1950's, and an explanation of operation of the Hurricane Barrier.

Point Street Landings

- Physical Access - Parks recently constructed by Narragansett Electric north and south of the Point Street Bridge provide benches and boat dockage at these landings. The landing south of the Point

Street Bridge has been discussed by RIDOT as a possible water taxi stop or as a stop for future high-speed commuter ferry service to Newport and other Narragansett Bay destinations.

- Visual Access - Views from this site include the historic Point Street Bridge and views described for Corliss Landing, above.
- Interpretive Access - Interpretive access has been installed at these parks.

Doubloon Landing, South Water Street

- Physical Access - The site is currently developed as a temporary canoe and kayak put-in. This will be improved by the construction of a permanent structure, planned as part of the Old Harbor project.
- Visual Access - Ample unobstructed views of the inner harbor and shoreline are possible.
- Interpretive Access - Signage at the site provides general information, including "no wake" speed limits on the adjacent Providence River.

Gardner-Jackson Park, north of Crawford Street Bridge

- Physical access - The site is a park and riverwalk with tie-ups for small boats. No improvements to physical access are needed for this recently-constructed park.
- Visual Access - Multi-level walkways provide diverse vantages of the river, the park, and DownCity Providence on the west shoreline. "Water Fire " provide a mesmerizing art display at this site when performed.
- Interpretive Access - Existing examples of interpretive access provide cultural and historical information.

Market Square, north of Crawford Street Bridge

- Physical Access - Market Square has been incorporated within the Providence River riverwalk constructed as part of the river relocation.
- Visual Access - This site offers views across the river and upstream toward the confluence of Woonasquatucket and Moshassuck Rivers.
- Interpretive Access - Interpretive signage is a key component of the recent site improvements.

Waterplace Park

- Physical Access - Recently constructed floats at Waterplace Park provide dock space for shallow draft boats such as the gondola, water taxis, canoes and kayaks. There are no boat launches.
- Visual access - Excellent visual access is provided throughout the park, from the level of adjacent streets to the Woonasquatucket's seawall. The park may also be viewed from adjacent buildings. The park is screened from motorists on Memorial Boulevard by a retaining wall.
- Interpretive Access - Interpretive access describes the history of the site.

Promenade River Walk, Kinsley and Promenade Streets

- Physical Access - Although sidewalks generally flank the river adjacent to the streets, there is physical access down to the Woonasquatucket River. This area is proposed as a link on the Woonasquatucket Greenway project.

- Visual Access - A pedestrian walkway (with benches) and several bridges provide views of the river. Vegetation along the river frequently blocks views of the river for pedestrians walking along the promenade.
- Interpretive Access - There is none. The addition of historical and cultural signage would benefit the site past the Foundry, a site eligible for the National Register of Historic Places.

4.4.2 Visual Access from Parallel Streets

South Water Street - Ample views of the Providence River are provided along South Water Street.

Canal Street - The Moshassuck River, known as the Blackstone Canal, is easily seen from the street.

Memorial Boulevard - The river is below eye level at Memorial Boulevard, therefore views are limited to bridges on connecting streets crossing over the river. There are views from the upper levels of the surrounding office buildings.

Promenade and Kinsley Streets - Limited views of the Woonasquatucket River from the road are possible, as described for the Promenade Walkway, above.

4.4.3 Inner Harbor and Rivers Marinas

Old Harbor Marina, South Water Street

- Physical access - Physical access to the Old Harbor Marina is limited to patrons/members and their guests. Grappa and Fish Co. and the City of Providence have entered into tax incentive agreements to provide public access to the waterfront.
- Visual Access - Views from the shoreline and marina include the inner harbor to the Point St. Bridge and beyond with views to the Fox Point Hurricane Barrier.
- Interpretive Access - Although rules of the marina are posted, there is no interpretive signage pertaining to the site.

4.5 Outer Harbor

4.5.1 Parks

India Point Park

- Physical Access - There is access for large ships such as the Block Island Ferry and smaller boat to tie-up. Some of the wall is in deteriorating condition that may be a threat to public safety. Pilings alongshore are deteriorated and are a hinderance to physical access from the water.
- Visual Access - There are unobstructed views of Providence River and Upper Narragansett Bay.
- Interpretive access - There is no interpretive signage. There are areas for the display of art by local artisans.

Community Boating Center, India Point Park

- Physical Access - There is physical access to the water for small sailboats. A wall along the shore provides seating, although this use does not appear to be encouraged.
- Visual Access - There are unobstructed views from the boating center of the shore.
- Interpretive Access - There is informative signage about the boating center. The addition of some ecological signage may lend an understanding of public resources and universal responsibility for natural resources by the public.

East Bay Bikeway (at Washington Bridge)

- Physical Access - No direct access to the outer harbor is provided although the bikeway is adjacent to India Point Park.
- Visual Access - Views of the upper Providence River including the Port of Providence are afforded from the bike path.
- Interpretive Access - There is no interpretive access. Interpretive access may be incorporated into the path in short segments at equally spaced intervals to tell a story or state interesting facts.

Collier Point Park, Henderson Street

- Physical Access - Facilities at this recently completed Narragansett Electric park include a concrete boat ramp, fishing piers and a sunbathers deck.
- Visual access - There is a viewing platform offering panoramic views across the outer harbor including the Port of Providence and East Providence.
- Interpretive Access - Historic artifacts that were once used on the site tell a story without words. Historical excerpts are posted throughout the park.

Compassionate Friends of Bold Park, East Providence

Note: Part of this park is actually located on land incorporated within the municipal boundary of City of Providence.

- Physical Access - A boat ramp, fishing pier, and beach provide access to the Seekonk River.
- Visual Access - Views of India Point Park to the north and the Port of Providence to the south provide interesting sites. The wreck of a barge grounded in the 1930's is visible from Bold Park.
- Interpretive Access - Signage is limited to information on the Compassionate Friends and park rules. Historical and ecological information (including information on the Hurricane of 1938) would provide interesting information for this site.

4.5.2 Marinas

Bootlegger Marina at the former Shooters Restaurant, India Street

- Physical Access - Limited to access by patrons of the marina and their guests.
- Visual Access - There are unobstructed views of the Providence River and Upper Narragansett Bay.
- Interpretive Access - There are signs referring to the rules of the marina. There is no interpretive access.

signage at the site.

East Providence Yacht Club

Note: Most of the yacht club is actually located on land incorporated within the municipal boundary of the City of Providence.

- Physical Access - Limited to access by members of the club and their guests.
- Visual Access - Diverse views of the old swing railroad bridge and foundation, India Point Park, and Bold Point Park are possible at this bend in the Seekonk River.
- Interpretive Access - Signage is limited to information for the yacht club.

4.5.3 Street Access - Rights-of-Way (ROW)

Henderson Street - See Collier Point Park

India Street at Fox Point

- Physical Access - The area is adjacent to a Narragansett Bay Commission facility. Although the site is level, a seawall prevents direct access to the Providence River. Access to the shore is limited by the height of land above the high water mark. A concrete boat ramp with a slope of no more than 14 percent may be a consideration at this location.
- Visual Access - Views to the north include the Fox Point Hurricane Barrier, across the river to Narragansett Electric, and south toward the Port of Providence.
- Interpretive Access - There is none. The site could benefit from the addition of educational information about the Hurricane Barrier or historical information on the evolution of the harbor.

India Street at India Point Park

- Physical Access - Access to the shore is limited by the height of land above the high water mark. A concrete boat ramp with a slope of no more than 14 percent may be a consideration at this location.
- Visual Access - There is a straight-on view from India Street across the water to East Providence, including views of the railroad swing bridge and the East Providence Yacht Club.
- Interpretive Access - There is no existing interpretive access for this sight. Interpretive access concerning ecology or history would enhance interest at this site.

4.6 Port of Providence and Beyond

4.6.1 Street Access (ROWS)

Thurbers Avenue

- Physical Access - There is no existing physical access to this drainage swale.
- Visual access - Views of the Providence River and East Providence.
- Interpretive Access - None

Public Street

- Physical Access - ROW is posted as private property.

The following pages include Attachment A: Access Inventory, and Attachment B: City of Providence Assessors Inventory of Shorefront Property

Attachment A:

Access Inventory

**Providence Harbor Management Plan
Access Inventory**

<p>Site Blackstone Park, River Drive Name Owner City of Providence Plat / Lot 41/14, 41/234, 40/293 Water Access River Drive to Seekonk River. Site Improvements Bulkhead (granite, rubble, sheetpile) Rip-rap, natural land edge Height above HW (stairs on wall) not applicable paths, paving type sidewalks benches / seating walls various wood park benches lighting street lighting trash/bike racks, etc. trash cans parking (off-street, on-street) 40 parking spaces, on-street/ off-street west end Adjacent Land Use (street, parking lot, commercial/utility/residential) residential Other Narragansett Boat Club</p>
<p>Site Twin Islands #1 - Seekonk River Name Owner WRIB, Inc. Plat / Lot 14/372 Water Access Seekonk River Site Improvements Bulkhead (granite, rubble, sheetpile) E2EM Piers (timber/concrete - fixed or floating) Power line access via wooden piles Other wooden debris, radio tower</p>
<p>Site Twin Islands #2 - Seekonk River Name Owner Giannamore, Claire M. Plat / Lot 14/373 Water Access Seekonk River Site Improvements Bulkhead (granite, rubble, sheetpile) sand shore with limited spartina on South, more spartina on North Other scrub shrub growth, swan and wading shore birds</p>
<p>Site Crook Point East Providence Name Owner RIDOT Plat / Lot Water Access Seekonk River Site improvements Bulkhead (granite, rubble, sheetpile) spartina along Seekonk River shore with dense woods around pond Other abandoned RR tracks, RR bridge in 'up' position, site not readily accessible</p>

**Providence Harbor Management Plan
Access Inventory**

Site Compassionate Friends of Bold Point Park
Name Owner City of E. Providence
Plat / Lot
Water Access Seekonk River - gravel boat ramp, dock
Site Improvements
Bulkhead (granite, rubble, sheetpile) gravel/cobble beach, E2EM, spartina
Piers (timber/concrete - fixed or floating) fixed pier w/ floating wooden dock.
Estimate length dock 14' x 14'; pier ~ 50'
Number of tie ups, slips none presently
paths, paving type soil/crushed stone
benches / seating walls 3 benches
trash/bike racks, etc. 2 barrels, bike rack for 7
parking (off-street, on-street) 20 spaces off-street, dirt lot
Adjacent Land Use (street, parking lot, commercial/utility/residential) commercial, dry-dock for E. Prov. Yacht
Other littered, shallow waters w/ much debris (including wrecked barge), abandoned radio tower foundation, and many rotte
 Compassionate Friends of Bold Point Park is open to the general public from 6 AM to 11 PM. No rules or restriction
 Within the next year, the City of East Providence plans to build a double boat ramp and two handicap accessible

Site India St. right of way
Name Owner City of Providence
Plat / Lot 17/ 541
Water Access Seekonk River.
Site Improvements
Bulkhead (granite, rubble, sheetpile) Rip-rap, natural land edge
Height above HW (stairs on wall) 30"
paths, paving type dirt
benches / seating walls 2 wood park benches

Site India Point Park
Name Owner City of Providence
Plat / Lot 17/620
Parcel Size 257,075
Water Access Outer Harbor, Seekonk River
Site Improvements
Bulkhead (granite, rubble, sheetpile) concrete block, granite
Height above HW (stairs on wall) 1' - 6'
Piers (timber/concrete - fixed or floating) BI Ferry, Bay Queen. 2 fixed timber piers
Estimate length 105' x 40', 50' x 20'
Number of tie ups, slips 1 ship tie-up, 3 large cleats
Other (gas pumps, pump out, utility connections) electric, water at dock
paths, paving type asphalt, cobble stones, gravel
benches / seating walls wood park benches, 6 step seating wall
lighting night-lighting along path
trash/bike racks, etc. trash cans
active recreation areas (soccer fields, BBall) soccer field, playground
parking (off-street, on-street) 40 parking spaces, on-street/ off-street west end
Adjacent Land Use (street, parking lot, commercial/utility/residential) commercial
Other evidence of old pilings, city art, pedestrian bridge across 1-95, elec. tower

**Providence Harbor Management Plan
Access Inventory**

<p>Site Parking lot for The Waterline Name Owner Hamilton Realty Corp. Plat / Lot 18/344 Parcel Size 40,743 Water Access Providence Outer Harbor Site Improvements Bulkhead (granite, rubble, sheetpile) rip-rap lighting equivalent to street lighting parking (off-street, on-street) off-street for 65 cars. Adjacent Land Use (street, parking lot, commercial/utility/residential) commercial, community boating facility, restaurant.</p>
<p>Site Community Boating Center Name Owner City of Providence Plat / Lot 18/72 Parcel Size 54,323 Water Access Providence Outer Harbor Site Improvements Bulkhead (granite, rubble, sheetpile) concrete Height above HW (stairs on wall) 4' Estimate length 80' x 10' Number of tie ups, slips rail for tie-up Other (gas pumps, pump out, utility connections) porta-jons benches / seating walls pavillion Adjacent Land Use (street, parking lot, commercial/utility/residential) parking, park Other Non- profit ,charitable organization provides sailing instruction for inner city youths and adults(fee). 18 small sailboats, 3 powerboats.</p>
<p>Site The Waterline / Bootlegger (former Shooters) Name Owner Providence Harbor Inc. Plat / Lot 18/345 Parcel Size 32,693 Water Access Providence River, outer harbor Site Improvements Bulkhead (granite, rubble, sheetpile) granite Height above HW (stairs on wall) 4' Piers (timber/concrete - fixed or floating) concrete floating pier Number of tie ups, slips 15 Other (gas pumps, pump out, utility connections) utility connections, pump out. parking (off-street, on-street) see 18/344 Adjacent Land Use (street, parking lot, commercial/utility/residential) parking lot, storage lot, public access strip Other Providence Tall Ship located here. Showers, restrooms, ice, gas</p>

**Providence Harbor Management Plan
Access Inventory**

Site Providence Steamboat
Plat / Lot 18/332
Parcel Size 14,268
Water Access Providence River south of Fox Point Hurricane Barrier
Site Improvements
Bulkhead (granite, rubble, sheetpile) concrete block, steel bulkhead behind pier
Height above HW (stains on wall) 5'
Piers (timber/concrete - fixed or floating) fixed timber and concrete
Estimate length 200'
Number of tie ups, slips 4 tie-ups for tugboats
Other (gas pumps, pump out, utility connections) electrical at dock
lighting security
parking (off-street, on-street) private
Adjacent Land Use (street, parking lot, commercial/utility/residential) pumping station, commercial
Other 2 inlet bays

Site CSO Pumping Station
Name Owner Maurania Corp.
Plat / Lot 18/34 & 16
Parcel Size 34-7,865, 16-72,616.
Water Access Providence River south of Fox Point Hurricane Barrier
Site Improvements
Bulkhead (granite, rubble, sheetpile) granite, rubble
Height above HW (stains on wall) 24"
Piers (timber/concrete - fixed or floating) fixed timber deck
Estimate length 100' x 15'
Number of tie ups, slips none
Adjacent Land Use (street, parking lot, commercial/utility/residential) Fox Point Hurricane Barrier, commercial.
Other 16-abandoned lot, 34-pumping station.

Site Corliss Landing Park
Name Owner City of Providence
Plat / Lot 18/A
Parcel Size unknown
Water Access Providence River
Site Improvements
Bulkhead (granite, rubble, sheetpile) rubble
Height above HW (stains on wall) 4' - 5'
Piers (timber/concrete - fixed or floating) fixed timber deck
Estimate length 250' x 12'
paths, paving type brick and stone paths
benches / seating walls concrete semi-circular seating wall
lighting night lighting present
parking (off-street, on-street) on street
Adjacent Land Use (street, parking lot, commercial/utility/residential) Fox Point Hurricane Barrier, parking.
Other electrical tower, Corliss Landing Old Harbor Trail, Sept. 1994-Vincent A. Cianci, Jr. Park.

**Providence Harbor Management Plan
Access Inventory**

<p>Site Old Harbor Marina: Hot Club Yacht Club (Hurricane water taxi & charter service)</p> <p>Name Owner Unknown</p> <p>Plat / Lot 18/12</p> <p>Parcel Size unknown</p> <p>Water Access Providence River</p> <p>Site Improvements</p> <p>Bulkhead (granite, rubble, sheetpile) concrete reinforced w/ steel plate & rip-rap at base Height above HW (stains on wall) 5'</p> <p>Piers (timber/concrete - fixed or floating) floating wooden dock Estimate length 25' x 6'</p> <p>Number of tie ups, slips 56 slips</p> <p>Other (gas pumps, pump out, utility connections) showers, 2 restrooms, ice, parking (off-street, on-street) private parking lot for restaurant (12)</p> <p>Adjacent Land Use (street, parking lot, commercial/utility/residential) recreational, commercial</p> <p>Other continuation of deck from 18/A with no connection between the 2 properties</p>
<p>Site Grappa & Marina (private)</p> <p>Name Owner Eat or Dine Out Inc.</p> <p>Plat / Lot 18/13</p> <p>Parcel Size 2.982</p> <p>Water Access Providence River</p> <p>Site Improvements</p> <p>Bulkhead (granite, rubble, sheetpile) concrete w/ steel reinforcement & rip-rap at base Height above HW (stains on wall) 5'</p> <p>Piers (timber/concrete - fixed or floating) floating timber Estimate length 300' along shore w/ 3 extensions out onto river (144, 180, 108)</p> <p>Number of tie ups, slips none</p> <p>Other (gas pumps, pump out, utility connections) electrical and phone parking (off-street, on-street) 8 off-street, public</p> <p>Adjacent Land Use (street, parking lot, commercial/utility/residential) commercial</p> <p>Other all boat slips belong to Old Harbor Marina</p>
<p>Site The Fish Co.</p> <p>Name Owner Dudley and Peter Shallcross</p> <p>Plat / Lot 18/4</p> <p>Parcel Size 16.760</p> <p>Water Access Providence River</p> <p>Site Improvements</p> <p>Bulkhead (granite, rubble, sheetpile) concrete w/ steel reinforcement & rip-rap at base Height above HW (stains on wall) 5'</p> <p>Piers (timber/concrete - fixed or floating) fixed timber deck extending from 18/A Estimate length Length by 15'</p> <p>Number of tie ups, slips none</p> <p>benches / seating walls benches along deck</p> <p>lighting lighting along deck</p> <p>trash/bike racks, etc. trash cans</p> <p>parking (off-street, on-street) on-street</p> <p>Adjacent Land Use (street, parking lot, commercial/utility/residential) commercial, park</p>

**Providence Harbor Management Plan
Access Inventory**

Site Corliss Landing Park and Old Harbor Trail

Site Owner City of Providence

Block / Lot 18/2

Parcel Size 4.360

Water Access Providence River

Site Improvements

Bulkhead (granite, rubble, sheetpile) concrete and granite

Height above HW (stains on wall) 3'

Piers (timber/concrete - fixed or floating) fixed timber deck extending to 18/A

paths, paving type gravel and asphalt

benches / seating walls wooden benches (6)

lighting along walking deck

trash/bike racks, etc. cans for public refuse

Adjacent Land Use (street, parking lot, commercial/utility/residential) commercial, Point Street Bridge

Site South Water Street/Waterside Park, Doubloon Landing - canoe and kayak launch facility

Site Owner State of Rhode Island

Block / Lot 16

Parcel Size unknown

Water Access Providence River.

Site Improvements

Bulkhead (granite, rubble, sheetpile) alternating concrete and rip-rap

Height above HW (stains on wall) ~ 4'

Piers (timber/concrete - fixed or floating) Doubloon Landing (fixed timber)

Estimate length 20' long x 10' staggering bleachers

paths, paving type asphalt paths

benches / seating walls bleachers/ concrete and wood benches (in need of repair)

trash/bike racks, etc. trash cans, bike racks

parking (off-street, on-street) across street/on-street. 15 min. pull-off @ launch

Adjacent Land Use (street, parking lot, commercial/utility/residential) commercial

Other heliport, flagpoles. between I-195 and Crawford St. bridges

Site Gardner Jackson Park

Site Owner unknown

Block / Lot 12/26, 29, 31, 33, 35, 36

Parcel Size unknown

Water Access Providence River

Site Improvements

Bulkhead (granite, rubble, sheetpile) granite blocks

Height above HW (stains on wall) 30"

Piers (timber/concrete - fixed or floating) small concrete/steel deck extension

Estimate length water access ~ 275' - 300'

Number of tie ups, slips 12 brass hooks

paths, paving type brick and cobble

benches / seating walls stone benches and seating walls

lighting lighting available on walkways

trash/bike racks, etc. trash cans

Adjacent Land Use (street, parking lot, commercial/utility/residential) commercial, Market Square

Other steel pilings near deck (limits accessibility)

**Providence Harbor Management Plan
Access Inventory**

<p>Site Parcel 6</p> <p>Name Owner Capital Properties</p> <p>Plat / Lot 4/247 LL01 & LB01</p> <p>Parcel Size 216.551</p> <p>Water Access Moshassuck River</p> <p>Site Improvements</p> <p style="padding-left: 20px;">Bulkhead (granite, rubble, sheetpile) granite block</p> <p style="padding-left: 40px;">Height above HW (stairs on wall) 15'</p> <p style="padding-left: 20px;">paths, paving type South end gravel and concrete parking lot, North end is abandoned with concrete paths</p> <p style="padding-left: 20px;">parking (off-street, on-street) 274:LL01 is a ~250 space parking lot, limited on-street</p> <p>Adjacent Land Use (street, parking lot, commercial/utility/residential) parking lots</p> <p>Other water depth appears to be no more than 2' - 5' with tide, wooden bridge crossing (~12' wide), residual foundation of</p>
<p>Site Waterplace Park</p> <p>Name Owner State of RI, Capital Properties</p> <p>Plat / Lot 19/131, 102</p> <p>Parcel Size 131-147,086. 102-91220.</p> <p>Water Access Woonasquatucket River</p> <p>Site Improvementst</p> <p style="padding-left: 20px;">Bulkhead (granite, rubble, sheetpile) concrete block</p> <p style="padding-left: 40px;">Height above HW (stairs on wall) 1'</p> <p style="padding-left: 20px;">Number of tie ups, slips 10 wood pilings, 10+ concrete columns, multiple tie ups</p> <p style="padding-left: 20px;">paths, paving type cobble, brick, stone</p> <p style="padding-left: 20px;">benches / seating walls stone benches and amphitheatre style seating wall</p> <p style="padding-left: 20px;">lighting general area appears to be well lit</p> <p style="padding-left: 20px;">trash/bike racks, etc. trash cans</p> <p>Other cleats along both sides of 102 ~8' apart, may only be decorative</p>
<p>Site Point Street Landings, north and south</p> <p>Name Owner Narragansett Electric, New England Power</p> <p>Plat / Lot 21/312 and 21/178</p> <p>Parcel Size 153.614. 18.120</p> <p>Water Access Providence River</p> <p>Site Improvements at each park</p> <p style="padding-left: 20px;">Bulkhead (granite, rubble, sheetpile) rip-rap</p> <p style="padding-left: 40px;">Height above HW (stairs on wall) fixed timber pier ~8', floating dock</p> <p style="padding-left: 20px;">Piers (timber/concrete - fixed or floating) floating timber and aluminum dock</p> <p style="padding-left: 40px;">Estimate length 90' x 18'</p> <p style="padding-left: 20px;">Number of tie ups, slips 6 w/ room to add more (adjustable)</p> <p style="padding-left: 20px;">paths, paving type brick and slate paths</p> <p style="padding-left: 20px;">benches / seating walls 2 pavillions, 4 wood/steel benches, 2 seating walls</p> <p style="padding-left: 20px;">lighting walkways are well lit</p> <p style="padding-left: 20px;">trash/bike racks, etc. trash cans at either end</p> <p style="padding-left: 20px;">parking (off-street, on-street) permit only adjacent</p> <p>Adjacent Land Use (street, parking lot, commercial/utility/residential) parking, power plant. Point Street</p> <p>Other near Davol Square Marketplace, electrical towers</p> <p>Rules and Regulations - See Collier Point Park</p>

**Providence Harbor Management Plan
Access Inventory**

<p>Site Collier Point Park</p> <p>Name Owner Unkown</p> <p>Plat / Lot 22/185</p> <p>Parcel Size</p> <p>Water Access cement launching ramp</p> <p>Site Improvements</p> <p>Bulkhead (granite, rubble, sheetpile) rip-rap</p> <p>Height above HW (stairs on wall) fixed piers 10'-15</p> <p>Piers (timber/concrete - fixed or floating) 2 floating timber docks adjacent to launch ramp, 2 timber/concrete piers, 2 timber piers.</p> <p>Estimate length Piers: concrete/timber (x2) 14' x 14', 40' x 24' (for Bay Queen), 18' x 60' arc Docks; 30' x 8' : 12' x 27' el.</p> <p>Number of tie ups, slips 1 on pier for Bay Queen, 9 total on docks (adjustable, more can be added)</p> <p>paths, paving type cement near parking and gravel in park</p> <p>benches / seating walls multiple wire benches (~ 18), tables (~ 10) and 2 cedar benches in tower</p> <p>lighting in parking lot and along road for security</p> <p>parking (off-street, on-street) 20 off-street, 2 cul-de-sacs w/ ~8 spaces each</p> <p>Adjacent Land Use (street, parking lot, commercial/utility/residential) power station</p> <p>Other tower originally for guards, new launch ramp for fire/rescue boats (next nearest is Edgewood)</p> <p>Rules and Regulations:</p> <ol style="list-style-type: none">1. Open to the general public on a 24 hour per day basis2. Swimming or diving is prohibited3. Alcoholic beverages are prohibited4. Pets are to be leashed and pet owners are responsible for clean-up after their pet5. Overnight camping, parking, and docking are prohibited6. Open burning and grills are prohibited7. Climbing on rocks is prohibited, for visitors safety8. Dumping or disposal of household waste is prohibited

Attachment B:
City of Providence Assessors Inventory of Shorefront Property

**Providence Harbor Management Plan
Assessor's Data**

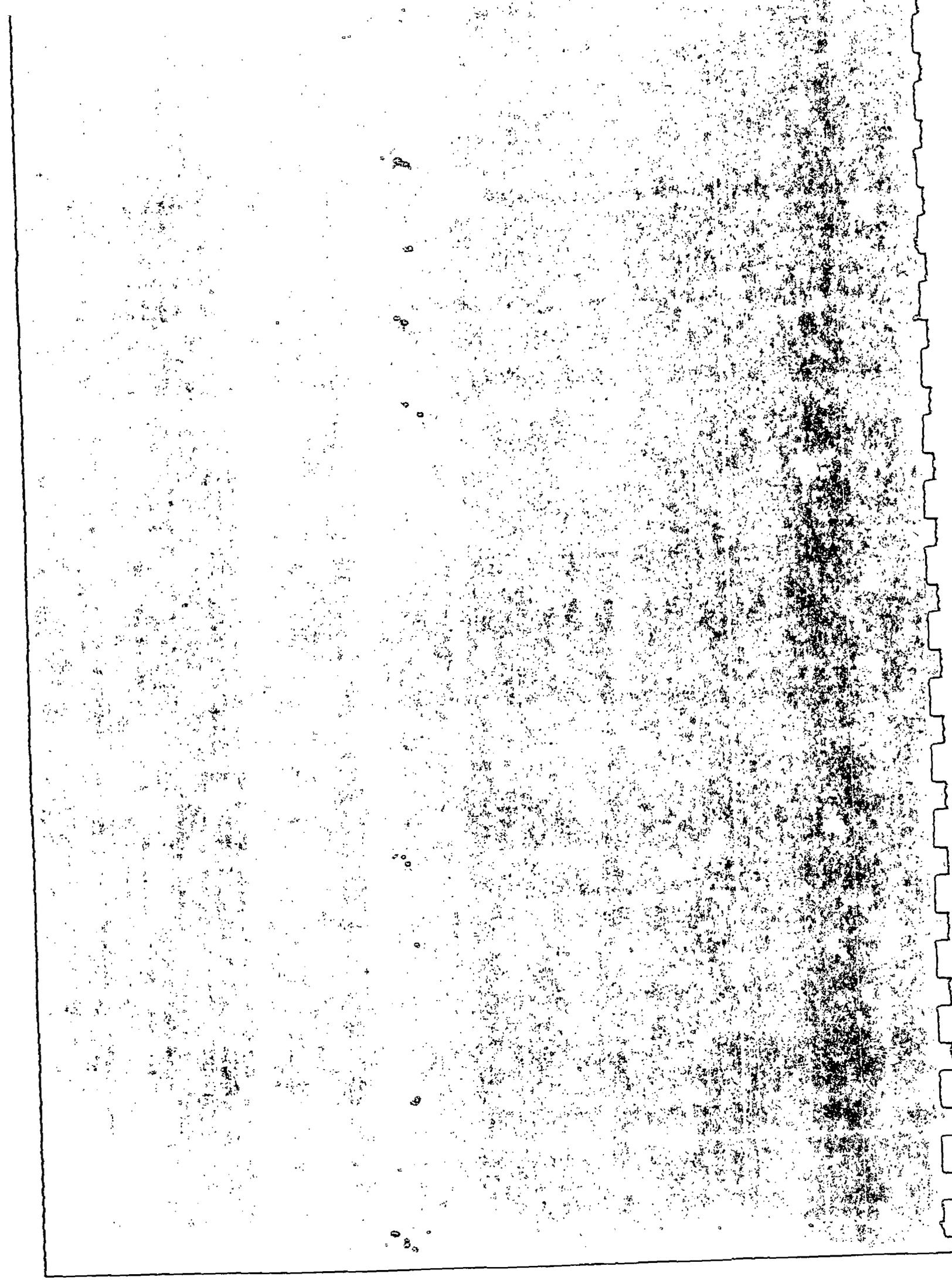
PLAT	LOT	CODE	ADDRESS	OWNERS MAILING ADDRESS	PUBLIC ACCESS	NOTES
56	5	10	195 Terminal Road	Prov. Gas Co.		
	6	7	0 Fields Pt.	Hudson Terminal Corp.		
	25: LBO	7	0 Fields Pt.	TE Products Pipeline		
	25: LLO	78	same	Provport		
	262	78	0 New York Ave	Provport Inc		
	270	78	4 New York Ave.	Provport Inc		
	271	78	0 Terminal Rd	Provport Inc		
	273: LBO	7	125 Terminal Rd	St Lawrence Cement		
	273: LLO	10	same	Prov Gas Co		
	281	78	1 Sea View Dr	Provport Inc		
	285	M2	105 Terminal Rd	City of Prov, vacant lot	X	Port of Providence litigation hazard
	288	78	0 Harborside	City of Prov	X	"
	296		0 Field Pt Dr	City of Prov	X	"
	297	78	0 Harborside	City of Prov	X	"
	307: LBO	78	0 New York Ave	Provport Inc		
	307: LLO	15	same	Harborside Park LLC		
	312	78	2 Sea View Dr	Provport Inc		
	316	7	185 Terminal	Algonquin Lng Inc		
55	9	7	500 Allens Ave	Paragon Oil Co		
	16	7	520 Allens Ave	Paragon Oil Co		
	17	7	544 Allens Ave	Paragon Oil Co		
	18	7	570 Allens Ave	Star Enterprise		
	196	7	610 Allens Ave	Texaco Inc Tax Dept, Kallaher Oil Co (DBA)		
	429		610 Allens Ave	Alogonquin Lng Inc, vcnt lt,stat. inac		
47	146		278 Allens Ave	DTP. Inc		
	147		288 Allens Ave	Angelo Maffeo		
	148		284 Allens Ave	Red Bridge Properties		
	368		338 Allens Ave	VSH Realty		
	601		434 Allens Ave	Boliden Metec		
	655		252 Allens Ave	Stablex RI Inc		
	799		386 Allens Ave	East Prov, City of	?	
	803		242 Allens Ave	Red Bridge Properties		
	804		232 Allens Ave	State of RI		
	805	80	242 Allens Ave	RI, state of		
46	128		178 Allens Ave	Northeast Petroelum Co		
	160		120 Allens Ave	Sprague CH and Son Co		
	317		206 Allens Ave	Gold. Hebert & Greenstein. Debra		
	323	6	210 Allens Ave	City Tire Co		
	325	1	357 Willard Ave	James and Theresa Cockfield		
	326		242 Allens Ave	RI state of		
	361	80	60 Public	RI, state of		

**Providence Harbor Management Plan
Assessor's Data**

PLAT	LOT	CODE	ADDRESS	OWNERS MAILING ADDRESS	PUBLIC ACCESS	NOTES
	481:LBO1		164 Allens Ave	Northeast Petroleum		
	481:LLO1		same	Industrial National Bank		
	489:LBO1		186 Allens Ave	Northeast Petroleum corp		
	489:LLO1		same	Greene Company		
19	102	14	18 American E	Capital Properties Inc	X	
	103	6	1 Citizens Place	Capital Properties Inc	X	
	109	14	140 Francis	Capital Properties Inc		
	114	15	5 Moshassuck	Capital Properties Inc	X	
	131	78	12 Memorial Blvd	RI, state of	X	
4	47: LBO	98	80 Smith S	Prov, City of	X	
	247: LLO	14	same	Capital Properties Inc	X	
18	2	78	501 Water St	Prov, City of	X	
	4	6	515 South Water St	Dudley, Peter Shallcross		
	13	6	575 South Water St	Eat or Dine Out Inc D/B/A		
	12		579 South Water St	Eat or Dine Out Inc D/B/A		
	14	78	203 India	Prov, City of	X	India Point Park
	16		661 South Water Street	Prov, City of	X	Hurricane Barrier - Corliss Landing Park
	34	14	675 South Water St	Maurania Corp		
	48	7	9 India	Maurania Corp		
	332	15	1 India	Maurania Corp		
	334	80	201 India	RI Div. Roads & Bridges	X	India Point Park
	338	78	195 India	Prov. City of	X	India Point Park
	343		89 India St	Maurania Corp		
	344		99 India St	Hamilton Realty Corp		
	345		0 India St	Prov Harbour View Inc		
	72		109 India S	Prov, City of	X	India Point Park
	10	10	541 South Water St	Narragansett Electric, vcnt It		
	3	10	503 South Water St	Narragansett Electric, vcnt It		
17	8	78		Prov, City of	X	Playground
	54		250 India S	Brown Univ		
	69	79	271 Tockw t	Brown Univ		
	416	7	101 Gano t	HV Collins Co		
	541	78	270 India	Prov, City of	X	India Point Park / bridge abutment
	54	79	250 India	Brown Univ		
	611		beach front			Gano Street Playground
	368		87 Fremont S	Prov, City of		
	613	80	225 India	RI Div of Roads & Bridges	X	India Point Park
	616	79	230 India	Brown Univ		
	620		263 India Street	Prov, City of	X	India Point Park
	621	78	235 India	Prov, City of	X	India Point Park
14	328	78	10 Beach	Prov, City of	X	Gano Street Playground
	316	78	293 Power	Prov, City of	X	Gano Street Playground

**Providence Harbor Management Plan
Assessor's Data**

PLAT	LOT	CODE	ADDRESS	OWNERS MAILING ADDRESS	PUBLIC ACCESS	NOTES
	372		0 Twin Island	WRIB, Inc.		
	373		0 Twin Island	Giannamore, Claire M.		
	566		260 Power St	Prov, City of		
	163		101 East George St	Koffler Realty Assoc. V Limited Partnership		
15	2	14	33 East River	Warwick Development Corp	X	
	6		291 E. George	Harold Shein		
	35		1 Butler Ave	V. Koffler Realty Asc		
	66	80	41 Way and Ave	RI, state of	X	Tunne/bridge RR
	340	5	392 Waterman	Caneel Bay Ltd.		
	446	78	86 Wayland Ave	Prov, City of	X	Gano Street Playground
	453	14	27 East River	Warwick Development Corp		
	456	78	88 Wayland Ave	Prov, City of	X	Gano Street Playground
	460: LBO	6	145 East George	Koffler Realty Assoc. V Ltd		
	460: LLO	14	same	Partnership (same)		
	467		291 E. George	Narragansett Electric		
41	258	5	2 River Dr	Narragansett Boat Club		
	14		1 River Dr	Prov, City of		
	234		82 Loring Ave	Prov, City of		
	261	79	200 Butler Ave	RI Hosp. Trust National Bank, trustee, Moses Brown School Foundation		
40	293	78	42 Loring Ave	Prov, City of		
38	1	70	585 Blackstone Blvd	Proprietor: Swan Point Cmnty	X	
	5	75	333 Grotto Ave	Butler Health Center		
East Providence						
			Bold Point Park	City of E. Prov.		
			East Providence Yacht Club			
			Guild Drilling			
			Crook Point RR abutment	state		
Street Rights of Way to Harbor						
Harborside Boulevard, Field's Point						
Sea View Drive, Field's Point						
New York Avenue, Field's Point						
Thurbers Avenue (from Allens Ave)						
Public Street (from Allens Ave)						
Henderson Street (from Allens Ave)						
Tockwotton Street (Hurricane Barrier)						
India Street (at Fox Point)						
India Street (at Brown Boat House)						
Beach Street at East Transit and Fremont (Gano Street Ballfield)						
Butler Avenue (Adjacent to East Side Marketplace and Toffier property)						



Appendix 5 NAVIGATION

5.1 WATER DEPTH

Information on the Providence Harbor waterways was obtained from Nautical Charts prepared by the U.S. Department of Commerce, National Oceanic and Atmospheric Administration (NOAA), National Ocean Service, February 1994. NOAA Nautical Chart 13224, February 1994, was used for water and channel depth information and Nautical Chart 13225, February 1991, was used for information about location of wrecks and ruins.

As indicated on these charts, and also on Army Corps of Engineers (ACOE) navigation project maps, the bulk of the Providence and Seekonk Rivers are channels maintained by the ACOE. The Seekonk channel, which begins at Cold Spring Point (at Waterman Square) and extends north through the project area, has an authorized project depth of 16 feet below Mean Lower Low Water (MLLW) and 150 feet wide. The channel in the Providence River, which ends just south of Fox Point and extends south through the project area, has an authorized project depth of 40 feet MLLW and is 600 to 1700 feet wide. There is an explicit warning given by the Corps which warns that the channels are subject to shoaling, especially at the edges, and that caution should be used while navigating these waters.

The reach of the Seekonk River from Cold Spring Point to its confluence with the Providence River is also a federal channel, however, the channel limits have not been defined by the ACOE. River depths in this area are apparently sufficient for safe navigation, as the ACOE has not received requests for dredging in this area.

5.2 NAVIGATIONAL HAZARDS

There are a number of significant navigational hazards within the project area. These hazards are noted on the NOAA charts 13224 and 13225, and include:

- Extremely shallow waters of the Seekonk River on either side of the federally maintained channel and Providence River north of the federal channel
- Shoaling in the channels and the Green Jacket Shoal at Bold Point
- Abandoned bridges at Crook and India Points as well as the old bridge piers near Crawford Street Bridge
- A multitude of ruins from abandoned wharves and rotting piles in the Providence and Seekonk Rivers and an old radio tower foundation and wrecked barge off Bold Point

5.3 DEBRIS

In 1984 the US Department of the Army, Corps of Engineers (ACOE) prepared the document, "Providence River And Harbor And The Seekonk River, Rhode Island, Debris Removal Feasibility Report Including Environmental Assessment". The purpose of the ACOE report was to determine the engineering feasibility and environmental acceptability for federal participation

in removal and disposal of floatable debris sources that are potentially hazardous to navigation, a suppressant of land values, and are aesthetically unpleasant. The study area was limited to the perimeter of the Seekonk River and the Providence River and Harbor at the plane of mean high water along approximately 37 miles of shoreline. It comprised a tidewater area of about seven square miles lying north and landward of a line from Conimicut Point at Warwick to the tip of Nayatt Point, Barrington. The debris sources investigated were dilapidated waterfront structures including those with dilapidated portions (primarily timber pile supported wharves and bulkheads), derelict (wrecked) vessels, shore-front dumps, and loose floatable debris lying on dilapidated structures and on shore. A debris inventory was also prepared and included in the ACOE report. The study concluded that about seventy percent of the identified debris was found in Providence Harbor. Alternatives for the collection, removal and disposal of the debris were developed and then evaluated by the ACOE in terms of cost effectiveness, environmental quality, social and economic effects, and impacts on port operation and development of the area.

Figure 11-4A from the Providence Harbor SAM Plan illustrates the approximate location of shoreline debris inventoried by the ACOE during their preparation of the 1984 document. In recognition of the financial hardship which would be imposed upon communities, debris owners and the state by a one time centrally organized debris clean up effort with federal participation and contributing funds, the RIDEM and the CRMC jointly developed a debris removal program for Upper Narragansett Bay which seeks to work cooperatively with all debris owners to achieve compliance with established policies and prohibitions at a reasonable cost. The CRMC's Subcommittee on Urban Ports and Harbors was charged with identifying additional debris owners, organizing efforts to remove loose shoreline debris, providing support to local efforts to cleanup specific reaches of the Upper Bay shoreline, and monitoring removal activities.

5.4 NAVIGATIONAL CLEARANCES

The navigational clearances and tidal information, as indicated on NOAA chart 13224, are listed in Table 5-1. The data in Table 5-1 is for the Hurricane Barrier as well as the bridges that cross the upper Providence River (south of downtown) and the lower Seekonk River (within Providence city limits). It is important to note that the datum used by the City of Providence is higher than Mean Sea Level (MSL) used as the USGS (NGVD) datum since 1929. Therefore, 2.0 feet must be added to MSL to convert from City base to USGS base.

Providence is subject to a MHHW of 5.0 feet and a MHW of 4.7 feet with respect to the MLLW. The low tides are 0.2 feet MLW also with respect to the MLLW. It is important to note that the *mean* height, exceeded half the time.

**Table 5-1
Navigational Clearances**

STRUCTURE	LOCATION	HORIZONTAL CLEARANCE (feet)	VERTICAL CLEARANCE (feet above MHW)
Fixed Bridge	I-195; Upper Providence River	52	26
Swing Bridge	Point Street; Upper Providence River	101	9
Hurricane Barrier*	Fox Point, Providence River	20	21
Bascule Bridge	Crook Point; Lower Seekonk	92	17 (when lowered)
Fixed Bridges (Washington Bridge)	Lower Seekonk	100	40
Swing Bridge (Draw Open)	Lower Seekonk	84	∞
Fixed Bridge (Henderson Bridge)	Lower Seekonk	100	42

* Water depth over the sill at the gates is 12.9 feet at MLLW

5.5 DREDGED AREAS AND FEDERAL MAINTENANCE

The ACOE is responsible for maintaining the federal channels within the Seekonk and Providence Rivers. According to the ACOE, the Seekonk River channel was last dredged in 1954 and although shoaling of the channel has occurred, the ACOE has received no requests for its maintenance dredging. The Providence River channel was last dredged by the ACOE in the early 1970's, which involved a major channel improvement project for the then Port of Providence. Since the 1970s there has been little dredging in the state, except for small projects. By the late 1980s channel shoaling had become a serious problem which ultimately necessitated the restriction of navigation in the Providence Harbor shipping channel. At first the limitations on the movement of vessels were voluntary; then based upon a ACOE condition survey, the Coast Guard made them formal. At the request of then Governor Sundlun, the ACOE commenced work necessary for a proposed maintenance dredging project for the federal shipping channel.

In 1996, Governor Almond's appointed Commission on Dredging completed a report which cited the states's stringent and complex regulatory permitting requirements regarding dredging activities and lack of approved sites for disposal of dredged material as the major factors which impeded

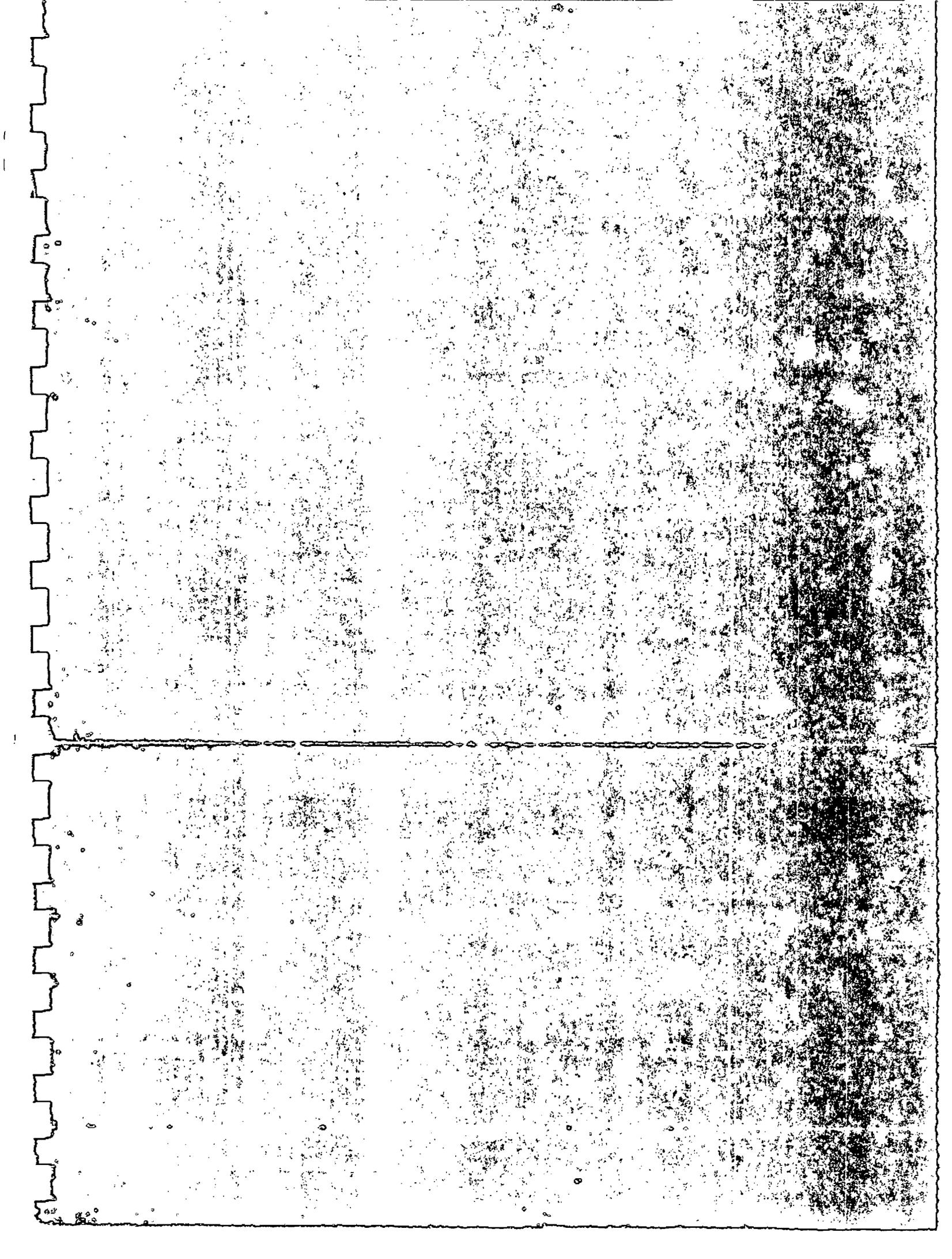
the needed dredging projects in the state which included the federal channel, marinas and boat facilities, and breachways into salt ponds. The prepared report entitled "Report of the Governor's Commission on Dredging" contained developed recommendations and recent changes in law (Rhode Island Marine Infrastructure Maintenance Act of 1996 and the Federal Water Resources Development Act) and designated the RI Coastal Resources Management Council by statute as the lead state agency for dredging. The CRMC was delegated with the power and duty to among other things, prepare, adopt, and maintain a comprehensive, phased program for dredging in tidal waters of the state and to establish appropriate sites for dredge disposal.

Currently, a Draft Environmental Impact Statement (EIS) for the Providence River and associated harbor terminals dredging project is scheduled to be completed in the spring of 1998. The Final EIS is expected to be ready in the fall of 1998. The ACOE may commence the dredging as early as the fall of 1999.

In December 1997 the federal channel was extended by Congress northward from the existing Providence River channel through the Hurricane Barrier to the Crawford Street bridge. By designating this reach of the river as a federal channel, the ACOE participates in dredging and maintenance dredging. Dredging of this section of the river (as described below) will be included in the Providence River dredge EIS project.

Public Notice (File No. 1991-02525F) was issued by the ACOE on May 10, 1995 for a Rhode Island Department of Transportation request for permits under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act to renovate the upper reach of the Providence River in conjunction with the relocation of the I-195 Bridge. This project provides for the implementation of elements of the City of Providence's Old Harbor Plan to maximize opportunities for the integration of intermodal connections between highway, marine, pedestrian and bicycle transportation. Key elements include reconstruction of river walls with the addition of new wood planked boardwalks (the new boardwalks allow improved pedestrian and marine transportation access to the waterfront), and dredging. Dredging will remove sediments from between the Crawford Street Bridge and the Point Street Bridge providing a uniform depth of 10 feet mean low water.

Other needed dredging projects within Providence waters are the maintenance dredging of the Woonasquatucket River at Waterplace Park and of the Providence River at the dock located at Dyer Street. Siltation of the rivers at these two facilities occurs due to the riverine transport and deposition of sediments from upstream sources. Sediment loads from within the river's drainage areas during high flows and flood events may be contributing significantly to the siltation problem. Locally, possible contributing sources are sediment-laden stormwater runoff from properties which have sparse vegetative cover and are located upstream of Waterplace Park. The problem may be alleviated when construction of the Providence Place Mall and I-95 Capital Center Interchange Improvements are complete as these projects are required by the RIDEM and CRMC to include water quality best management practices (BMPs) to reduce total suspended solids in runoff entering the Woonasquatucket River. In addition, the CSO project when completed will remove sediments presently released into the river during the "first-flush" resulting from storm events.



Appendix 6 PORT OF PROVIDENCE

6.1 EXISTING BERTHS AND TERMINALS

Approximately eleven (11) different operating port terminals line the west side of the Providence River between Field's Point to the south and Henderson Street (Collier Point) to the north as illustrated on Figure III-1A. In addition, two terminals are located in Providence on the north side of the mouth of the Seekonk River.

The formerly City-owned municipal wharf is now owned by ProvPort, Inc., a private non-profit organization. Six ship berths labeled berth one through berth six at the municipal wharf are grouped into two terminals according to function and use.

The port terminal locations are indicated by numbers 111 through 123 on Figure III-1B titled "Providence River and Harbor Area - Port Facilities". A comprehensive description of each terminal and its related facilities as reported in the US Army Corps of Engineers Port Series No. 4 Revised 1994 is also provided herein in tabulated form.

6.2 SHIP AND CARGO TYPES

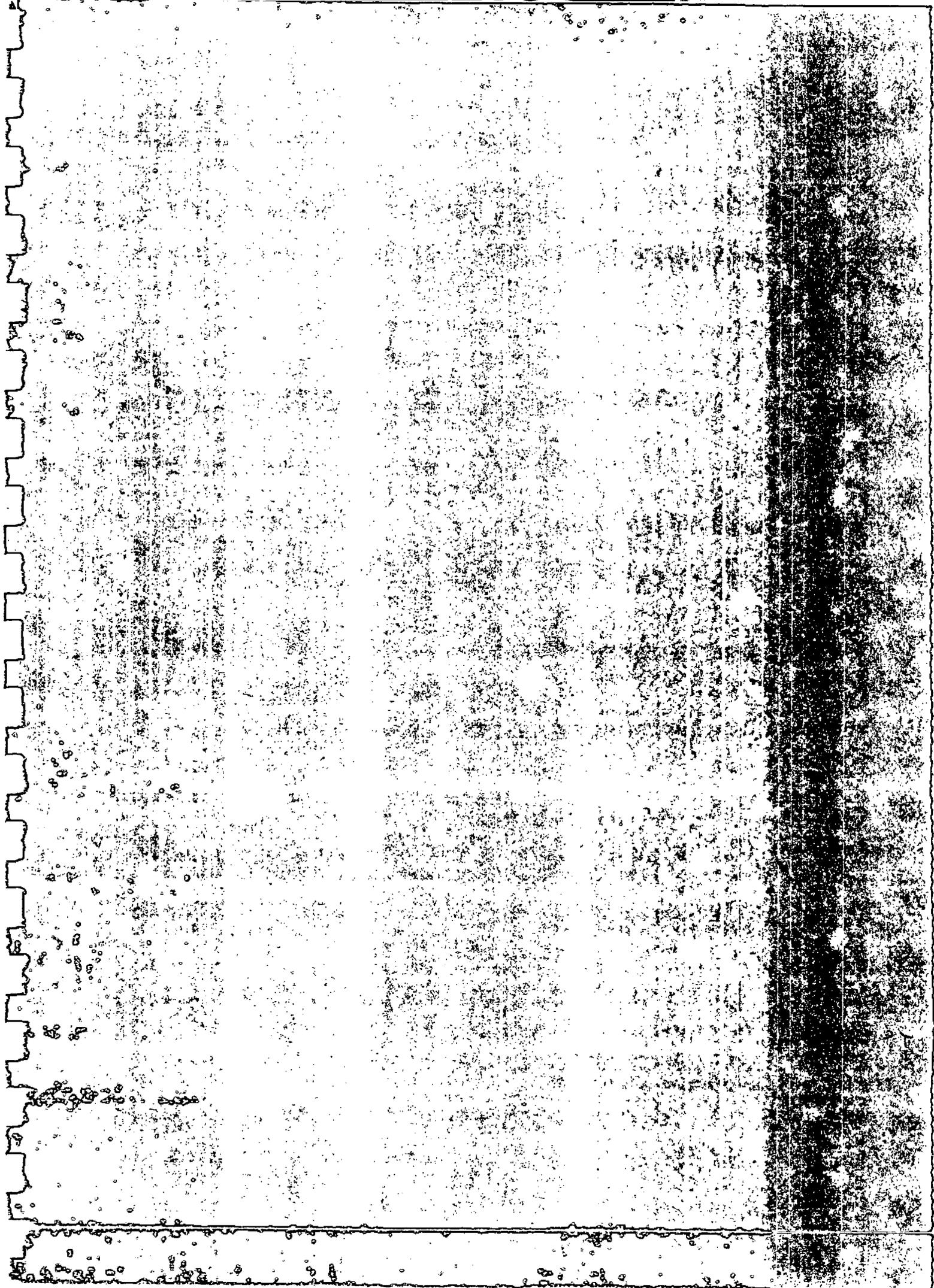
Ships calling at Providence include tankers, dry bulk carriers, roll-on roll-off ships, break bulk carriers, container ships and other freight carriers. A tug boat company and a ferry service operate out of the Fox Point/India Point area. Naval and Coast Guard vessels, cruise ships, and tall sailing ships may also visit periodically.

While the port is supposed to service ships up to 40 feet in draft, restrictions have been imposed due to siltation which has occurred in the federal channel leading to Providence. Furthermore, several berths have silted in and need maintenance dredging to be restored to full service. Several terminal operators intend to "piggyback" on the federal project and deepen their berths when the channel is dredged by the US Army Corps of Engineers.

Primary imports at Providence include petroleum products, liquified natural gas, cement, lumber, chemicals, salt and automobiles. Primary exports are scrap metal and waste paper. Ship repair services are available, and two marine contractors have equipment yards and docks within the port area.

6.3 POTENTIAL FOR EXPANSION

Two key areas have long been targeted for potential port expansion in the Providence River. One is the south end of Field's Point, where the potential exists to create a berth seven along the municipal wharf; and the other is an undeveloped waterfront area extending several blocks north of Thurbers Avenue. Environmental issues related to dredging, filling and land development at each site would need to be studied and resolved, but ultimately both areas are well suited for port facilities.



Appendix 7 EMERGENCY MANAGEMENT

7.1 COASTAL FLOOD HAZARD AREAS

The Flood Insurance Rate Maps (FIRM) were prepared by the Federal Emergency Management Agency (FEMA) as part of the "Flood Insurance Study, City of Providence, Providence County" in 1986. These maps delineate the 500-year and 100-year storm flood boundaries and provide the 100-year storm water surface elevations associated with both riverine and coastal flooding. They also indicate coastal flood hazard areas which are prone to the effects of storm waves. These areas, referred to as "V" or velocity zones, are defined by the Army Corps of Engineers as being subject to significant wave attack, 3 foot amplitude waves, during storm events. The 3 foot amplitude wave has been determined as the minimum size required to cause significant damage to conventional structures.

These maps indicate that there are many areas south of the Fox Point Hurricane Barrier, built in 1966, which are susceptible to wave action. Along the Providence River, these areas include Fields Point, Sassafras Point, the wharves in the lower harbor, and the area between and including Fox and India Points. Along the Seekonk River, most of the shoreline is susceptible to wave attack but particularly the areas between Trenton and Fremont Streets, between the Henderson Bridge and Angell Street, and at York Pond.

Although the Hurricane Barrier protects most of the upper harbor from coastal flooding, there are reaches of the Woonasquatucket and Moshassuck Rivers with high 100-year riverine flood elevations. These areas are the reach of the Woonasquatucket River from the Eagle Street Dam to Charlotte Hope Street and the reaches of the Moshassuck River from Industrial Drive to Smith Street and along Canal Street in the vicinity of the Roger Williams National Park.

7.2 FOX POINT HURRICANE BARRIER OPERATION

The Hurricane Barrier prevents storm surges and wave action from reaching the upper Providence, Woonasquatucket, and Moshassuck Rivers. The Hurricane Barrier is closed whenever a hurricane, tropical storm, or northeaster threaten to raise water levels above the city's flood stage of 6 feet. While the barrier is closed, pumps are operated to maintain the upstream water level at the normal water level in the river, 3.5 feet above mean sea level. The Hurricane Barrier is maintained by the Providence Department of Public Works.

As historically demonstrated, Providence is prone to flood and wind damage from tropical storms and hurricanes. Over the past 61 years, the National Weather Service has tracked 31 storms classified as tropical storms or hurricanes that have hit the state. The City of Providence has an Emergency Management Plan prepared by the Emergency Management Agency. This plan dictates the duties and responsibilities of each of the City's departments/agencies and any private organizations with emergency management functions. The city also relies on the Rhode Island Emergency Management Agency (RIEMA), the Federal Management Agency (FEMA), and the U.S. Coast Guard (USCG) for support and assistance.

The USCG has primary responsibility for emergencies such as boating accidents and plane crashes in the federal channels. Providence departments/agencies are notified and may be deployed to hasten the response time. Currently, the Police Department has one small boat and two jet skis used to patrol the harbor and the Fire Department has access to the equipment owned by Providence Harbor Co-op. The Providence Harbor Co-op is comprised of 10 petroleum and utility companies located in Providence and East Providence. At this time however, there is no fire fighting vessel available to the City of Providence through the Co-op or the USCG.

7.3 MARINA OPERATIONS EMERGENCY PREPAREDNESS

There are currently no policies in place on marina requirements in response to emergency situations. One of Providence's two marinas is located north of the Hurricane Barrier, therefore it is protected from flooding associated with storm events. The second marina, however, is vulnerable and has no Storm Preparedness Plan, and relies on boat owners to arrange for securing or removing their boats.

7.4 SPILL RESPONSE

Oil terminal operators and hazardous material storage facility owners are bound by federal and state laws to have response plans available for immediate implementation in the event of a petroleum or hazardous material spill. Key regulations for spill response include:

- a. The National Oil and Hazardous Materials Pollution Contingency Plan (35 USC 101, 33 USC 1321, 42 USC 9601-9607)
- b. Oil Pollution Act of 1990 (PL 101-380, 33 USC 2701)
- c. EPA Criteria for State, Local and Regional Oil Removal Contingency Plans (40 CFR 109, 36 FR 22485)
- d. Rhode Island Oil Pollution Control Laws (RI GL 1956 Title 46, PL 1990 Ch. 354, PL 1991 Ch. 354).
- e. Rhode Island Oil Pollution Control Rules and Regulations (RIDEM per RIGL 42-17.1, 42-35)

The primary response plans prepared by terminal operators include an Emergency Response Action Plan to meet the requirements of b. above (OPA 90); and a Spill Prevention Control and Countermeasure Plan (SPCCP) to meet the requirements of a. and c. above.

OPA 90 federal laws were enacted in response to the Exxon Valdez oil spill in Alaska. Terminal operations must submit to the USEPA and the US Coast Guard for land and waterfront activities, respectively, a plan describing the terminal facilities, facility inspections, methods of monitoring product transfer, and emergency response actions in the event of a spill. The plan also establishes elements of liability, vessel requirements, prevention requirements, etc. Operational

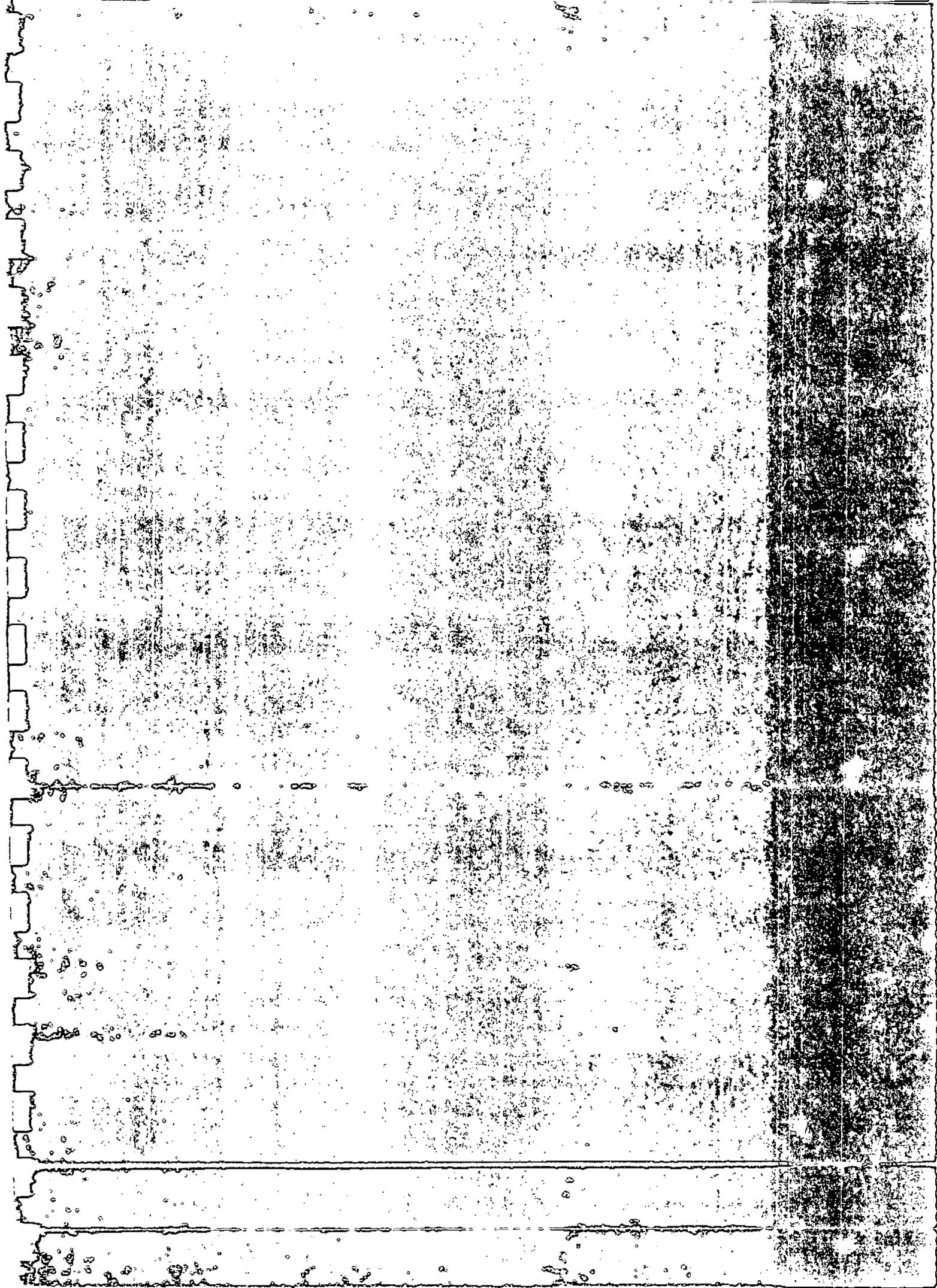
must undergo spill response training and must have sufficient floating boom and deployment equipment available on site and/or available for deployment by subcontractor within one hour of notification.

In the Providence area several private companies offer spill response and cleanup services to terminal operators. Floating boom, dispersants, pumps, boats and other equipment are located by these companies in strategic spots along the waterfront. A co-operative agreement also exists among several terminal operators to allow access to and use of spill response equipment owned by each.

In addition to the OPA 90 requirements, and SPCC Plan must be prepared to meet State of RI requirements which follow from both state and federal laws. The SPCC Plan includes general information regarding the facility, accountable personnel, and certification by a registered professional engineer that the plan follows good engineering practices. In addition, it requires information with respect to drainage, storage equipment and inspections, transfer operations, tank car and tank truck loading procedures, and security measures in order to verify compliance with other state regulations and codes. An Oil Spill Contingency Plan must be attached describing the notification, sequence and method of response in the event of a spill at the dock or at the storage site. Manpower and equipment commitments must be documented.

For operators of waterfront facilities for receipt of oil products, an Operations Manual must be prepared and followed per US Coast Guard regulations contained in 33 CFR 154.310. The Operations Manual will describe procedures for preventive measures and proper handling of product transfers, and requires personnel in charge remain on station observing all marine transfer.

In the event of a spill at the waterfront, notifications and contingency plans will be immediately set into place. The US Coast Guard will act as the Federal-on-Scene Coordinator (for a spill on land, the USEPA may assume the federal role), and will make a determination as to the adequacy of the response. The Federal-on-Scene Coordinator may "federalize" the spill response and assume control of it if this federal agency determines that the terminal operator's response is inadequate.



Providence Harbor: A Special Area Management Plan (update)

The Rhode Island Coastal Resources Management Council (CRMC) document, "Providence Harbor: A Special Area Management Plan "(SAM Plan) which was adopted on November 22, 1983, has been reviewed and subsequently, updated information has been provided in conjunction with the preparation of the first edition of the City of Providence Harbor Management Plan (HMP). This updated SAM Plan information is contained in the following compilation of tables and report figures and relates to only the waters and landside area within the City of Providence, as this was the HMP study area. Since both the Providence HMP and the updated SAM Plan are to be circulated for public comment together, cross references between these two documents are made to avoid redundancy and duplication of report figures. The updated SAM Plan information is intended to serve as a current data base of existing conditions and reference to the policies developed for the use of Providence waters and shoreline as prescribed in the HMP. It is recognized that when the SAM Plan is amended in the future the CRMC goals and policies for the Providence Harbor area, which encompasses the waters and landside area of other municipalities as well as Providence: the cities of Pawtucket, East Providence, Cranston, and Warwick, and the Town of Barrington, will need to be updated bilaterally.

The SAM Plan (1983) presents CRMC policies and proposals for Providence Harbor which were designed to achieve five major goals:

- Balanced and compatible shoreline use
- Increased recreational opportunities and public access
- Port development
- Improved water quality
- Coordination and consultation (establishment of the CRMC Subcommittee on Urban Ports and Harbors)

These goals are listed in the table below along with corresponding CRMC policies. The Providence HMP policies are provided for cross reference. Following that table a list of SAM Plan figures and their updated information are presented.

**Table of SAM Plan and Providence HMP
Cross References**

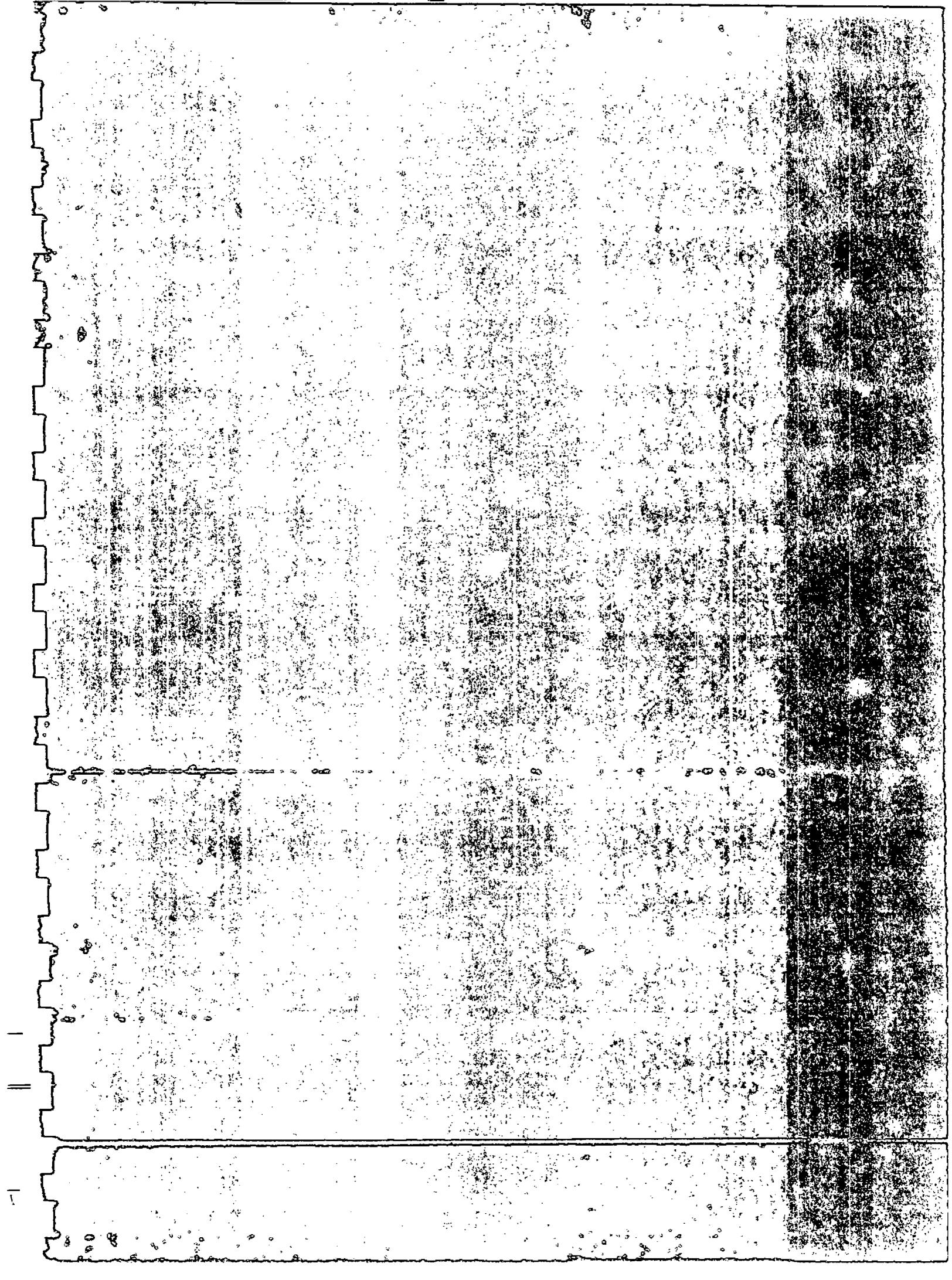
Harbor Policy Number	Title	SAM PLAN (1983) Section Reference	Providence HMP (1998) Section Reference
Shoreline Use			
1	Removing Shoreline Debris	260.1	Section 4G - Navigation, Appendix 5 - Navigation
2	Enlisting the Involvement of Municipalities in Harbor Revitalization	260.2 a	Section 4A - Providence Harbor Commission, Section 4F - Water Use Consistency with Land Use
3	Reviewing Municipal Waterfront Plans	260.2 b	Section 4F - Water Use Consistency with Land Use
4	Enlisting the Involvement of the Public	260.2 c	Section 1 - Executive Summary, Section 4A - Providence Harbor Commission
5	Identification and Monitoring of Areas of Concern	260.2 d	Section 4F - Water Use Consistency with Land Use, Appendix 3 - Resource Inventory
Recreation			
6	Integration of Public Recreational Facilities Planning and Development Actions	260.3 a	Section 4C - Multi-use of Providence Waters, Appendix 3 - Resource Inventory
7	Development of A Bay Islands Park Gateway	260.3 b	not addressed
8	Construction of Public Boat Launching Facilities	260.3 b. 1	Section 4D - Public Access, Appendix 4, Public Access
9	Encouragement and Assistance to Marina Development	260.3 b. 2	Section 4D - Public Access
10	Resolving the Problem of Dredged Material Disposal	260.3 b. 3	Section 4G - Navigation, Appendix 5 - Navigation
11	Assistance in the Implementation of Complex Multiple Use Developments	260.4	Section 4F - Water Use Consistency with Land Use

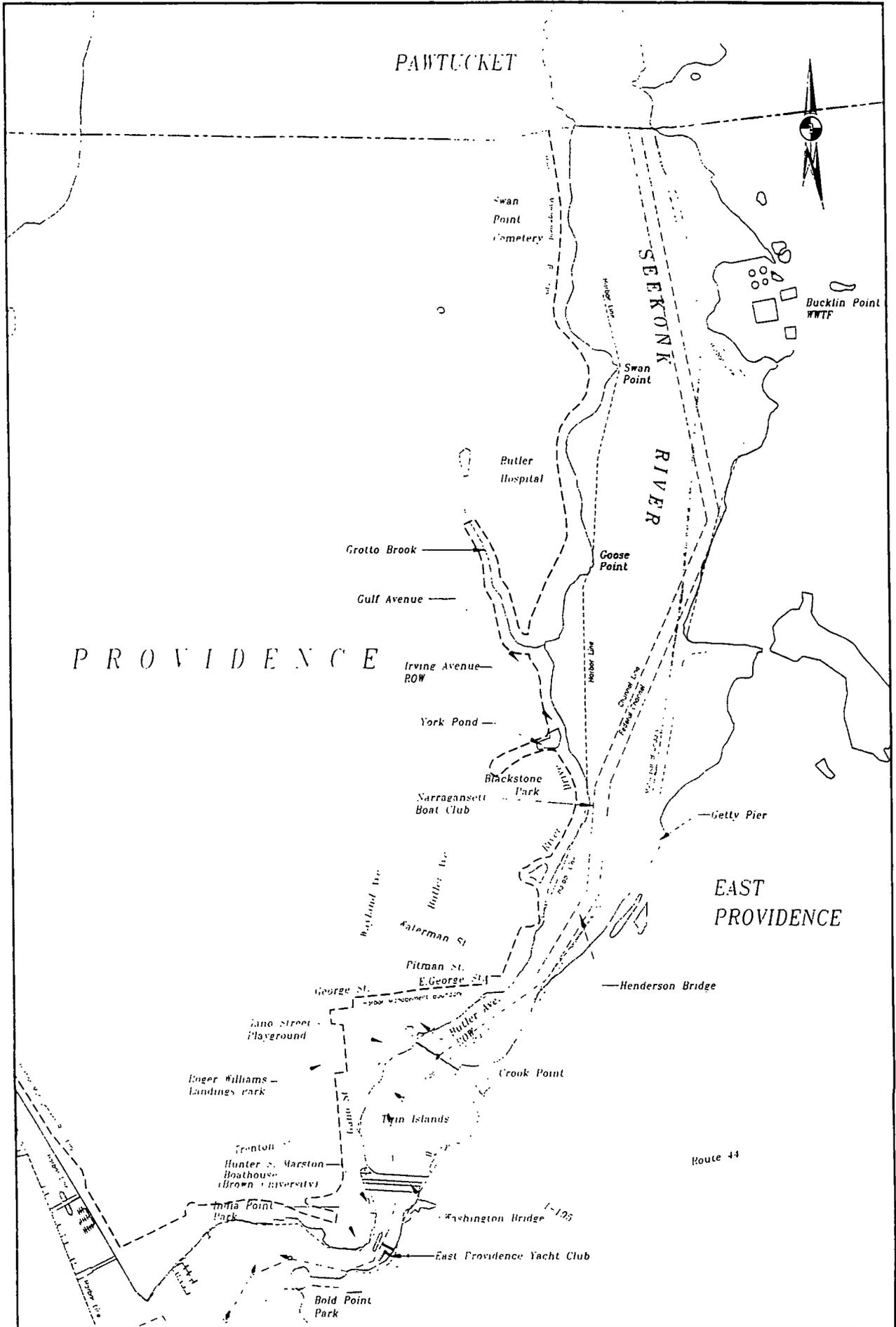
Harbor Policy Number	Title	SAM PLAN (1983) Section Reference	Providence HMP (1998) Section Reference
Port Industry			
12	Limitations to Shore Development at Southern Fields Point	320.5	Section 4C - Multi-use of Providence Waters, Appendix 6 - Port of Providence
13	Designation of Sites for Port Expansion	320.6	Section 4C - Multi-use of Providence Waters, Appendix 6 - Port of Providence
14	Improving the Management of Providence Harbor and Narragansett Bay for Maritime Commerce	330.2	Section 4C - Multi-use of Providence Waters, Appendix 6 - Port of Providence
Water Quality			
15	Adoption for a Water Quality Based Approach to Pollution Control	440.1	Section 4E - Water Quality, Appendix 3 - Resource Inventory
16	Designation of Uses in Providence Harbor and Narragansett Bay	440.2	Section 4F - Water Use Consistency with Land Use, Appendix 3 - Resource Inventory

SAM Plan Figure Updates

FIGURE NO.	DESCRIPTION	UPDATED INFORMATION
I	Providence Harbor	Composite of Providence HMP Areas
I-A	Map 1 of 3 Seekonk River Area Map 2 of 3 The Inner Harbor and the Rivers Area and the Outer Harbor Area Map 3 of 3 Providence River and Harbor Area	Four Providence HMP Areas, including portions of the Woonasquatucket and Moshassuck Rivers
II-1	General Shoreline Use Map 1 of 3 Seekonk River Area Map 2 of 3 The Inner Harbor and the Rivers Area and the Outer Harbor Area Map 3 of 3 Providence River and Harbor Area	Current Land Use

FIGURE NO.	DESCRIPTION	UPDATED INFORMATION
II-2A	Municipal Zoning Map 1 of 3 Seekonk River Area Map 2 of 3 The Inner Harbor and the Rivers Area and the Outer Harbor Area Map 3 of 3 Providence River and Harbor Area	Current Zoning, including the addition of Waterfront Districts.
II-2B	CRMC Map of Water Use Categories. Providence RI Quadrangle (Existing)	N/A
II-2C	CRMC Map of Water Use Categories. Providence RI Quadrangle (Proposed)	Proposed Water Use Category changes for the Woonasquatucket and Providence Rivers
II-3A	Map 1 of 2 A Compilation of Proposals and Plans for the Use of the Providence Harbor Shore Map 2 of 2	Current proposals and plans including the Blackstone River Bikeway, the Blackstone Ferry, "Riverview Place", Capital Center Projects, RIDOT Memorial Boulevard Contract 4 (new docks and dredging), RIDOT High Speed Commuter Ferry, RIDOT I-195 Relocation Project and Old Harbor Plan, RIDOT I-195 Relocation Project Contract 4 (Doubleloon Landing), South Water Street Reconstruction and Riverwalk, RIDOT East Bay Bike Path Contract 6.
II-3B	Improvements to I-195 EIS, Hurricane Barrier Alignment - Existing and Proposed Design Elements	RIDOT proposed highway/bridge relocation project and proposal for land use changes.
II-4A	Map 1 of 2 Providence Harbor Areas of Concern Map 2 of 2	Deletion of Richmond Square area as vacant land, and as vacant or deteriorated property and structures. (Refer to Figure II-3A for location of proposed development, "Riverview Place"). Deletion of Fox Point area as vacant land.
II-4B	Parcel C-2 Map	Capital Center Project
II-4C	Parcel C-9 Map	Capital Center Project
II-5	Possible Locations for a First Class Boat Launch Ramp	Possible boat launch ramp location at the eastern end of Oxford Street.
III-1A	Boundaries of the Port District in Providence Harbor	Current industrial and utility companies within the Providence Harbor Area.
III-1B	Providence River and Harbor Area - Port Facilities	Current port terminal locations.





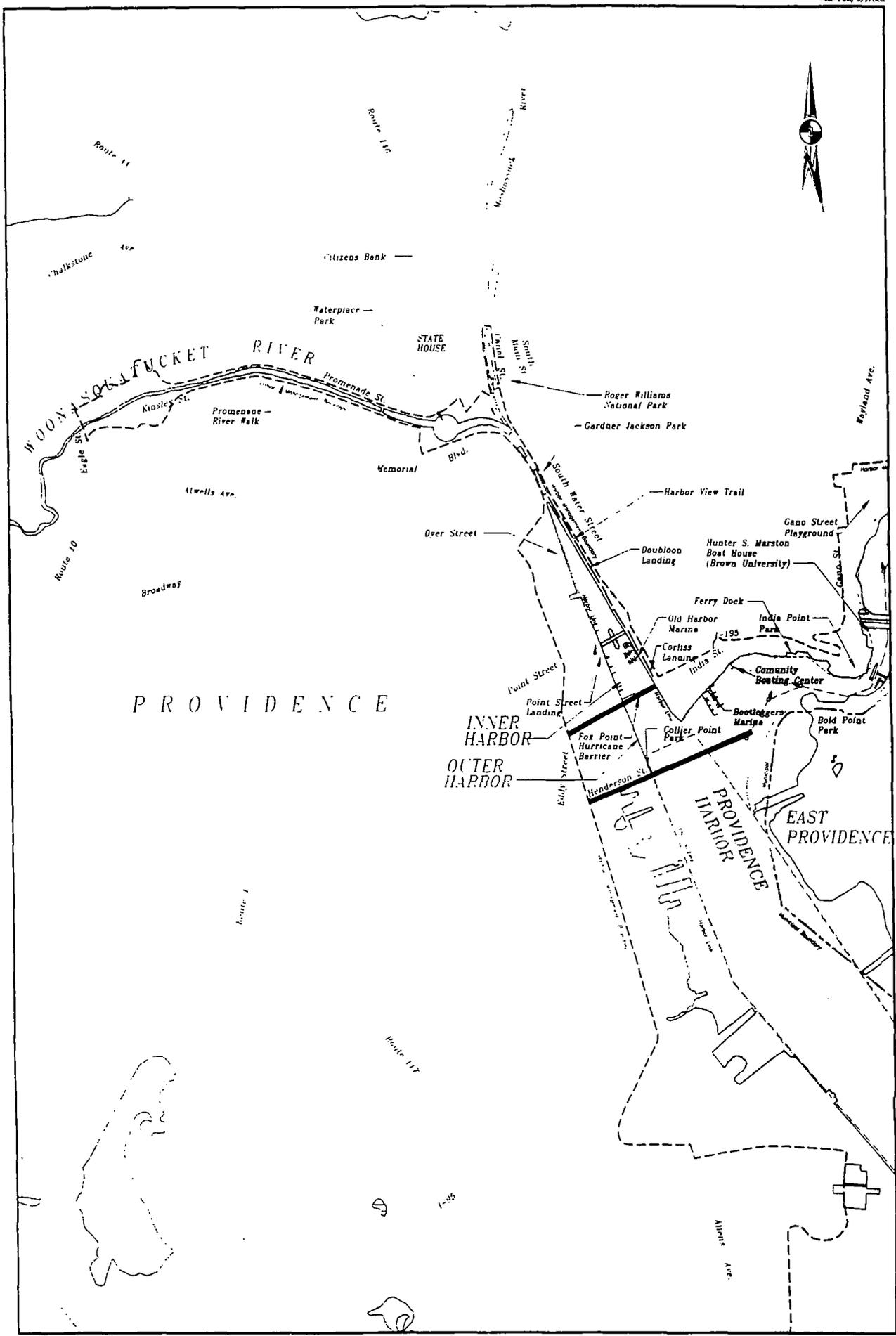
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CITY OF PROVIDENCE

DEPARTMENT OF PLANNING AND DEVELOPMENT

SEEKONK RIVER AREA

FIGURE 1-A
MAP 1 OF 3

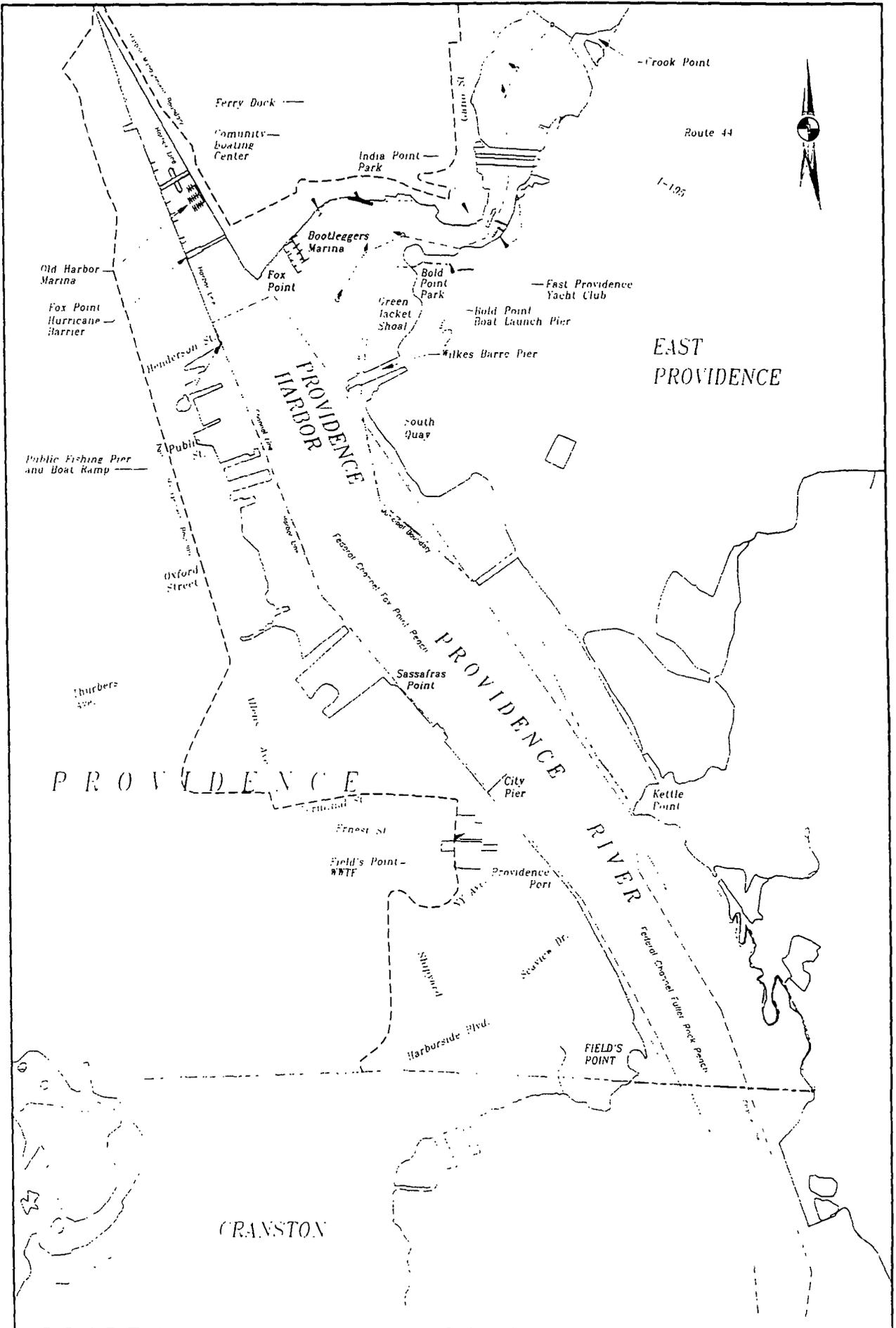


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THE INNER HARBOR
THE RIVERS AREA
AND THE OUTER HARBOR AREA

FIGURE 1-A
MAP 2 OF 3

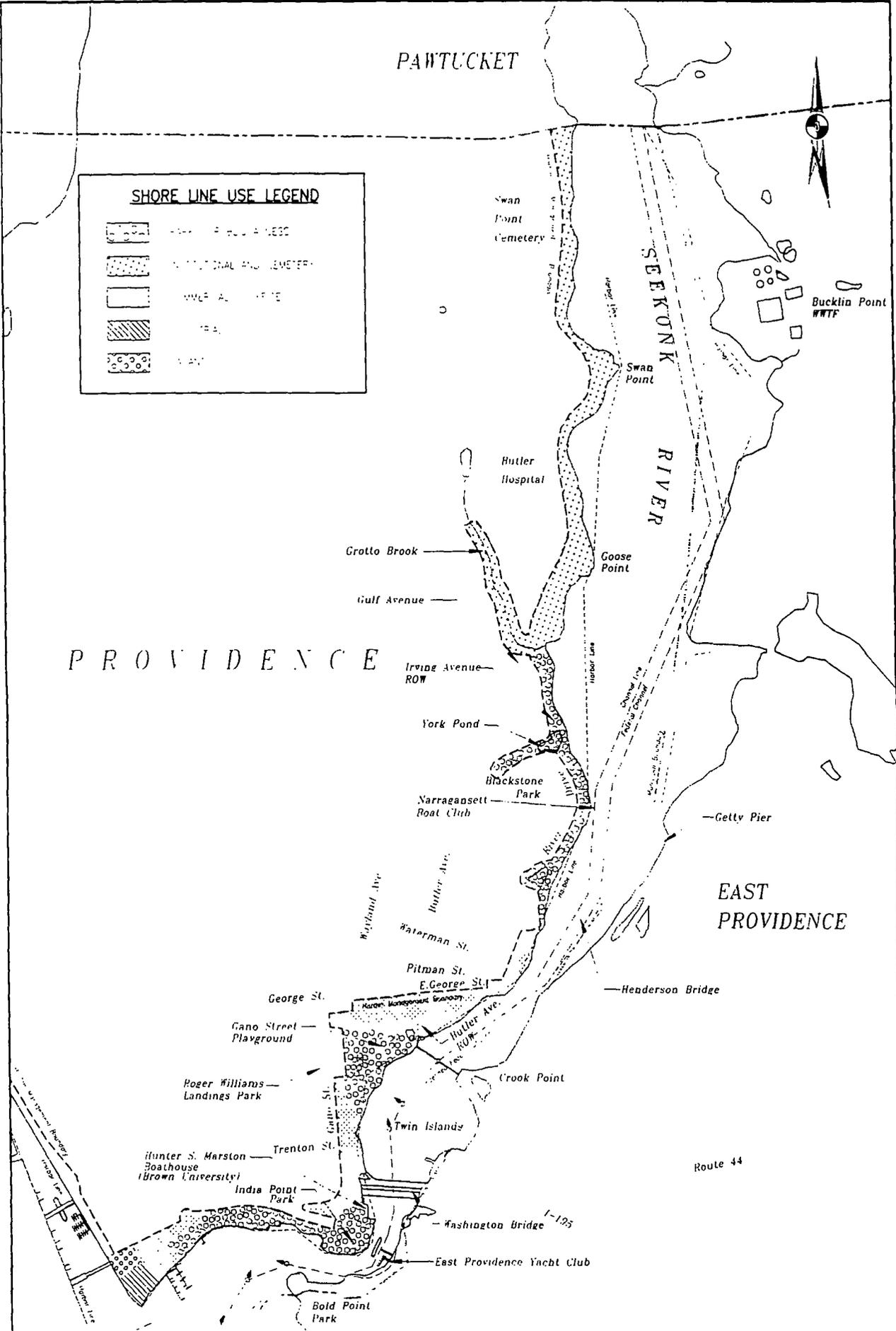


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PROVIDENCE RIVER AND HARBOR AREA

FIGURE 1-A
MAP 3 OF 3

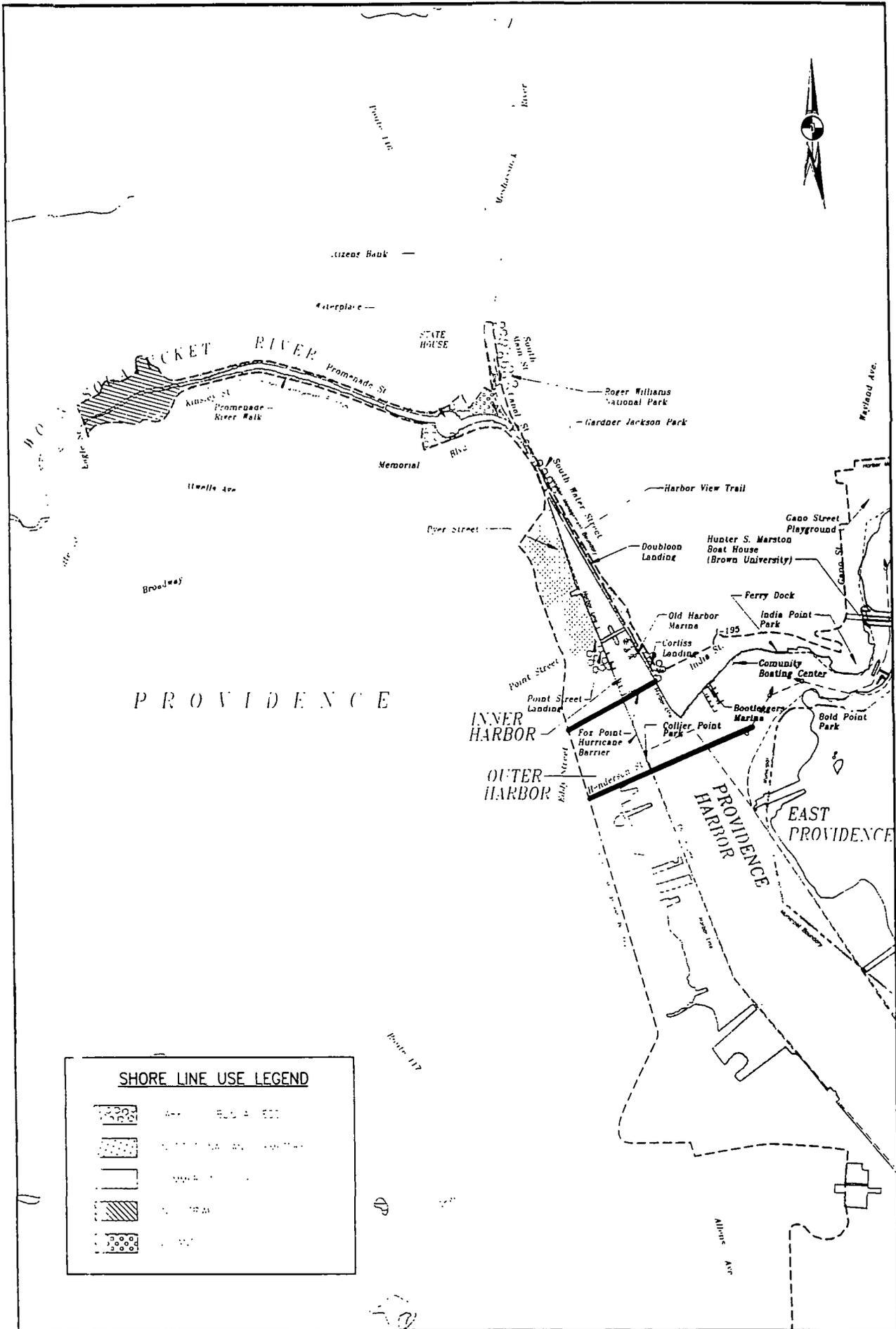


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**SEEKONK RIVER AREA
GENERAL SHORELINE USE**

FIGURE II-1
MAP 1 OF 3



SHORE LINE USE LEGEND

	1. PUBLIC OPEN SPACE
	2. COMMERCIAL/INDUSTRIAL
	3. RESIDENTIAL
	4. OFFICE
	5. PARK
	6. OPEN SPACE

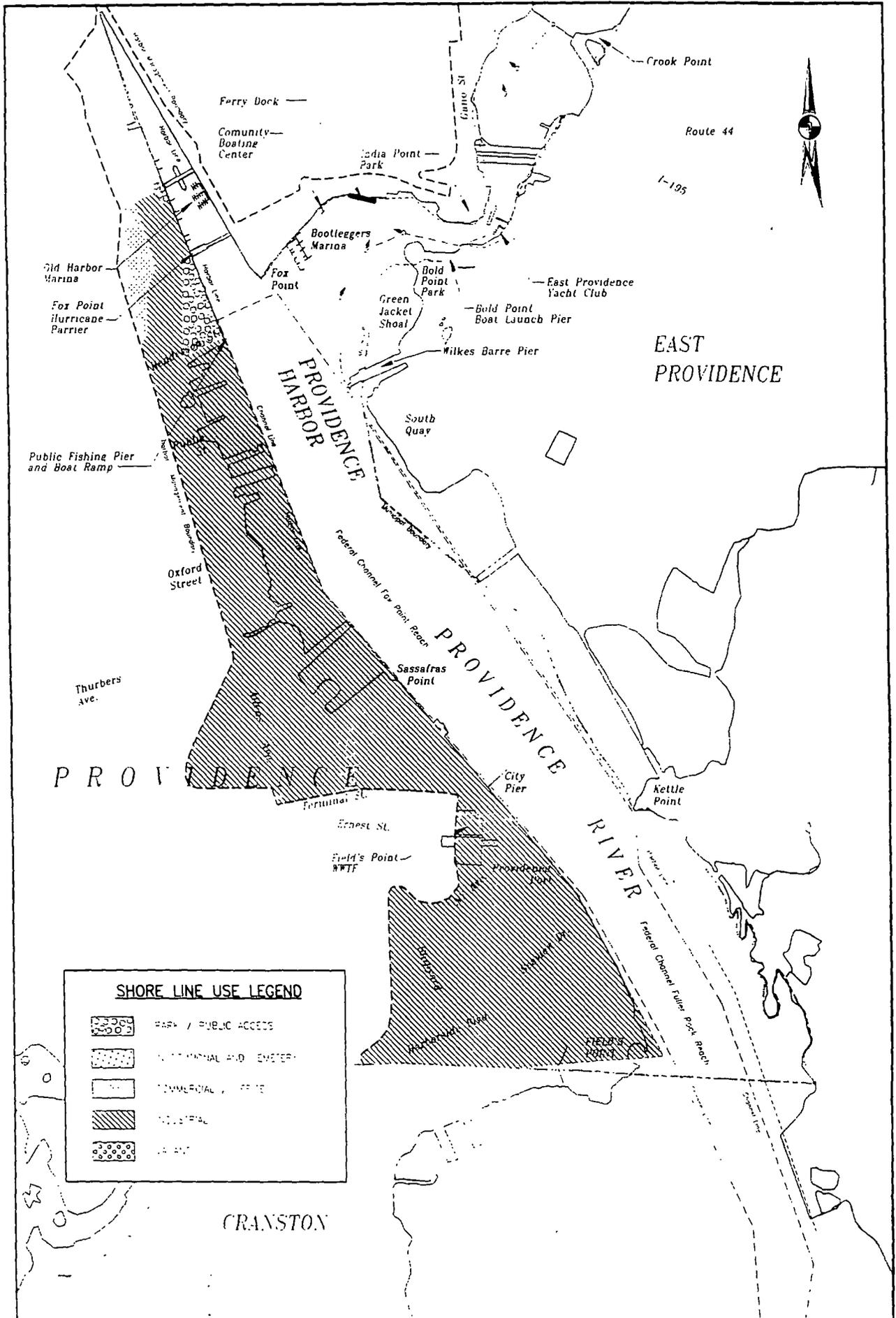


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THE INNER HARBOR AND THE RIVERS AREA
AND THE OUTER HARBOR AREA
GENERAL SHORELINE USE

FIGURE II-1
MAP 2 OF 3

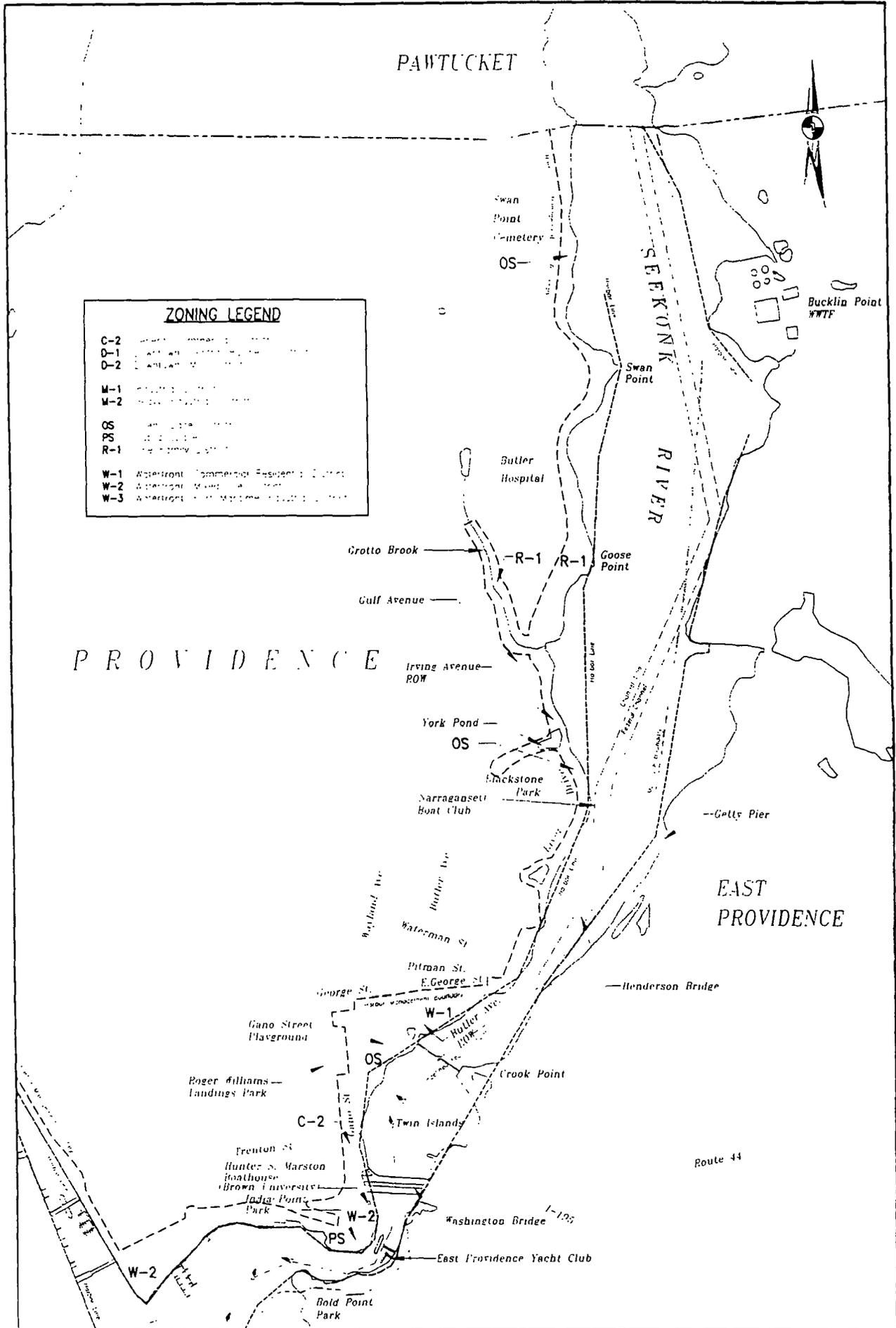


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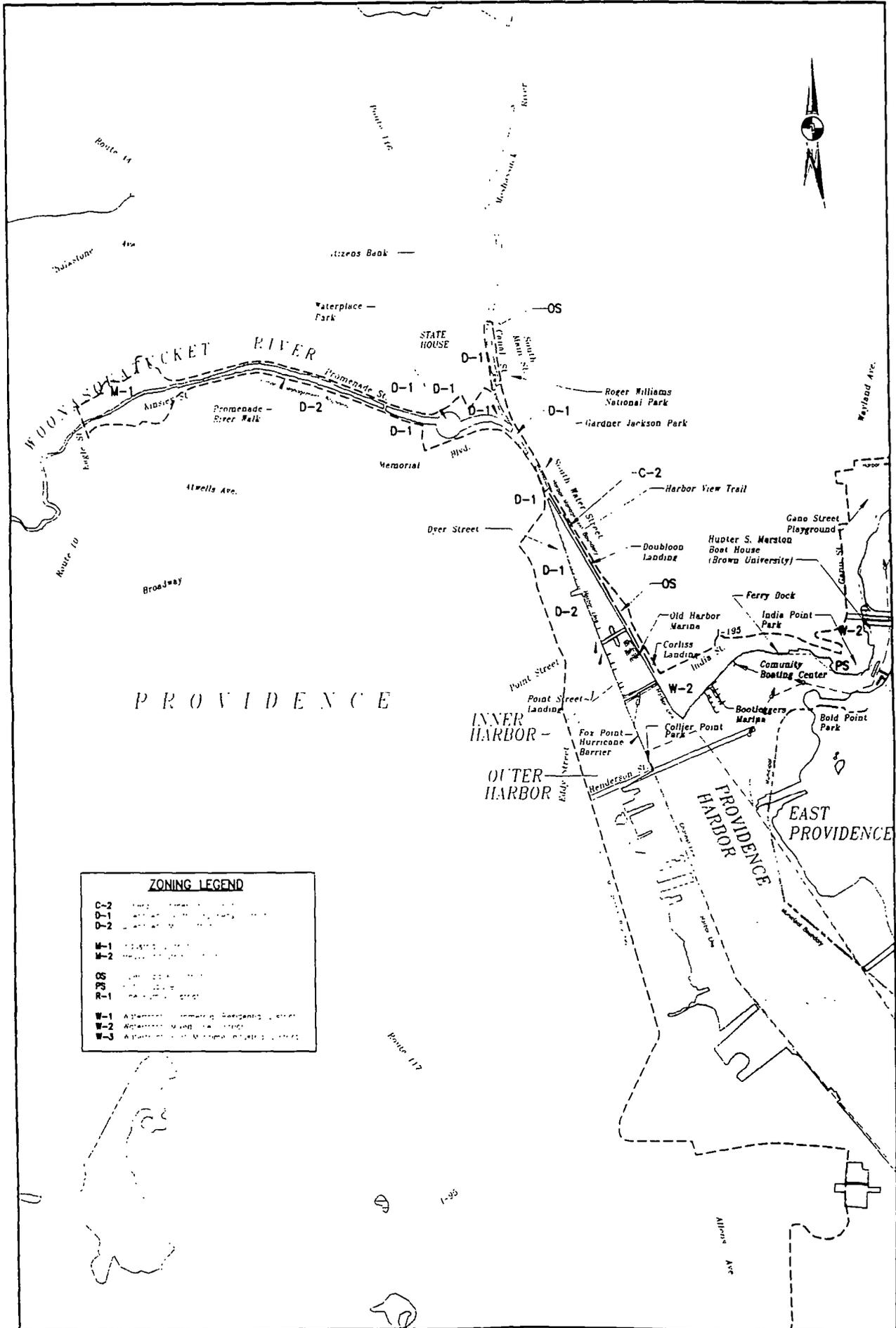
PROVIDENCE RIVER AND HARBOR AREA GENERAL SHORELINE USE

FIGURE II-1 MAP 3 OF 3



ZONING LEGEND

C-2	Community Center
D-1	Office
D-2	Office
M-1	Medium Density Residential
M-2	Medium Density Residential
OS	Office
PS	Professional Service
R-1	Residential Single-Family
W-1	Waterfront Commercial/Residential District
W-2	Waterfront Commercial/Residential District
W-3	Waterfront Commercial/Residential District



ZONING LEGEND

OS	Office
D-1	District 1
D-2	District 2
C-2	Community Center
W-1	Warehouse
W-2	Warehouse
PS	Public Storage

All zoning districts are subject to the provisions of the City of Providence Zoning Ordinance, Chapter 22-1, and the provisions of the City of Providence Zoning Ordinance, Chapter 22-2, which are hereby incorporated by reference.



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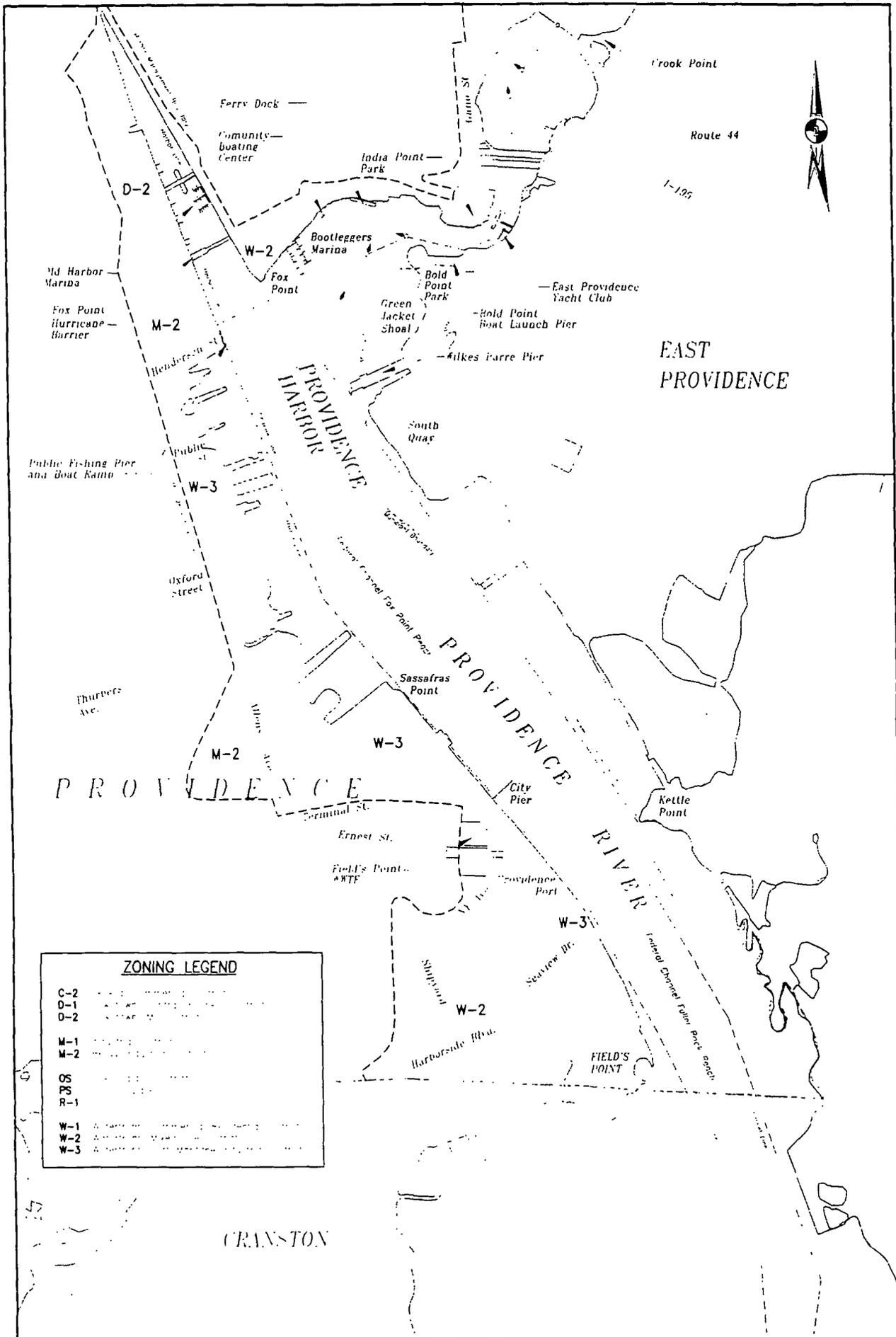
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THE INNER HARBOR AND THE RIVERS AREA
AND THE OUTER HARBOR AREA
MUNICIPAL ZONING

FIGURE II-2A
MAP 2 OF 3

Scale: 1" = 1000'

June 1997



ZONING LEGEND

C-2	...
D-1	...
D-2	...
M-1	...
M-2	...
OS	...
PS	...
R-1	...
W-1	...
W-2	...
W-3	...


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PROVIDENCE RIVER AND HARBOR AREA MUNICIPAL ZONING

FIGURE II-2A
MAP 3 OF 3

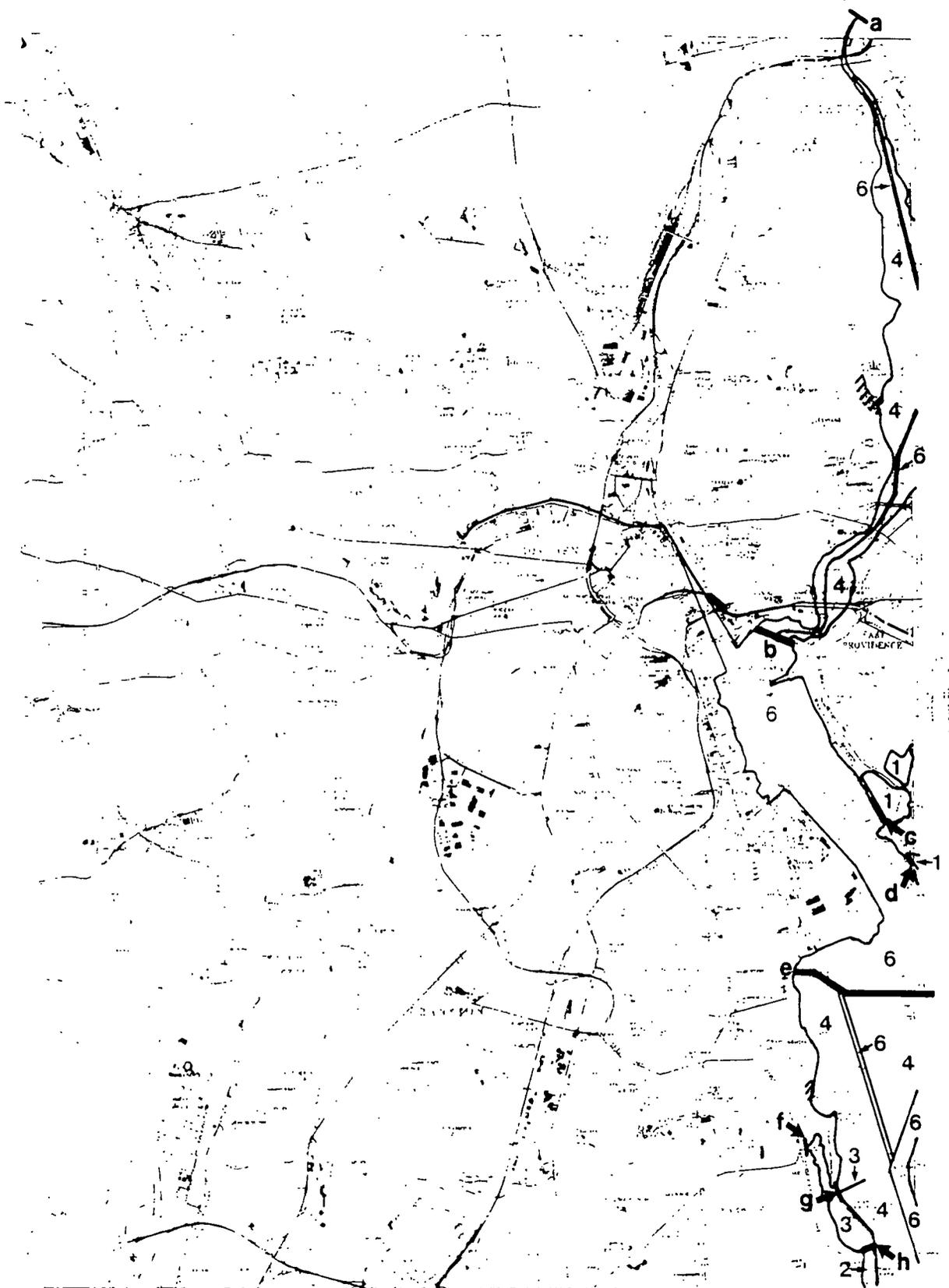


Figure II-2B

CRMC Map of Water Use Categories, Providence RI Quadrangle (Existing)

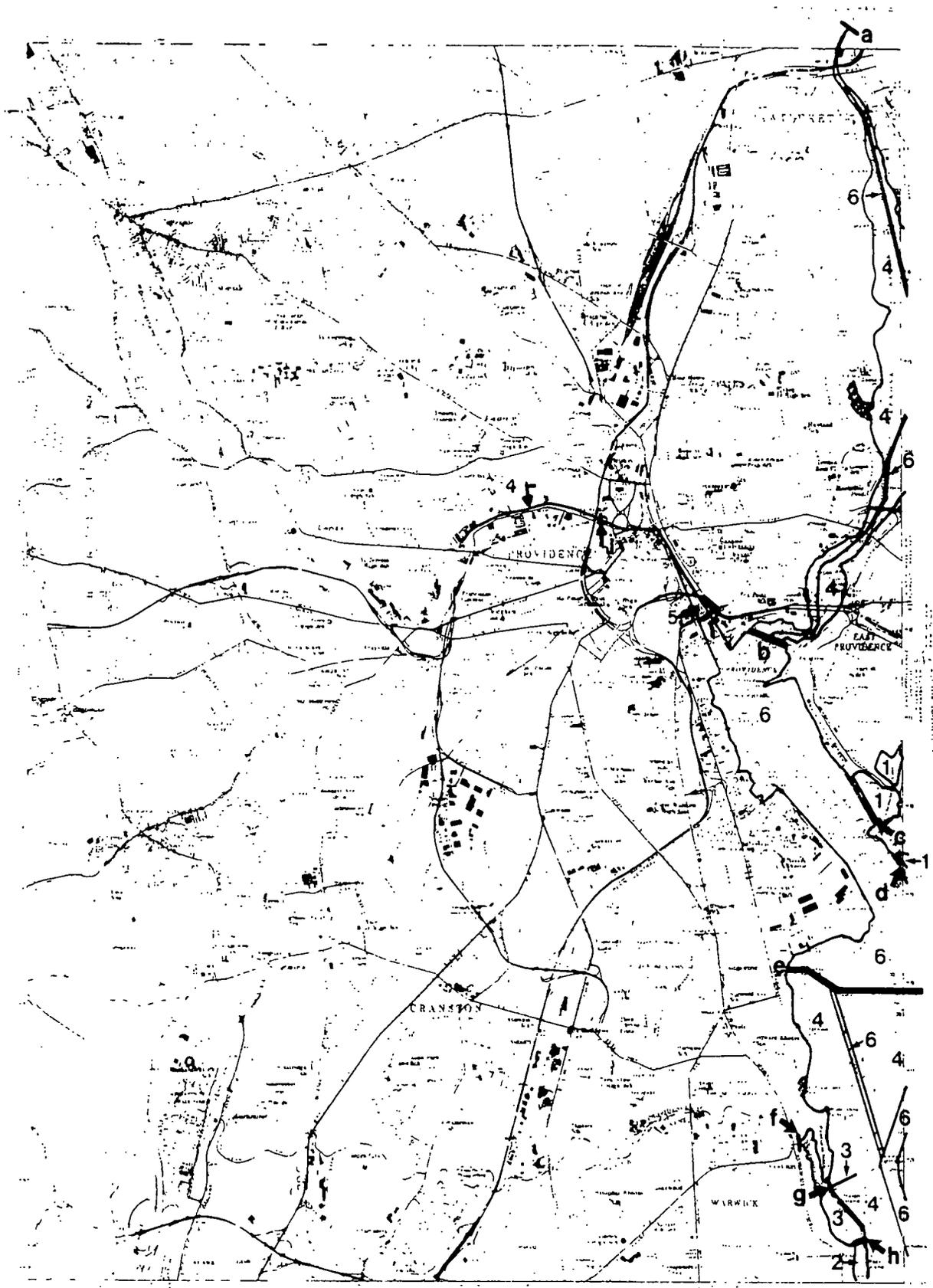


Figure II-2C

CRMC Map of Water Use Categories, Providence RI Quadrangle (Proposed)

Providence Quadrangle

- a The base of the falls at the city of Pawtucket.
- b A straight line running generally WNW from the Union Oil property boundary south of Bold Point in East Providence to the westerly boundary of India Point Park in Providence.
- c The western edge of the former railroad causeway.
- d The western edge of the former railroad causeway.
- e From the southern side of the Port Edgewood breakwater, thence easterly to the dolphin on the east side of dredged access channel to Fields Point, then southeast to the southern boundary of the Mobil Oil Company property in East Providence.
- f The base of the falls at the Pawtucket River.
- g A straight line running northwesterly from the easterly side of the Pawtucket Cove breakwater to the tip of Pawtucket Neck.
- h The northern side of the rubble-mound connector running easterly from the northeast tip of Salter Grove to the Pawtucket Cove breakwater.
- i Upstream side of the Fox Point Hurricane Barrier.
- j The western side of the Park Street bridge over the Woonasquatucket River.

UPPER HARBOR

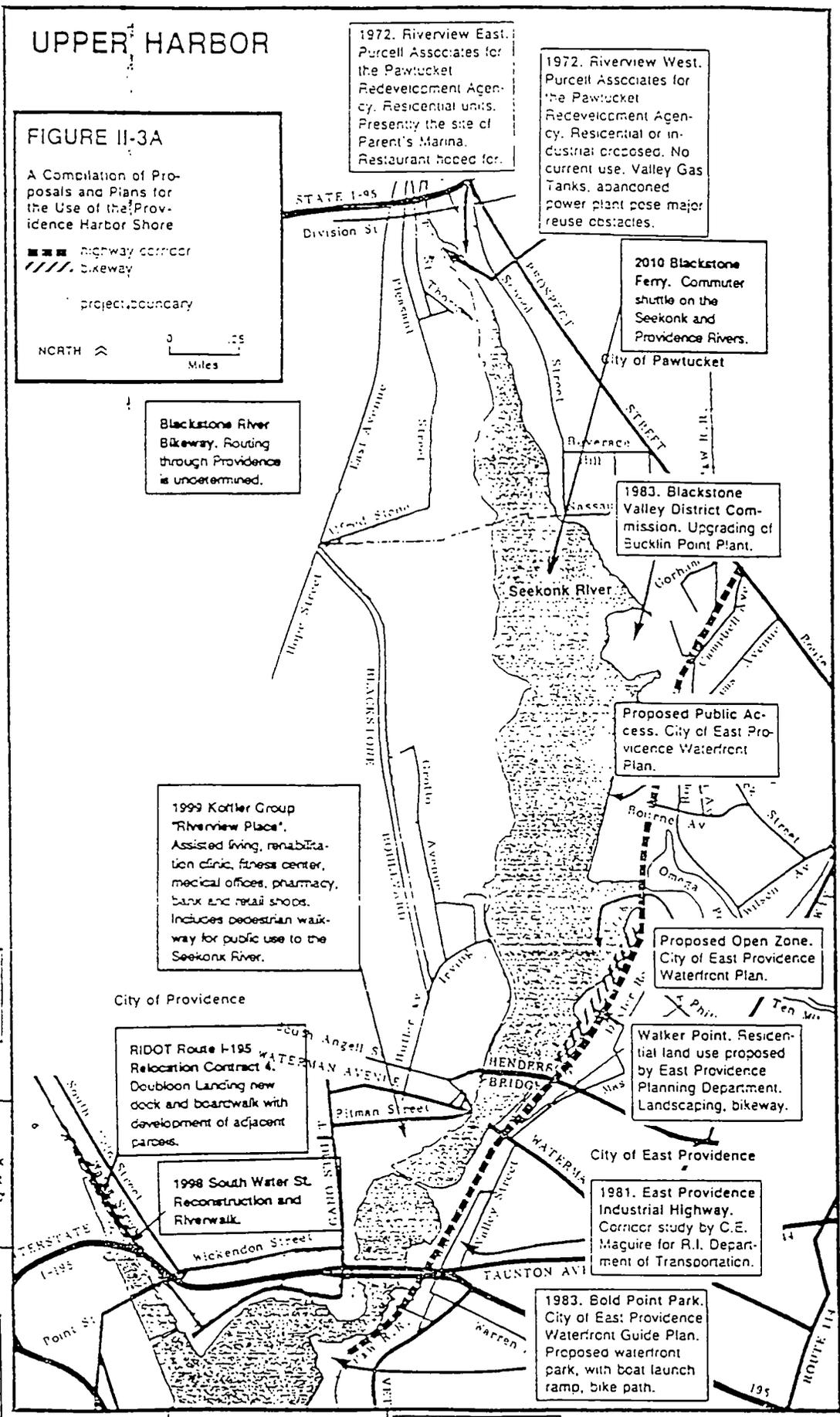
FIGURE II-3A

A Compilation of Proposals and Plans for the Use of the Providence Harbor Shore

Highway corridor
 Bikeway
 Project boundary

NORTH

0 .25 Miles



1972. Riverview East. Purcell Associates for the Pawtucket Redevelopment Agency. Residential units. Presently the site of Parent's Marina. Restaurant hoped for.

1972. Riverview West. Purcell Associates for the Pawtucket Redevelopment Agency. Residential or industrial proposed. No current use. Valley Gas Tanks, abandoned power plant pose major reuse obstacles.

2010 Blackstone Ferry. Commuter shuttle on the Seekonk and Providence Rivers. City of Pawtucket

Blackstone River Bikeway. Routing through Providence is undetermined.

1983. Blackstone Valley District Commission. Upgrading of Eucklin Point Plant.

Proposed Public Access. City of East Providence Waterfront Plan.

1999 Kottler Group "Riverview Place". Assisted living, rehabilitation clinic, fitness center, medical offices, pharmacy, bank and retail shops. Includes pedestrian walkway for public use to the Seekonk River.

Proposed Open Zone. City of East Providence Waterfront Plan.

Capital Center Projects. Parcels C-2, C-6, 4E & 4W. (Refer to Figures II-4B & II-4C.)

RIDOT Route I-195 Relocation Contract 4. Double-lane Landing new dock and boardwalk with development of adjacent parcels.

Walker Point. Residential land use proposed by East Providence Planning Department. Landscaping, bikeway.

1997 RIDOT Memorial Blvd. Contract 4. New docks at Waterplace Park, Citizens Bank Plaza, near Courthouse, and at Dyer St. Dredging of river; 30' wide dredged channel betw. Crawford St and South St.

1998 South Water St. Reconstruction and Riverwalk.

1981. East Providence Industrial Highway. Corridor study by C.E. Maguire for R.I. Department of Transportation.

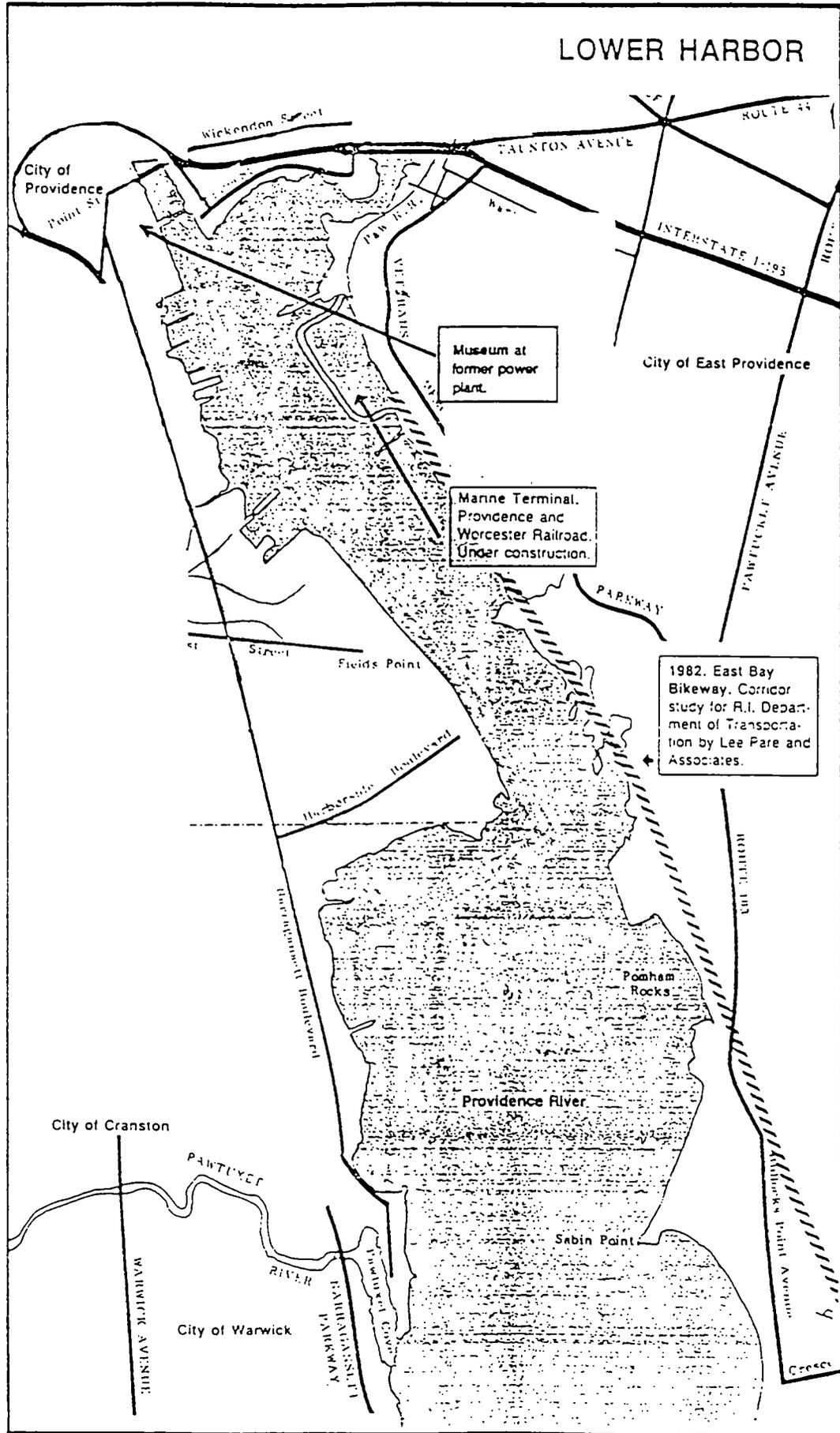
RIDOT High Speed Commuter Ferry. Potential landing sites at India Point Park and Corliss Landing or Point St.

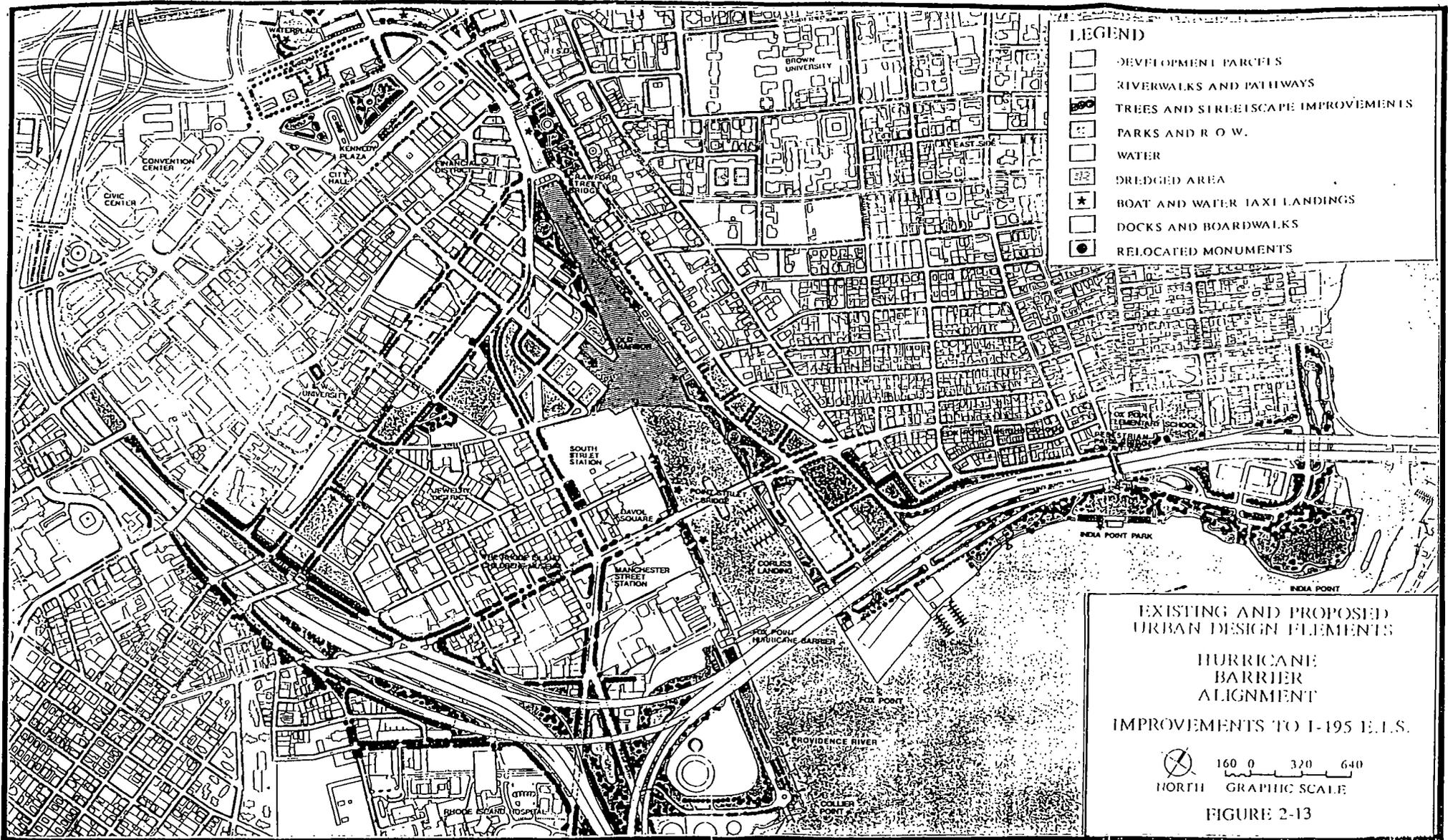
1983. Bold Point Park. City of East Providence Waterfront Guide Plan. Proposed waterfront park, with boat launch ramp, bike path.

RIDOT I-195 Relocation Project ("Hurricane Barrier" Alternative) and Old Harbor Plan proposal for land use changes. (Final EIS August 1996; refer to Figure II-3B).

RIDOT Contract 6 East Bay Bikeway. Routing to be compatible with I-195 Relocation Project.

LOWER HARBOR





Source: Rhode Island Department of Transportation Final Environmental Impact Statement & Final Section 4(f)/6(f) Evaluation, Improvements to I-195, Providence, Rhode Island, August 1996.

UPPER HARBOR

FIGURE II-4A

Providence Harbor Areas of Concern

- 1 vacant land
 - a. owned by City of Pawtucket
 - b. owned by State of Rhode Island, n. and s. of Bucklin Point Treatment Plant
 - c. northern portion, Riverside Cemetery
 - d. two-mile strip of land along shore between Omega Pond and Washington Bridge

- f. Bold Point area
- h. P & W terminal (uncompleted)

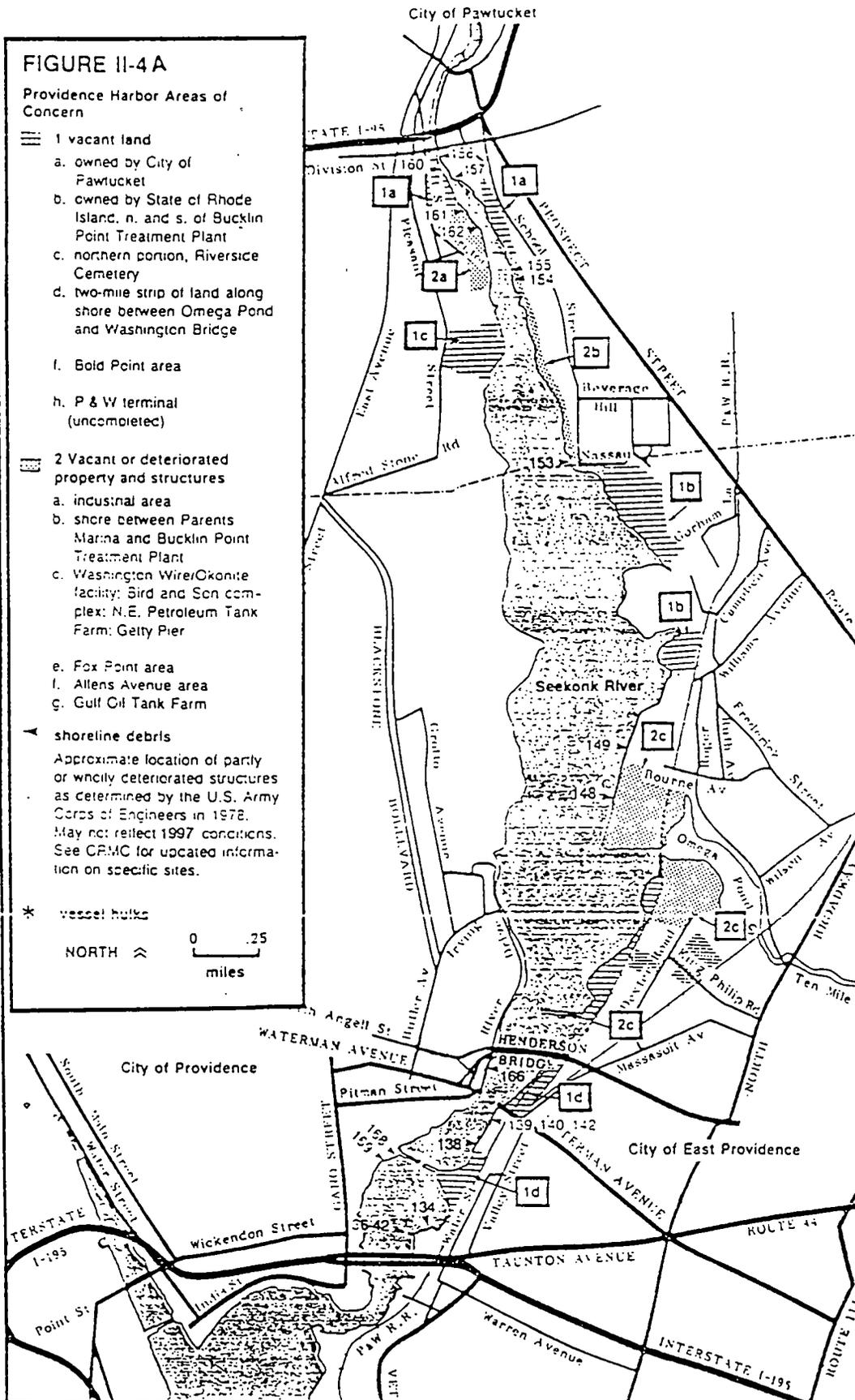
- 2 Vacant or deteriorated property and structures
 - a. industrial area
 - b. shore between Parents Marina and Bucklin Point Treatment Plant
 - c. Washington Wire/Okonite facility; Bird and Son complex; N.E. Petroleum Tank Farm; Gelly Pier

- e. Fox Point area
- i. Allens Avenue area
- g. Gulf Oil Tank Farm

▲ shoreline debris
 Approximate location of partly or wholly deteriorated structures as determined by the U.S. Army Corps of Engineers in 1978. May not reflect 1997 conditions. See CRMC for updated information on specific sites.

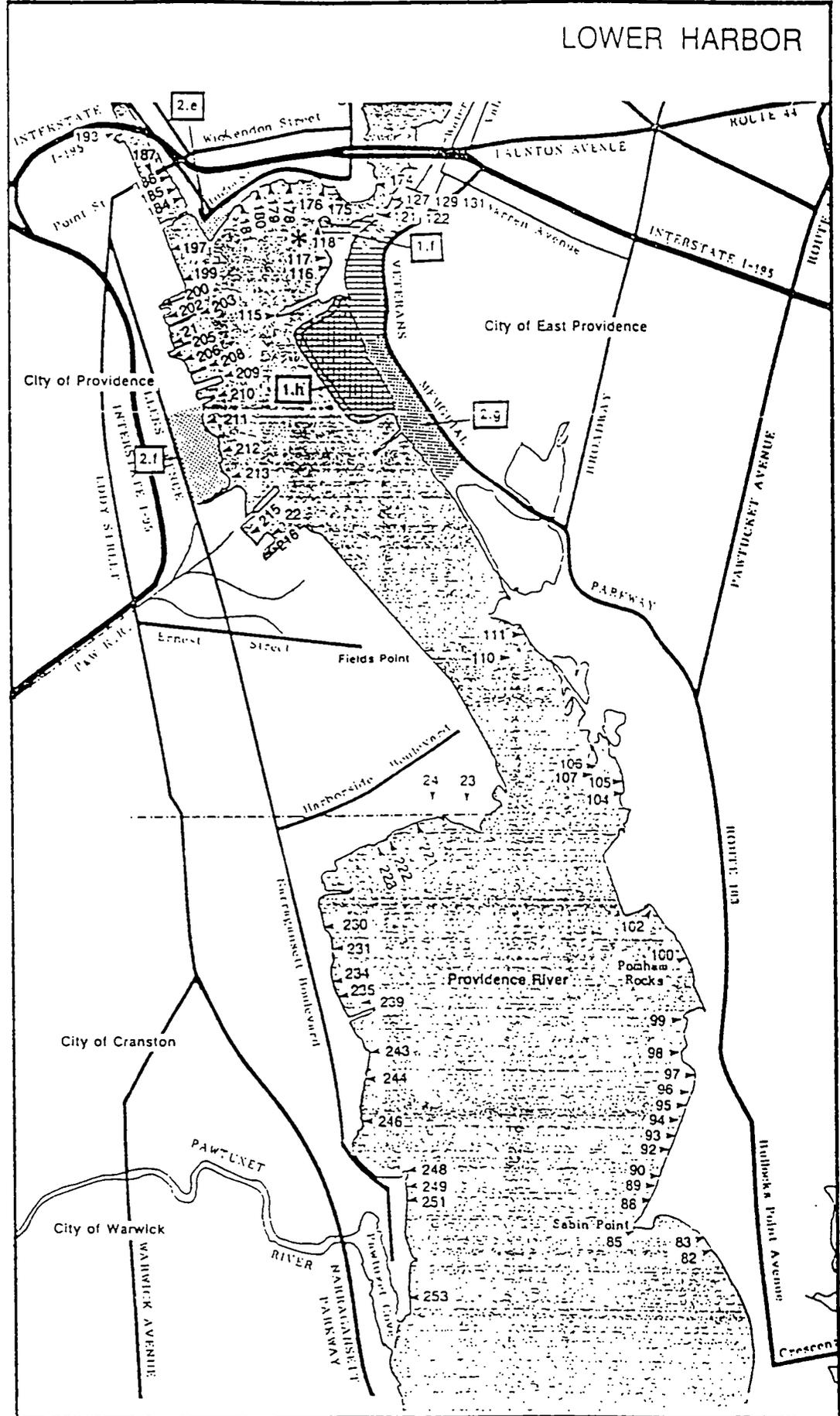
* vessel hulks

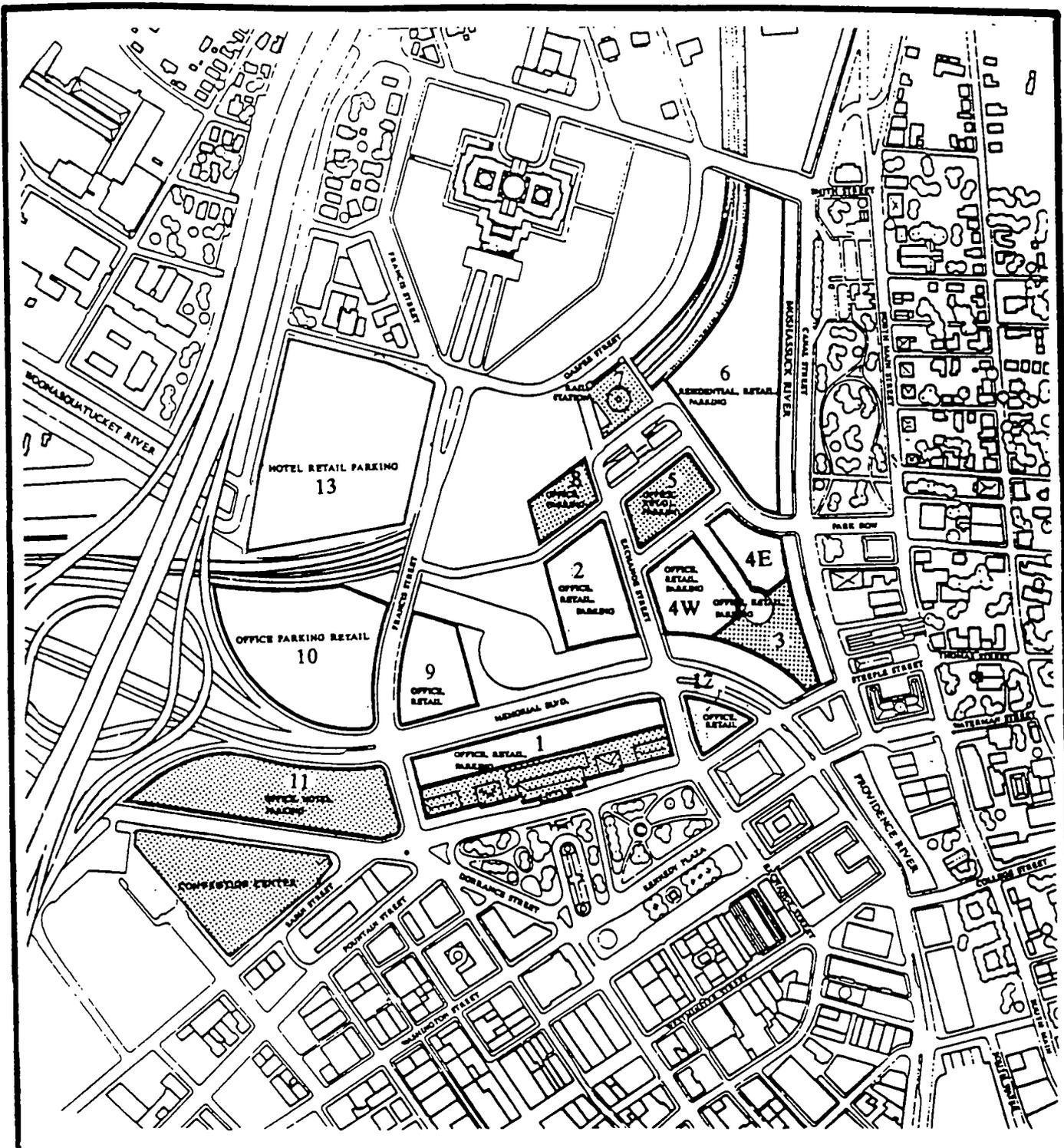
NORTH  0 .25 miles



Refer to Figures II-3B, II-4B, and II-4C and the report, "Providence River And Harbor And The Seekonk River, Rhode Island, Debris Removal Feasibility Report Including Environment Assessment", US Department of the Army, August 1984.

LOWER HARBOR





LEGEND

- 1 PARCEL NUMBER
- CURRENT DEVELOPMENT
- REMAINING DEVELOPMENT

IMPROVEMENTS
TO
I-195 E.I.S.

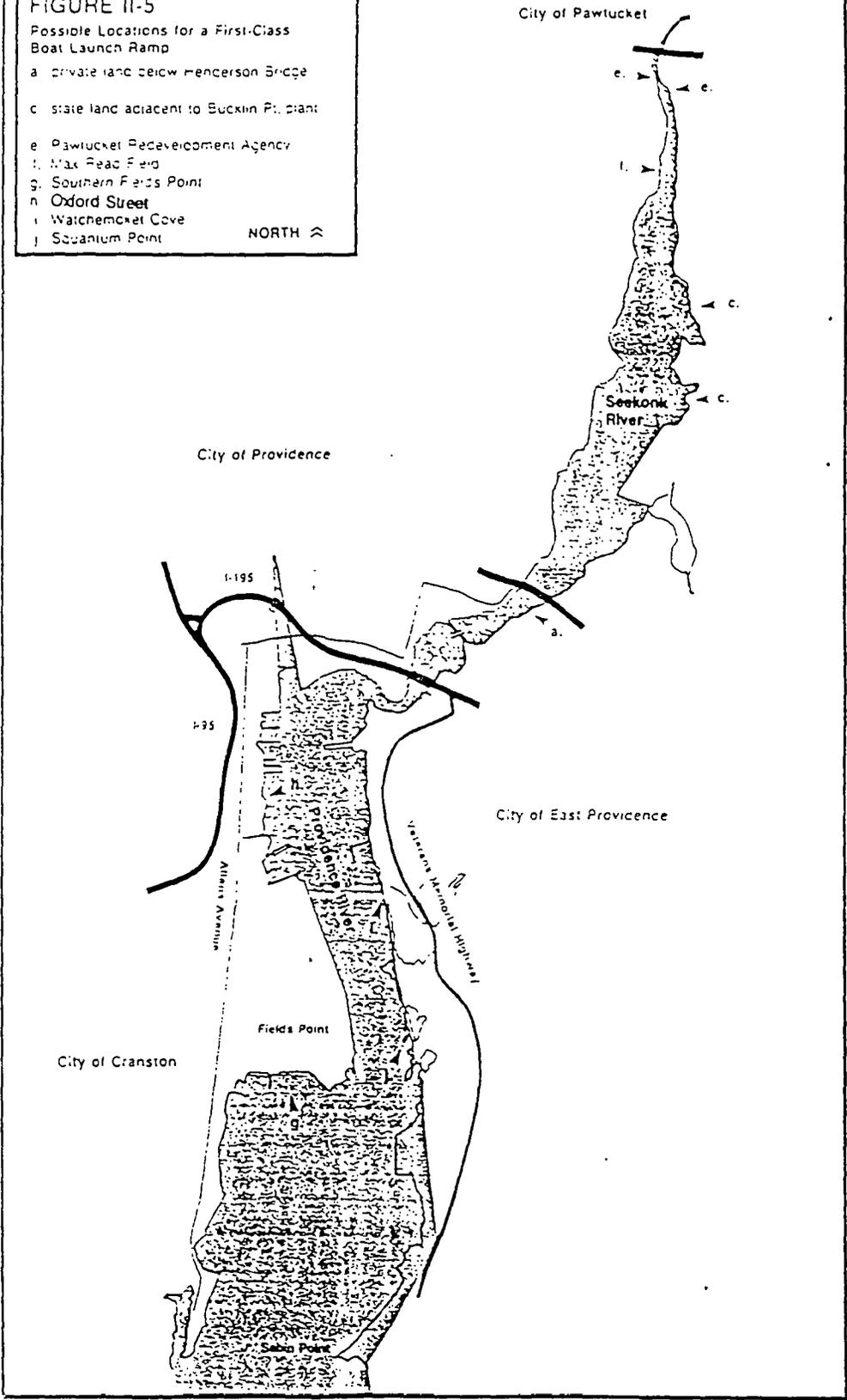
**CAPITAL CENTER
CURRENT AND REMAINING
DEVELOPMENT**

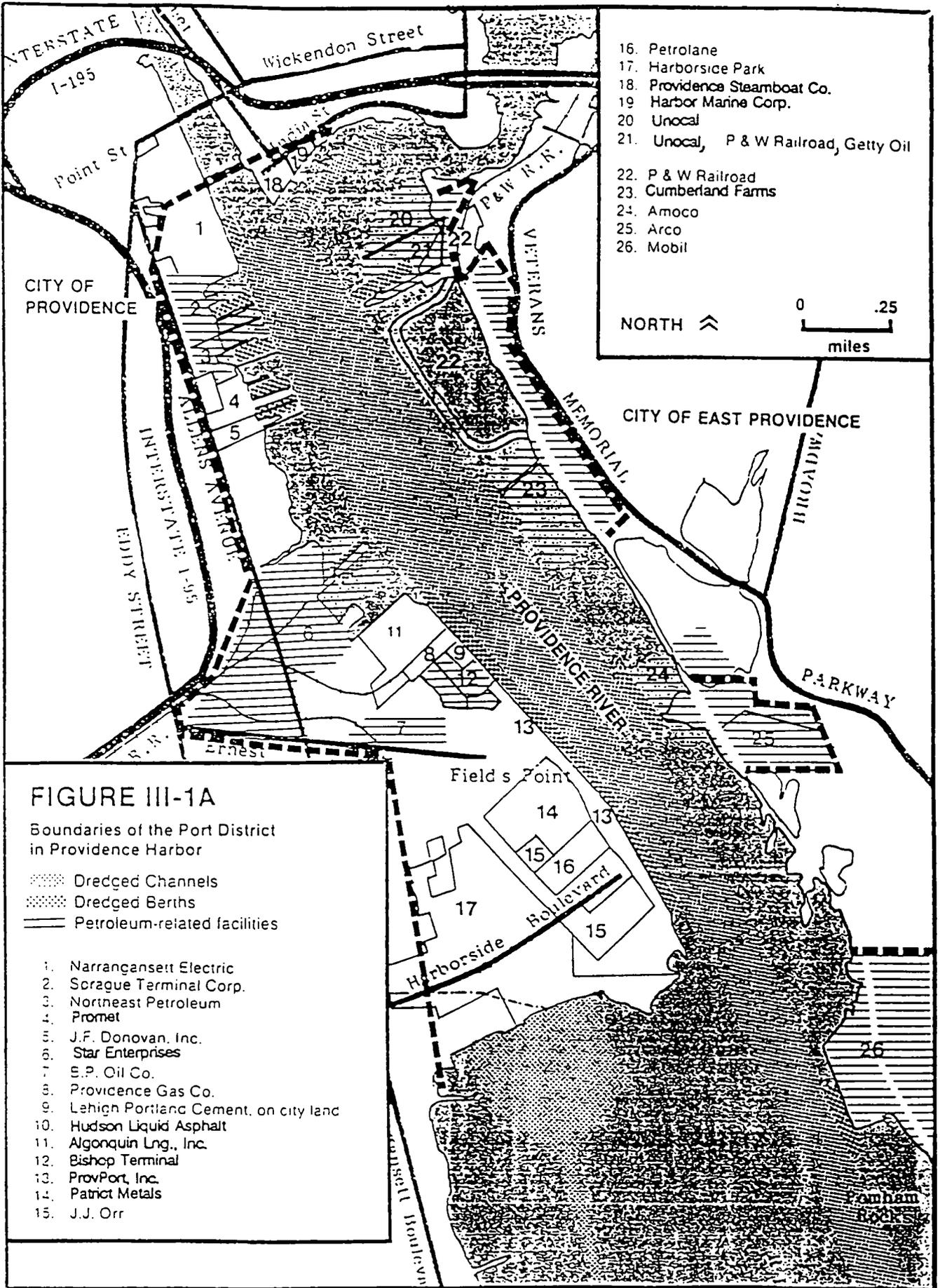
FIGURE
3-12

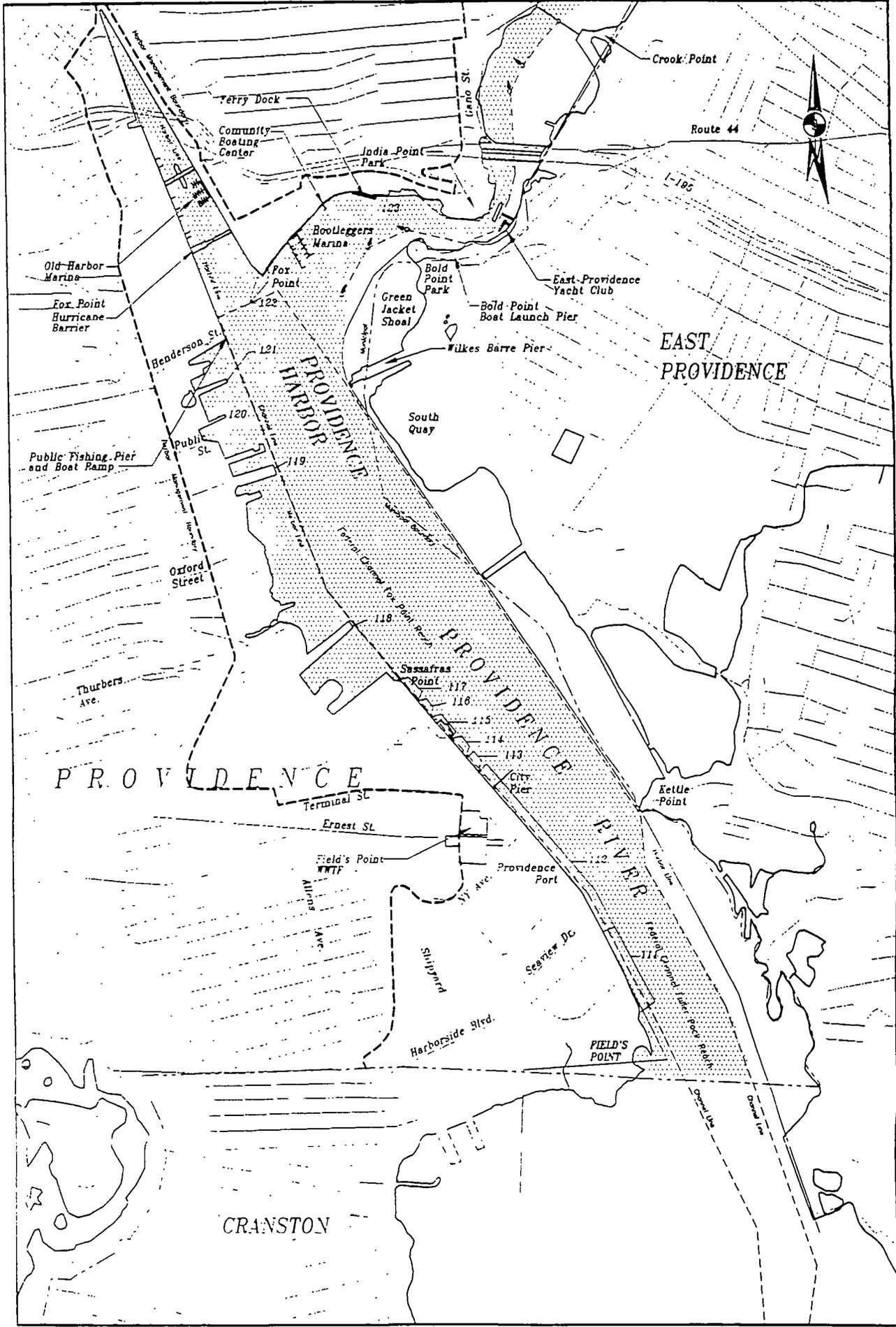
FIGURE II-5
Possible Locations for a First-Class Boat Launch Ramp

- a private land below Henderson Bridge
- c state land adjacent to Bucklin Pt. plant
- e Pawtucket Redevelopment Agency
- f Max Reed Field
- g Southern Fields Point
- n Oxford Street
- i Watchemoket Cove
- j Squantum Point

NORTH \Uparrow







LOUIS BERGER & ASSOCIATES, INC.

CITY OF PROVIDENCE
OFFICE OF PLANNING AND DEVELOPMENT

PROVIDENCE RIVER AND HARBOR AREA PORT FACILITIES

Source: Louis Berger & Associates, Inc.

Scale: 1" = 1200'

June 1997

PIERS, WEARVES, AND DOCKS

COLE OF ENGINEERS WATERWAY CODE LATITUDE	LONGITUDE	01379	71-22-54W	01379	71-23-09W
REFERENCE NUMBER OR MAP NO. 4	111	Dock Code No.	112	Dock Code No.	110
NAME	Port of Providence, Berths 6 and 5.		Port of Providence, Berths 4, 3, 2, and 1.		
LOCATION ON WATERFRONT	Right bank, Providence River, approximately 1,500 feet above lower end of Fields Point. Municipal Wharf		Right bank, Providence River, approximately 0.6 mile above lower end of Fields Point. Municipal Wharf		
OWNED BY	ProvPort, Inc.				
OPERATED BY	ProvPort, Inc.		John J. Orr & Son, Texas Eastern Products Pipeline Co., George Mann Co., Inc., Patriot Metals Co., Providence Terminal Associates.		
PURPOSE FOR WHICH USED	Shipment of scrap metal; occasional receipt and shipment of general cargo.		Receipt and shipment of general cargo; receipt of lumber, paper products, petroleum products, liquefied petroleum gas, caustic soda, and liquid latex; shipment of scrap metal and waste paper.		
TYPE OF CONSTRUCTION	Masonry bulkhead with part concrete-, and part asphalt-surfaced, solid fill.		Masonry bulkhead with part concrete-, and part asphalt-surfaced, solid fill.		
DESCRIPTION	Face		Face		
Dimensions (Feet)	1,283		1,740-450		
Depth Afterside at MLW Do.	35-40		35-40		
Breasting Distance Do.	1,283		1,740-450		
Total Berthing Space Do.	1,283		1,740-450		
Width of Apron Do.	85		70 & 80		
Height of Deck at MLW Do.	10.5		10.5		
Load Capacity (Lbs. per sq. ft.)	Unlimited.		Unlimited.		
Lighted or Unlighted	Lighted.		Lighted.		
TRANSIT SHEDS Number and Description	None.		No. 1: steel frame, brick walls, asphalt floor; and No. 2: concrete walls, floor and roof.		
			No. 1		No. 2
Length and Width (Feet)			300x132 & 240x100		600x200
Height Inside Do.			20 and 30		25
Floor Area for Cargo (sq. ft.)			50,000, net.		100,000, net.
Load Capacity (Lbs. per sq. ft.)			Unlimited.		Unlimited.
Cargo Doors			Shipside: eight, 12 by 15. Rear: one, 18 by 20. North end: three, 12 by 15. South end: one, 12 by 15.		Shipside: four, 18 by 20; Rear: 10 by 10. Others: 14 truck stations and 7 rail stations.
MECHANICAL HANDLING FACILITIES	One 45-ton, diesel-electric, traveling, straight-line crane with hinged-cantilevered boom having 100-foot outboard reach; and 120-foot back reach equipped with orange peel bucket for handling scrap metal, and one identical crane used for performing a variety of heavy lifts.		Patriot Metals Co.: One 200- and one 150-ton, diesel, crawler cranes, each with 120-foot boom; John J. Orr & Son, Inc.: One 130-ton, diesel, crawler crane with 100-foot boom. Additional equipment is available on a rental basis as required.		
RAILWAY CONNECTIONS	None.		Two surface tracks on apron, and one platform-level track at rear of each transit shed; joins additional trackage serving terminal in rear; connect with Providence & Worcester Railroad.		
HIGHWAY CONNECTIONS	Via Harborside Boulevard, asphalt, 40 feet wide, from Narragansett Boulevard, asphalt, 60 feet wide.		Via New York Avenue or Terminal Road, each asphalt, 50-60 feet wide.		
WATER SUPPLY (For Vessels)	Through 2 1/2-inch connections.		Through 2 1/2-inch connections.		
ELECTRIC CURRENT (For Vessels)	A.C., 110/220 volts.		A.C., 110/220 volts.		
FIRE PROTECTION (Other Than City)	Hydrants, hose, hand extinguishers, and security patrol.		Hydrants, hose, hand extinguishers, and security patrol.		
ROADS	Approximately 9 acres of open storage area for scrap metal are located at rear of Berth 6.		Providence Terminal Associates: Three 10-inch pipelines extend from wharf to 13 steel storage tanks, total capacity 440,000 barrels. George Mann & Co., Inc.: One 8-inch, caustic soda pipeline extends from wharf to 3 steel storage tanks at rear, total capacity 1,600,000 gallons. One 6-inch pipeline extends to 5 latex storage tanks, total capacity 1,200,000 gallons, in addition to one 6- and one 4-inch pipelines also being available. Texas Eastern Products Pipeline Co.: Two 10-inch, LP-gas pipelines extend from wharf to one 400,000-barrel, storage tank at rear. Approximately 12 acres of asphalt-surfaced, open storage area are available on wharf and in rear.		

PIERS, WHARVES, AND DOCKS

CORPS OF ENGINEERS WATERWAY CODE LATITUDE LONGITUDE	01379 41-47-48N 71-23-18W	01379 41-47-51N 71-23-22W	01379 41-47-54N 71-23-22W
REFERENCE NUMBER ON MAP NO. 4	113	Dock Code No. 874	Dock Code No. 873
NAME	Sun Co., Providence Terminal Dock.	Hudson Terminal Corp., Providence Wharf.	Lehigh Portland Cement Providence Terminal Wharf.
LOCATION ON WATERFRONT	Right bank, Providence River, approximately 0.8 mile above lower end of Fields Point. 25 Terminal Road	Right bank, Providence River, approximately 0.9 mile above lower end of Fields Point. 29 Terminal Road	Right bank, Providence River, approximately one mile above lower end of Fields Point. 25 Terminal Road
OWNED BY	ProvPort, Inc.	Hudson Terminal Corp.	ProvPort, Inc.
OPERATED BY	Sun Co., Inc. (R & M)	Hudson Terminal Corp.	Lehigh Portland Cement
PURPOSE FOR WHICH USED	Receipt of petroleum products by barge.	Receipt of asphalt by vessel and barge.	Receipt of bulk cement self-unloading vessel.
TYPE OF CONSTRUCTION	Masonry bulkhead with asphalt-surfaced, solid fill.	Masonry bulkhead with solid fill.	Masonry bulkhead with timber fronted by timber fence.
DESCRIPTION	Face	Face	Face
Dimensions (Feet)	600	384	350
Depth Alongside at M.W. Do.	28	30	28
Breasting Distance Do.	600	384	350
Total Berthing Space Do.	600	384	350
Width of Apron Do.	Open.	Open.	30
Height of Deck at M.W. Do.	10.5	10.5	10.5
Load Capacity (Lbs. per Sq. Ft.)	Unlimited.	Unlimited.	Unlimited.
Lighted or Oblighted	Lighted.	Lighted.	Lighted.
MECHANICAL HANDLING FACILITIES	None.	One steel, hose-handling tower with electrically-operated, traveling hoist for handling 2 hoses.	One electric, east-end hoist for handling hose.
RAILWAY CONNECTIONS	Plant trackage in rear connects with Providence & Worcester Railroad.	None.	None.
HIGHWAY CONNECTIONS	Via road, asphalt, 65 feet wide, from Terminal Road, asphalt, 50 feet wide.	Via road, asphalt, 65 feet wide, from Terminal Road, asphalt, 50 feet wide.	Via road, asphalt, 65 feet wide, from Terminal Road, asphalt, 50 feet wide.
WATER SUPPLY (For Vessels)	Through one 2-inch line.	Through 2 1/2-inch connection.	Through two 2-inch lines.
ELECTRIC CURRENT (For Vessels)	A.C., 110/550 volts.	None.	A.C., 220/440 volts.
FIRE PROTECTION (Other Than City)	Foam system at tanks, hydrants, hose, and hand extinguishers.	Hydrant, hose, and hand extinguishers.	Hydrant in rear, hose, and hand extinguishers.
REMARKS	Three 8-, two 6-, and two 4-inch pipelines extend from wharf to 6 steel storage tanks in rear, total capacity 132,000 barrels. Rail car and truck-loading racks are located in rear. Face of wharf is contiguous with Ref. Nos. 112 and 114.	Two 8-inch pipelines extend from wharf to 5 steel, asphalt storage tanks at rear, total capacity 245,500 barrels. Oil-spill absorption material, truck scale, and office are located in rear of wharf. Face of wharf is contiguous with Ref. Nos. 113 and 115.	One 10-inch pipeline extends from wharf to 4 concrete, asphalt storage tanks at rear, total capacity 110,000 barrels. Vessels are equipped with hose-handling system for unloading. Face of wharf is contiguous with Ref. Nos. 114 and 116.

PIERS, WHARVES, AND DOCKS

CORPS OF ENGINEERS WATERWAY CODE LATITUDE	01379 41-47-56N	71-23-28W	01379 41-47-59N	71-23-31W	01379 41-48-07N	71-23-43W	
REFERENCE NUMBER ON MAP NO. 4	116	Dock Code No. 870	117	Dock Code No. 869	118	Dock Code No. 70	
NAME	Independent Cement Corp., Providence Terminal Wharf.		Algonquin LNG Wharf.		Star Enterprise, Harbor Junction Pier.		
LOCATION ON WATERFRONT	Right bank, Providence River, approximately 1.1 mile above lower end of Fields Point. 139 Terminal Road		Right bank, Providence River, approximately 1.2 mile above lower end of Fields Point. 121 Terminal Road		Right bank, Providence River, approximately 0.9 mile below Fox Point. 520 Allens Avenue		
OWNED BY	Independent Cement Corp.		Providence Gas Co.		Star Enterprise.		
OPERATED BY	Independent Cement Corp.		Algonquin LNG, Inc.		Star Enterprise.		
PURPOSE FOR WHICH USED	Receipt of bulk cement by self-unloading vessel.		Receipt of liquefied natural gas. (See Remarks.)		Receipt and shipment of petroleum products; fueling vessels.		
TYPE OF CONSTRUCTION	Masonry stone bulkhead with solid fill; fronted by timber fender system and floating, composite rubber bumpers.		Steel sheet pile bulkhead with part concrete-surfaced, solid fill.		Timber pile, steel-decked, offshore pier having undecked center portion with 40- by 15-foot, timber pile, concrete-decked approach; lower side fronted by 3 timber pile, concrete-decked, breasting platforms.		
DESCRIPTION	Face		Face		Face	Lower side	Upper side
Dimensions (Feet)	210		450		80	600	720
Depth Alongside at M/LW Do.	26		25		30	28	25
Breasting Distance Do.	210		450		-	600	720
Total Berthing Space Do.	210		450		-	600	720
Width of Apron Do.	Open.		Open.		Open.		
Height of Deck at M/LW Do.	12		12		9		
Load Capacity (Lbs. per Sq. Ft.)	Unlimited.		-		-		
Lighted or Unlighted	Lighted.		Lighted.		Lighted.		
MECHANICAL HANDLING FACILITIES	One electric winch on elevated platform for handling hose.		None.		One steel, hose-handling tower on lower side with 8 electric, traveling hoists on four 15-foot booms.		
RAILWAY CONNECTIONS	None.		None.		None.		
HIGHWAY CONNECTIONS	Via driveway, concrete, 15 feet wide, from Terminal Road, asphalt, 50 feet wide.		Via driveway, concrete, 30 feet wide, from Terminal Road, asphalt, 30 feet wide, and Allens Avenue.		Via driveway, asphalt, 20 feet wide from Allens Avenue, asphalt, 60 feet wide.		
WATER SUPPLY (For Vessels)	Through 3/4-inch line.		Through 2 1/2-inch line.		Through 6-inch line.		
ELECTRIC CURRENT (For Vessels)	A.C., 110 volts.		A.C., 220 volts.		None.		
FIRE PROTECTION (Other Than City)	Hand extinguishers.		One 12-inch, water line and hydrants.		Hydrants, hose, foam connections and water line, and hand extinguishers.		
MOORINGS	Two 12-inch pipelines extend from wharf to one steel storage cone and 6 concrete silos at rear, total capacity 23,500 tons. Vessels are equipped with pneumatic system for unloading cement. Face of wharf is contiguous with Ref. Nos. 115 and 117.		At time of survey (1992), wharf had not been used for receiving product for 15 years, however was being maintained in operational status. One 12-inch pipeline extends from wharf to one 600,000-barrel capacity, steel storage tank in rear. Face of wharf is contiguous with Ref. No. 116.		Two 16-, two 12-, one 10-, three 6- and two 6-inch pipelines extend from lower side of pier to 28 steel storage tanks at terminal in rear, total capacity 1,500,000 barrels.		

PIERS, WEARVES, AND DOCKS

COAST OF ENGINEERS WATERWAY CODE LATITUDE	LONGITUDE	01379	71-23-58W	01379	71-24-01W	01379	71-24-07W		
REFERENCE NUMBER OR MAP NO. 4	119	Dock Code No. 620		120	Dock Code No. 610		121	Dock Code No. 600	
NAME	Promet Marine Services Pier.			Northeast Petroleum Corp., Providence Terminal Pier.		Sprague Energy Corp., Providence Terminal Pier.			
LOCATION OF WATERFRONT	Right bank, Providence River, approximately 0.5 mile below Fox Point. 242 Allens Avenue			Right bank, Providence River, approximately 0.3 mile below Fox Point. 170 Allens Avenue		Right bank, Providence River, approximately 1,000 feet below Fox Point. 144 Allens Avenue			
OWNED BY	Promet Marine Services Corp.			Northeast Petroleum, Division of Carrill, Inc.		Sprague Energy Corp.			
OPERATED BY	Promet Marine Services Corp.			Northeast Petroleum, Division of Carrill, Inc.		Sprague Energy Corp.			
PURPOSE FOR WHICH USED	Receipt and shipment of miscellaneous dry bulk commodities, including scrap metal and salt; mooring vessels for repair, outfitting, and conversion.			Receipt of petroleum products by vessel and barge.		Receipt and shipment of petroleum products; bunkering vessels. Receipt of salt and gypsum rock by self-unloading vessel.			
TYPE OF CONSTRUCTION	Timber pile, asphalt-surfaced, concrete-decked pier; fronted by timber pile fenders.			Timber pile, concrete-decked, offshore platform, with 270-foot, timber pipeline trestle and catwalk approach from shore; a 310-foot catwalk extends channelward from the platform to a warping dolphin at the outer end; lower side of pier is fronted by a row of timber pile breasting dolphins and 2 timber mooring dolphins, located north of pier, and connected by timber catwalks.		Timber pile, concrete-decked pier, with a 26- by 32-foot, timber pile, concrete-decked platform located 70 feet from outer end connected by catwalk.			
DESCRIPTION		Face	Lower side	Upper side	Face	Sides	Face	Lower side	Upper side
Dimensions (Feet)		120	596	596	20	40, each.	37	500	500
Depth Alongside at KLF Do.		31-37	22	37	18	-	40	12-14	37
Breasting Distance Do.		120	596	596	600 w/dolphins.	-	-	-	320 w/platform.
Total Berthing Space Do.		120	596	596	600	-	-	520	-
Width of Apron Do.		Open.	5 and 10	50	40		Open.		
Height of Deck at KLF Do.		12			11		12		
Load Capacity (Lbs. per sq. Ft.)		600			200		400		
Lighted or Unlighted		Lighted.			Lighted.		Lighted.		
MECHANICAL HANDLING FACILITIES	One 150- and one 100-ton, diesel, crawler cranes, with 110- and 100-foot booms, respectively; one 10-ton, diesel, mobile hoist; one 10-cubic yard, diesel, front-end loader; 3 portable truck-loading hoppers; and one 160-ton, diesel-hydraulic, mobile, vertical boat lift.			None.		Two portable receiving hoppers on pier are served by a 54-inch, electric, belt conveyor extending to portable stacker at open storage area on shore in rear; rate 1,000 tons per hour.			
RAILWAY CONNECTIONS	None.			None.		None.			
HIGHWAY CONNECTIONS	Via driveway, asphalt, 15 feet wide, from Allens Avenue, asphalt, 60 feet wide.			Via driveway, asphalt, 15 feet wide, from Allens Avenue, asphalt, 60 feet wide.		Via driveway, asphalt, 20 feet wide, from Allens Avenue, asphalt, 60 feet wide.			
WATER SUPPLY (For Vessels)	Through 8-inch line.			Through 2 1/2-inch line on shore.		Through 2 1/2-inch line.			
ELECTRIC CURRENT (For Vessels)	A.C., 110/220/480 volts at 800 amperes.			None.		None.			
FIRE PROTECTION (Other Than City)	Water line, hydrants, hose, and hand extinguishers.			Water line, hydrant, hose, hand extinguishers, and foam system at tanks.		Foam system at tanks and hand extinguishers.			
REMARKS	Steel-frame building on pier is used for repair shops, storage, and office. Open storage area in rear has capacity for approximately 200,000 tons of material. Mobile boat lift uses 2 parallel, 90- by 5-foot piers with 33-foot clearance extending from steel sheet pile bulkhead on upper side of pier.			One 10-, one 8-, and one 6-inch pipelines extend from pier to 8 steel storage tanks at terminal in rear, total capacity 178,000 barrels.		Open storage area in rear has maximum capacity for 200,000 tons of material or a normal working capacity of 80,000 tons. One 18-, and one 12-inch pipelines extend from pier to 4 steel storage tanks at rear, total capacity 486,000 barrels; same pipelines are used for bunkering vessels. In addition, one 12-inch pipeline extends from the former Narragansett Electric Co. wharf on adjacent property to 6 steel storage tanks at terminal, total capacity 321,000 barrels. Tankage is served primarily by pipeline.			

PIERS, WHARVES, AND DOCKS

CORPS OF ENGINEERS WATERWAY CODE LATITUDE	01379 41-48-52N	71-23-58W	01379 41-49-02N	71-23-38W
REFERENCE NUMBER ON MAP NO. 4	122	Dock Code No. 500	123	Dock Code No. 450
NAME	Providence Steamboat Co. wharf.		Block Island Ferry Landing.	
LOCATION ON WATERFRONT	South and West sides of Fox Point at confluence of Seekonk and Providence Rivers. 1 India Street		Right bank of Seekonk River, approximately 2,000 feet east of Fox Point. India Point Park	
OWNED BY	Providence Steamboat Co.		ProvPort, Inc.	
OPERATED BY	Providence Steamboat Co. and Seaboats, Inc.		Interstate Navigation Co.	
PURPOSE FOR WHICH USED	Mooring company-owned vessels and barges.		Terminal for passenger ferry to Newport and Block Island, Rhode Island.	
TYPE OF CONSTRUCTION	Timber pile, concrete-surfaced, timber-decked wharf; partly fronting steel sheet pile bulkhead with part concrete-surfaced solid fill on west side; both sides partly fronted by timber fender system.		Timber pile, timber-decked, offshore wharf with 45- by 12-foot approach; one timber breasting dolphin in line with face on each side.	
DESCRIPTION	West face	East face	Face	
Dimensions (Feet)	408	582	50	
Depth alongside at MLW Do.	20	15	16	
Breasting Distance Do.	408	582	70 w/dolphin.	
Total Berthing Space Do.	600	400	100	
Width of Apron Do.	Open and J.		25	
Height of Deck at MLW Do.	10		8	
Load Capacity (Lbs. per Sq. Ft.)	-		-	
Lighted or Unlighted	Lighted.		Unlighted.	
MECHANICAL HANDLING FACILITIES	None.		None.	
RAILWAY CONNECTIONS	None.		None.	
HIGHWAY CONNECTIONS	Via driveway, asphalt, 12 feet wide, from India Street, concrete block, 30 feet wide.		Via India Street, asphalt, 30 feet wide.	
WATER SUPPLY (For Vessels)	Through 2-inch line.		Through 4-inch line.	
ELECTRIC CURRENT (For Vessels)	A.C., 110/220 volts.		A.C., 110 volts.	
FIRE PROTECTION (Other than City)	Hand extinguishers.		Hand extinguishers.	
REMARKS	Timber dispatch office is located at rear.		Ferry operates between June 22nd and Labor Day.	

JOHN F. PALMIERI
Director



VINCENT A. CIANCI, JR.
Mayor

DEPARTMENT OF PLANNING AND DEVELOPMENT

"Building Pride in Providence"

February 26, 1999

Honorable John J. Lombardi, President
Providence City Council
City Hall
Providence RI 02903

Re: Harbor Management Plan

Dear Mr. Council President Lombardi:

Pursuant to your expression of concern that the proposed Harbors and Rivers Commission may not have councilmanic representation, this Department is submitting an amended plan that would indeed require that the Commission include two members of the City Council. The attached "Amendments and Errata" document will accomplish that goal.

It was not this Department's intention to exclude the City Council; it was an oversight. The model was suggested by our consultants who based it on other communities that do not normally include legislative membership on such commissions, whose work tends to be largely technical in nature. However, we agree with you that it is entirely appropriate to include legislative representation in Providence.

Sincerely

A handwritten signature in black ink, appearing to read "T. Deller", enclosed within a large, loopy oval scribble.

Thomas E. Deller
Deputy Director

cc: John F. Palmieri, Director

**CITY OF PROVIDENCE
HARBOR MANAGEMENT PLAN, 1998-2002
AMENDMENTS AND ERRATA**

Section 4 - Issues, Findings, Policies Objectives and Implementation Strategy

A. Providence Rivers and Harbor Commission, Page 13, third paragraph, 5th line - Strike out "...and three citizens at large who are not affiliated with any of these groups." and replace with **"... one citizen at large who is not affiliated with any of these groups and two members of the Providence City Council who shall be appointed by the City Council President."**

Appendix 1 - Regulations and Jurisdictions

A. Page 1-1, TITLE 46, Paragraph amending RIGL Sec. 46-4-2 - Strike out the entire paragraph and replace with the following. Note that existing language in the section that is to be eliminated is indicated with strikeouts (~~strikeouts~~) and proposed new language in bold (**bold**).

TITLE 46
WATERS AND NAVIGATION
CHAPTER 46-4
HARBORS AND HARBOR LINES

§ 46-4-2 City and town control of harbors --Harbor masters --Extension of Providence jurisdiction. – The council of any city or town is hereby authorized and empowered to appoint a harbor master for the harbors within the confines of the city or town, and to ordain and establish such bylaws and ordinances and establish such fees and compensation as the city council or town council may deem necessary and expedient for carrying out the provisions of this section; provided, that the jurisdiction, powers, and duties of the harbor master of the city of Providence shall include all the public waters westerly of the easterly sides of the ship channels in Seekonk River, Providence River and Harbor and Narragansett Bay from the Pawtucket-Providence city line southerly to ~~the point of intersection of the ship channel side with a straight line drawn from Rumstick Point on the east shore to Rocky Point on the west shore, excluding that area subject to jurisdiction of the city of Cranston, pursuant to the provisions of § 46-4-5.1~~ **the municipal boundary of the cities of Providence and Cranston**, and all acts of the general assembly and ordinances of the city of Providence, now or hereafter passed, relative to the harbor of the city of Providence, shall apply to and be in force relative to the public waters. **In addition to any authority and powers conferred upon any city or town council under this title, the city council of Providence is hereby authorized to establish, by ordinance, a rivers and harbor commission and may grant such authority as the city council may deem necessary to such commission for the enforcement and supervision of any rules and regulations governing the public waters established herein, including the ap-**

pointment of the harbor master. The council of the town of Little Compton is hereby authorized and empowered to enact ordinances to regulate or ban the setting of lobster pots, fish nets, or cribs, within the harbor at Little Compton to prevent interference with the use of moorings or navigation therein.

B. Subsection 1.2.2 Proposed Providence Municipal Ordinance Revision - pages 1-14 to 1-24, starting with "AN ORDINANCE..." to be deleted and replaced with the following. Note that this is an entirely new Chapter 11 of the City's Code of Ordinances. All language is new.

AN ORDINANCE AMENDING CHAPTER 11 OF THE CODE OF THE CITY OF PROVIDENCE, RHODE ISLAND, 1995, ENTITLED "HARBOR AND PORT"

Chapter 11 HARBOR AND PORT*

Chapter 11 of the Code of the City of Providence, Rhode Island, 1995, as amended, is hereby amended by deleting therefrom the full text of the chapter in its entirety and by substituting therefore, the following:

*Charter laws reference - Powers of city, sec. 2.1 et seq.

City Ordinances - Ord. 1993, ch. 93-30, sec. 3, 9-24-93; Ord. 1914, ch. 26, sec. 1; Rev. Ords. 1946, ch. 16, sec. 18; Ord. 1914, ch. 27, sec. 1; Rev. Ords. 1946, ch. 16, sec. 1; Ord. No. 1914, ch. 27, sec. 13; Rev. Ords. 1946, ch. 16, sec. 15; Ord. 1914, ch. 27, sec. 2; Rev. Ords. 1946, ch. 16, sec. 2; Ord. 1914, ch. 27, sec. 2; Rev. Ords. 1946, ch. 16, sec. 2; Ord. 1914, ch. 27, sec. 3; Rev. Ords. 1946, ch. 16, sec. 3; Ord. 1914, ch. 27, sec. 7; Rev. Ords. 1946, ch. 16, sec. 7; Ord. 1914, ch. 27, sec. 13; Rev. Ords. 1946, ch. 16, sec. 13; Ord. 1914, ch. 27, sec. 9; Rev. Ords. 1946, ch. 16, sec. 9; Ord. 1914, ch. 27, sec. 5; Rev. Ords. 1946, ch. 16, sec. 5; Ord. 1914, ch. 27, sec. 6; Rev. Ords. 1946, ch. 16, sec. 6; Ord. 1914, ch. 27, sec. 8; Rev. Ords. 1946, ch. 16, sec. 8; Ord. 1914, ch. 27, sec. 14; Rev. Ords. 1946, ch. 16, sec. 17; Ord. 1914, ch. 27, sec. 19; Rev. Ords. 1946, ch. 16, sec. 10; Ord. 1914, ch. 27, sec. 4; Rev. Ords. 1946, ch. 16, sec. 4; Ord. 1914, ch. 27, sec. 13; Rev. Ords. 1946, ch. 16, sec. 14; Ord. 1914, ch. 27, sec. 13; Rev. Ords. 1946, ch. 16, sec. 16; Ord. 1984, ch. 84-66, sec. 1, 9-27-84; Ord. 1993, ch. 93-30, sec. 2, 9-24-93.

Cross references - Obstructing streets leading to, adjoining harbor or river, sec. 23-3; bridges, sec. 23-154 et seq.; operation of vessels under, through bridges, sec. 23-160 et seq.

State law references - Treatment of shipping and navigation under state law, chapters 46-1 -- 46-11, Gen. Laws 1956; according to sec. 46-10-1, commissioner of wrecks and shipwrecked goods shall be appointed annually by council, but no such ordinance has been enacted; shore development, ch. 46-3, Gen. Laws 1956; harbor, harbor lines, ch. 46-4, Gen. Laws 1956; construction of port facilities, ch. 46-5, Gen. Laws 1956; obstructions to navigation, ch. 46-6, Gen. Laws 1956.

Special act relative to harbor and public waters of Town of Providence, see digest of 1822, as amended by Act of Jan. 21, 1837, Act of Oct. 27, 1841, Act of May 9, 1845, and Act of May 4, 1888; special act establishing harbor line on westerly side of Providence River south of Fields point and authorizing city to take riparian rights, P.L. 1940, c. 839; special act establishing harbor line between Fox Point and railroad bridge at India Point, P.L. 1865, c. 557, as amended by P.L. 1928, c. 1241; special act establish harbor lines on easterly side of river from Crawford Street Bridge to Fox Point, P.L. 1879, c. 758, as amended by P.L. 1928, c. 1241; other special acts authorizing establishment of harbor lines, Acts of March 3, 1855; P.L. 1885, c. 476; P.L. 1890, c. 914; P.L. 1892, c. 1096; P.L. 1896, c. 424.

State law references-Authority of council to appoint harbor master and prescribing territorial extent of his powers and duties, Section 46-4-2, Gen. Laws 1956; duty of harbor master to give notice of wrecks, Section 46-6-15, Gen. Laws 1956; special act authorizing council to pass ordinances relative to harbor master, Act of March 11, 1859; special act relative to jurisdiction of harbor master, P.L. 1923, c. 1121.

Editor's note - Section 1 of ch. 93-30, adopted Sept. 24, 1993, repealed sec. 11-20, which pertained to violations and penalties and derived from Ord. 1914, ch. 27, sec. 11 and Rev. Ords. 1946, ch. 16, sec. 11. Section 2 of ch. 93-30 renumbered sec. 11-21 as sec. 11-20 and Section 3 of ch. 93-30 added a new sec. 11-21.

- Sec. 11-1 Purpose and Applicability
- Sec. 11-2 Policy
- Sec. 11-3 Rivers and Harbor Commission
- Sec. 11-4 Area of Jurisdiction
- Sec. 11-5 Regulated Activities
- Sec. 11-6 Fees; Harbor Management Fund
- Sec. 11-7 Penalty
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Sec. 11-1 Purpose and Applicability

(a) Purpose.

This chapter is in conformance with the City's *Harbor Management Plan*, an element of *Providence 2000 - The Comprehensive Plan*, as amended, for the purpose of promoting the public health, safety and general welfare of the citizens of the City and the general public at large that uses the City's waterfront. This chapter is designed to implement the *Harbor Management Plan*, to provide for the safe harbor and use of boats, and to provide for the proper disposal of waste. This chapter provides specific consideration to the fragile resources existing in and along the City's waterfront while permitting its safe and reasonable use by people.

(b) Applicability.

The provisions of this chapter, and any rules and regulations adopted pursuant thereto, shall be applicable to and shall govern the use of harbor lands, waters, facilities and activities under the jurisdiction of the City of Providence. This chapter shall be subordinate to all existing federal and state statutes and regulations and is not intended to preempt or conflict with any other valid laws. Specific objectives of the City of Providence are:

1. To manage the coastal waters and harbor areas of the City of Providence, as described herein, by establishing regulations that balance and manage the diverse uses of the waters, harbor areas, and waterfront and to minimize user conflicts;
2. To create a "Providence Rivers and Harbor Commission" (hereinafter referred to as PRHC) pursuant to RIGL 46-4-2;
3. To ensure that the administration and operational costs of this ordinance and the *Harbor Management Plan* are shared by the City, commercial port owners, and other groups or individuals;
4. To maintain, improve, and develop public access opportunities to the coastal waters of the City of Providence for the benefit of all user groups;
5. To remain consistent with the goals, policies and regulations of the Coastal Resources Management Council (CRMC), the Rhode Island Department of Environmental Management (RIDEM), the State Guide Plan, and the United States Army Corps of Engineers; and

6. To maintain compliance with *Providence 2000 - The Comprehensive Plan*.

It is not the intent of this chapter to have the City supersede the powers and duties of the Coastal Resources Management Council or the Rhode Island Department of Environmental Management. This chapter only sets forth rules and regulations for the use of the waters of the City, as defined herein.

Sec. 11-2 Policy

It shall be the policy of the City of Providence that:

1. The public has the right to use the City's waters and that the City has the right to regulate the waters' use;
2. All the citizens of the City have the right of access to the shoreline;
3. Riparian landowners shall be given due consideration in the establishment of new moorings, docks or slip placements;
4. In order to achieve an equitable balance between private and public use of the water resource within the type 4 and type 6 waters, the City promotes a balance of private and public access. The City recognizes the role of marinas as providing public access through private enterprise while reserving for public use federally maintained anchorages;
5. Recreational boating, water transportation, and port related industry are valuable resources for the City;
6. The maintenance or upgrading of present water quality designations is essential for the continuation of the recreational boating, water transportation, and port industries;
7. Every effort will be made to maintain or upgrade the present water quality designations assigned by the state;
8. No discharge of untreated sanitary waste into the waters of the City shall be permitted;
9. The use of the water shall be balanced so that its environmental quality is protected;
10. The enjoyment of the waters of the City through all types of recreational activity is encouraged;
11. The various recreational activities shall be managed by the City of Providence PRHC so as to minimize their impact on each other;
12. A balance between the demands of the port industry, water transportation, and the recreational boating industry must be developed;
13. The port industry, water transportation, and recreational boating are valuable components of the City economy and must be protected and encouraged to grow;

14. Activities of mutual concern will be coordinated with the cities of Pawtucket, East Providence, and Cranston.

Sec. 11-3 - Rivers and Harbor Commission

(a) Appointment.

There shall be a Providence Rivers and Harbor Commission (PRHC) consisting of seven (7) members. Five (5) of said members shall be appointed by the Mayor from among persons who are residents and domiciliaries of the City, to serve for three (3) year staggered terms so arranged that the term of one member shall expire each year, with any vacancy to be filled for the unexpired term. The mayoral appointments shall include one (1) representative from each of the following groups: the recreational boating community, the port industry, the water transportation industry, the environmental community, and one (1) citizen-at-large who is not affiliated with any of the above groups. Two (2) members shall be appointed by the Providence City Council President from among current City Council members, who shall serve four (4) year terms that are coterminous with their Council seats.

(b) Officers.

The chairperson, vice chairperson and secretary shall be elected by the members of the PRHC. Meetings shall be called by the Harbor master or at the request of three (3) members of the PRHC. The chairperson shall conduct the meetings of the PRHC. In the absence of the chairperson, the vice chairperson shall assume those responsibilities. The secretary shall keep the minutes of all meetings.

(c) Powers and Duties.

Pursuant to RIGL Sec. 46-4-2, the PRHC shall be the local regulatory body for the waters of the City of Providence. The PRHC shall enforce the provisions of the *Harbor Management Plan* and this chapter, and may adopt any rules and regulations to carry out the goals of the plan and this chapter and perform all acts necessary and consistent with the purposes of this chapter.

1. Prepare an annual budget and capital improvement program accordance with the provisions of the City to direct implementation of the *Harbor Management Plan*;
2. Prepare rules for the operation of vessels in the rivers and harbor under its jurisdiction, including the number of vessels at any one time that may be present in the waters, the vessel type, vessel speed and any other special requirements for the safe operation within the rivers and harbor at all times.
3. Sit as a board of appeals to hear any person aggrieved by any decision, act or failure to act in the enforcement of this chapter and any rules and regulations adopted by the City pursuant to this chapter; and
4. Review and revise, as necessary, the *Harbor Management Plan* for City Council and CRMC approval. The plan shall be reviewed and, if warranted, be revised at least once every five years.

5. The PRHC shall submit a copy of its rules and regulations to the CRMC to determine compliance with state and federal statutes.

(d) Compensation of Members.

PRHC members may be compensated for their time and for expenses incurred in the performance of their duties.

(e) Harbor master - Duties

There shall be a Harbor master for the City of Providence, who shall be appointed by the Mayor and serve at the pleasure of the Mayor. The Harbor master shall report to the PRHC and shall have the power and duties described herein. If this position is not filled, the duties of Harbor master shall become the responsibility of the PRHC, which may delegate its duties to other staff members in the Office of the Harbor master. The Harbor master's duties shall include:

1. Authority to recommend regulations, subject to approval by the PRHC, and give directions regarding the anchorage station, management and control of all vessels within the harbor of Providence.
2. Keep a record of the arrival and departure of vessels at the port of Providence, specifying the ports from which vessels arrive as well as the ports for which vessels sailing from this port are bound, and, so far as possible, a record of the principal items of merchandise comprising the cargoes of such vessels. This record of the arrival and departure of vessels shall be open to public inspection.
3. Every vessel entering the City harbor shall be anchored by the person-in-command thereof, according to the directions of the Harbor master.
4. All vessels not anchored according to the directions of the Harbor master shall be forthwith moved by their crews under his/her direction. Any such vessel not having sufficient crew to move the same, shall be moved by the Harbor master, and the expense thereof shall be paid by the owner or master of said vessel, and may be recovered by the Harbor master of such owner or master by an action, in the name of the city, before any court of competent jurisdiction.
5. Remove, from time to time, any vessel not employed in receiving or discharging cargo, to make room for others requiring to be accommodated, and shall by the sole judge of the fact of any vessel's being fairly and legitimately engaged in receiving or discharging the cargo. He / she may also determine the extent, time and manner of accommodation respecting the stations of vessels, which should be extended by the owners or masters thereof to each other, and to required such accommodation to be extended.
6. Have the care, control and management of any public landings or floats maintained by the City.
7. Carry out all other powers and duties authorized to the Harbor master under various state and federal marine laws, including but not limited to Marine Sanitation Device (MSD) inspection

and discharge responsibilities afforded through the U.S. Coast Guard, MARPOL ANNEX V, Section 312 of the Clean Water Act, Title 46-22 of the General Laws of Rhode Island, and future laws to be enacted.

8. The Harbor master shall make a quarterly report to the PRHC including information on the commerce of the port of Providence shown by his/her daily record book and such other information as he/she shall deem advisable.
9. The Harbor master shall attend daily at an office to be provided by the City and shall have regular office hours.
10. Any law enforcement duties of the Harbor master shall be performed by the Providence Police Department.

(f) Harbor master - Qualifications and Staffing

1. **Qualifications.** The Harbor master shall be required to possess knowledge of harbor master management techniques such as those offered through the Rhode Island Harbor Master Association training program. The Harbor master shall, at minimum, show and maintain proficiency in: basic First Aid and CPR; seamanship / towing; boating safety enforcement; law enforcement / probable cause; liability; harbor management; pollution control / fisheries; oil spill response; and water quality. Other qualifications include small boat handling, navigation, oral and written communication, budgeting, and administrative procedures.
2. **Harbor masters staff assistants.** The Harbor master may establish staff assistants, subject to approval by the PRHC, including clerical staff and technical assistants. Any such positions shall be subject to the City's personnel code and applicable union contracts.
3. **Compensation.** The Harbor master and staff shall receive annual salaries in accordance with policies of the Department of Personnel. All compensation shall be included in the PRHC's budget, and acted upon by the City Council.

Sec. 11-4 Area of Jurisdiction

All waterfront areas, as detailed in the *Harbor Management Plan* and described as "waters of the City," shall fall under the jurisdiction of the City and shall be governed by this chapter and any rules and regulations adopted by the PRHC. More specifically, it is that area of the waters of the city encompassed by the following description:

All the public waters westerly of the easterly sides of the ship channels in Seekonk River, Providence River and Harbor and Narragansett Bay from the Pawtucket - Providence city line southerly to the point of intersection of the ship-channel side with a straight line drawn from Rumstick Point on the east shore to Rocky Point on the west shore, excluding that area subject to jurisdiction of the city of Cranston. The Providence River includes the confluence of the Woonasquatucket and Moshasuck Rivers and Waterplace Park.

The boundaries of the port district of the port of Providence are as follows: Beginning at the division line of Plat 101 and Plat 56, said point being a point on Terminal Road and the range of the westerly property line of lot 5 on City of Providence Assessor's Plat 56; thence in generally northerly direction, along the division line of Plat 101 and Plat 56, to an angle in the plat division line; thence turning an interior angle of 142 degrees, 10 minutes, 35 seconds and running northerly along the plat division line to the center of the Providence River channel; thence following the centerline of the channel in a generally southeasterly direction and parallel with the harbor line to the division line between the City of Providence and the City of Cranston; thence generally westerly along the city division line of Providence and Cranston line to the southwesterly corner of Lot 300 on City of Providence Assessor's Plat 56; thence generally northerly along the westerly line of lot 300 to the northwesterly corner of lot 300 on City of Providence Assessor's Plat 56; thence easterly along the northerly line of lot 300 to an angle; thence southerly twenty (20) feet to a corner; thence easterly along the northerly line of Lot 300 to the easterly street line of Michigan Avenue; thence northerly along the easterly street line of Michigan Avenue to the southeasterly intersection of California Avenue and Michigan Avenue; thence easterly along the southerly street line of California Avenue to the plat division line of Plat 56 and Plat 87; thence northwesterly along the plat division line of Plat 56 to the northerly street line of Ernest Street; thence westerly along the northerly street line of Ernest Street to the southeasterly intersection of Ellis and Ernest Streets; thence northeasterly along the easterly street line of Ellis Street to the southeasterly intersection of Ellis Street and Terminal Road; thence running in a generally northwesterly direction across Terminal Road to the northwesterly intersection of Ellis Street and Terminal Road; thence westerly along the northerly line of Terminal Road to the intersection with the range of the westerly property line of Lot 5 on City of Providence Assessor's Plat 56, said line also being the plat division line of Plat 101 and Plat 56, said point being the point and place of beginning.

Sec. 11-5 Regulated activities

(a) Guest Anchorage.

A boat may anchor on its own anchor up to 48 hours in the public waters of the City. Written consent of the Harbor master is necessary for extended visits of more than 48 hours. No vessel will be allowed to anchor in the city waters utilizing his / her own ground tackle and be left unattended. The owner or operator and party may go ashore, but shall not leave the area. They shall be available to tend to the vessel in the event of heavy weather.

(b) Vessel Speed.

1. The operation of any vessel within the coastal water and harbor areas of the City shall proceed in a manner which protects all persons and property from damage from waves, wake, and operation. Operators of vessels within the coastal waters and harbor areas of the City shall comply with state regulations on vessel speeds and wake which establishes a maximum speed for vessels at five (5) miles per hour, no wake (RIGL Sec. 46-22-9).
2. No person shall operate a motorboat or vessel at a speed of greater than five (5) miles per hour no wake within the areas designated by the PRHC;

3. No person shall operate a motorboat or vessel within non-designated areas at a speed greater than forty-five (45) miles per hour during the hours from sunrise to sunset and twenty-five (25) miles per hour during periods of darkness or other periods of restricted visibility;
4. The City hereby establishes the following vessel speed zones, to be transmitted to the Rhode Island Department of Environmental Management Division of Boating Safety, upon passage of this Ordinance:
 - a) Federal Navigation Channels:
 - 1) Vessel speed in the Federal Navigation Channel south of Fox Point in the Providence River shall not exceed 45 miles per hour during the hours from sunrise to sunset and 25 miles per hour during periods of darkness or other periods of restricted visibility. Vessel speed in the Federal Navigation Channel north of where Waterman Street meets the Seekonk River (Cold Spring Point, the buoy markers, see NOAA Nautical Chart 13224, 34th Edition, February 12, 1998, *Providence River and the Head of Narragansett Bay*) shall not exceed 20 miles per hour assuming one way vessel traffic; 10 miles per hour for passing oncoming traffic.
 - 2) Providence River north of the Fox Point Hurricane Barrier: Vessel speed shall not exceed five (5) miles per hour nor create wake.
 - 3) Seekonk River Channel, as described herein: Vessel speed shall not exceed five (5) miles per hour nor create wake.
 - 4) Providence River Channel, as described herein: Within 200 feet of shore vessel speed shall not exceed five (5) miles per hour nor create wake; 200 feet or greater from shore, vessel speed shall not exceed ten (10) miles per hour.
 - b) River Channels:
 - (1) Seekonk River Channel: 150 foot wide channel beginning at the south end of the Seekonk River Federal Navigation Channel in the vicinity of where Waterman Street meets the Seekonk River (Cold Spring Point, the buoy markers, see NOAA Nautical Chart 13224, 34th Edition, February 12, 1998, *Providence River and the Head of Narragansett Bay*) and extending 0.50 nautical miles southwest, past the bascule bridge at Crook Point with an east channel edge at RN (Red Nun Buoy) "2" west of Twin Island and GC (Green Can Buoy) "1", thence extending 0.27 nautical miles south to the India Point Swing Bridge, and thence 0.09 nautical miles southwest to the overhead power cables, and thence 0.10 nautical miles west to a line extending from Bold Point northeast to the electrical tower at India Point.
 - (2) Providence River Channel: a channel varying in width from 100 feet between India and Bold Points to 700 feet at Fox Point, beginning at the south end of the Seekonk River Channel extending 0.47 nautical miles west to the northeast end of the Fox Point Reach of the Providence River Federal Navigation Channel with a southern boundary at RN "6", RN "4", RN "2" and the Getty Pier, and a northern boundary 200

feet south of the shore from India Point to Fox Point (exclusive of the grounded barge west of Bold Point).

(c) Operation on the Waters

1. No person shall operate a motorboat or vessel, or manipulate water skis, surfboards or similar devices in a reckless manner so as to endanger the life, limb or property of another;
2. No person shall operate a motorboat or vessel within a water area which has been clearly marked by buoys or some other distinguishing device, as a bathing, swimming or otherwise restricted area; provided, however, that this section shall not apply in the case of an emergency, or to patrol or rescue craft;
3. No person shall operate a motorboat or vessel in a manner which shall unreasonably or unnecessarily interfere with any other motorboat or vessel, or with the free and proper navigation of the waters of the city;
4. No person shall fail to stop and render assistance in the event of a collision, accident or other casualty, and/or fail to provide identification, in writing, to any person injured and to the owner of any property damaged in the collision, accident or other casualty, so far as the operator of any motorboat or vessel involved in a collision, accident or other casualty can do so without serious damage to his / her own vessel, crew and passengers;
5. No person shall fail to report any accident, casualty, vandalism or theft to the Department of Environmental Management or the Harbor master where such accident, casualty, vandalism or theft involving a motorboat or vessel is in excess of five hundred dollars (\$500.00);
6. No person shall operate a motorboat or vessel, or manipulate water skis, surfboards or similar devices while intoxicated or under the influence of any narcotic drug, barbiturate or marijuana. A person arrested and charge with operating any motorboat or vessel, or manipulating any water skis, surfboard or similar device while under the influence of intoxicating liquor or narcotic or habit-forming drugs shall have the right to be examined at his or her own expense immediately after his or her arrest, by a physician selected by him or her, and the officer so arresting or so charging that person shall immediately inform that person of this right and afford him or her a reasonable opportunity to exercise the same, and at the trial of that person, the prosecution must prove that he or she was so informed and was afforded such opportunity;
7. No person shall dock or otherwise make fast any motorboat or vessel to any pier, channel marker, buoy, wharf or other shore structure without the consent of the owner, except in the case of an emergency;
8. No person shall operate a motorboat or vessel on and within the waters of the city for towing a person or persons on water skis, or a surfboard or similar device unless there is in the motorboat or vessel a person at least twelve (12) years of age, in addition to the operator, in a position to observe the progress of the person or persons being towed; and at least one (1) personal flotation device (PFD) for each person being towed;

9. No person shall operate a motorboat or vessel on and within any waters of the city towing a person or persons on water skis, a surfboard or similar device beginning at one (1) hour after sunset and ending at one (1) hour before sunrise;
10. No person shall engage in water skiing, surfboarding, or similar activity at any time between the hours beginning at one (1) hour after sunset and ending at one (1) hour before sunrise, or within areas in which said activities are prohibited;
11. No person shall operate or manipulate any motorboat, 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;
12. No person shall conduct a regatta, motorboat, or other boat race, marine parade, tournament, or exhibition, without a permit from the PRHC, which shall set specific terms and conditions;
13. No person shall engage in scuba diving, skin diving, or snorkeling in an area where power or motorboats are operated, unless the proper warning flags, as set forth in state law, are posted;
14. No person shall operate a motorboat or vessel within fifty (50) feet of any warning flag as set forth in state law, or posted by the PRHC;
15. No person shall throw, dispose of, deposit, or cause to be thrown, disposed of, or deposited, bottles, glass crockery, cans, scrap metal, junk, paper, garbage, refuse or debris of any nature, or any noxious substance in or upon any of the waters within the city.
16. No person shall moor or anchor a houseboat unless such mooring or anchoring is approved by the PRHC and placed in areas designated by the PRHC. In accordance with the CRMC Program, Section 300.5, houseboats or floating businesses are prohibited from mooring or anchoring unless within the boundaries of a marina. Houseboats or floating businesses shall tie into pumpout facilities.
17. Swimming is prohibited in all federal navigation channels, navigation fairways, and transient anchorage areas.
18. Fishing and shellfishing are prohibited in all federal navigation channels and navigation fairways. The placement of lobster pots, pot floats, and fish nets is also prohibited in all federal navigation channels and navigation fairways.
19. The police and fire departments may use the city launch at night, when not required for use by the harbor master in the performance of his duties, for the purpose of patrol of the harbor and other public waters within the city, and may employ a night engineer on said launch, the expense thereof and any other expenses of running said launch at night for paid purpose to be paid from the appropriation for said departments.

20. For special spectator or sporting events on City waters, use of motorized vessels shall not be permitted north of the Crawford Street Bridge, except by application for permission to use motor boats to the PRHC which must be acted upon at least 14 days prior to such event.

(d) Abandoned Vessels or Harbor Structures

No person shall deposit or abandon a vessel or structure upon the shore, a public right-of-way or on and within the waters of the city. When any vessel or structure is deposited or abandoned in the waters of the city, the Harbor master is authorized and empowered to remove the same or cause the same to be removed.

1. *Notice of removal of vessel/harbor structures.* If the person who owns, has an interest in, or exercises any control over the vessel or structure, or otherwise is known, the Harbor master, or his/her lawfully designated agent, shall give written notice by certified mail to said person to remove the vessel or structure within a specified time.
2. *Removal of vessel/harbor structures.* If the vessel or structure is not removed within the time specified in the notice and in a manner and to a place satisfactory to the Harbor master, or his / her lawfully designated agent, or if no such person is known to the Harbor master, or his / her lawfully designated agent, upon whom the notice can be served, then the Harbor master, or his / her lawfully designated agent, may proceed to remove, or cause the vessel or structure to be removed, in a manner and to a place the Harbor master, or his/her lawfully designated agent, shall deem appropriate.
3. *Liability.* The owner (or such other person notified) of a vessel or structure removed by the Harbor master in accordance with this chapter shall be liable to pay the cost and expenses of the removal and storage, or to repay the same when paid by the city. The expense may be recovered in an action brought by the city solicitor against the owner(s). If the owner(s) are unknown or the vessel or structure is unclaimed within ninety (90) days of the removal. The city may sell the vessel or structure. The proceeds from the sale shall be used to defray the cost the city incurred in the removal and storage of the vessel or structure, and in the administration of this section.

(e) Water Pollution; Pump-out Facilities

1. No person shall operate a marine toilet at any time so as to cause or permit to pass or to be discharged into harbor waters, any untreated sewage, or other waste matter or contaminant of any kind, and/or dumping of holding tanks containing anything other than fresh water or sea water into harbor waters.
2. RIGL Sec. 46-12-39 through Sec. 46-12-41 shall apply to all waters within the City of Providence related to water pollution, no discharge zones, penalties, and enforcement.

(f) Towing

Any time the chief harbor master or the Harbor master directs that a vessel be towed pursuant to this chapter or any rules and regulations of the PRHC, there shall be a fee for said towing. Said fee shall be set annually by the Harbor master.

(g) Operation of Unnumbered Motorboats Prohibited

Every motorboat on, in, or within the waters of the City of Providence shall be numbered. No person shall operate or give permission for the operation of any motorboat on such waters unless the motorboat is numbered in accordance with state law, or in accordance with applicable federal law, or in accordance with a federally approved numbering system of another state, and unless the certificate of number awarded to such motorboat is in full force and effect and the identifying number set forth in the certificate of number is displayed on each side of the bow of such motorboat.

(h) Obedience to Orders of Enforcement Officers

It shall be a violation of this chapter for any person to refuse to move or stop on oral command or order of the Harbor master, or police officer operating from a patrol boat identified as such and exercising the duties lawfully assigned to him / her.

(i) Boat Standards

Every vessel entering the waters of the City of Providence shall be equipped as required by RIGL 1956, Sec. 46-22-5, as amended. No person shall operate a motorboat or vessel with improper light installation, use of lights, sound-producing devices, personal flotation devices (PFD), fire extinguishers, and muffling devices as set forth in state law.

(j) Rafting

Rafting on a single anchor is only allowed if it does not unreasonably interfere with any adjacent single moorings or anchorages. Motorboats and/or vessels in a raft shall be manned at all times.

(k) Rights-of-ways to the Waters

1. No person shall block, barricade, or in any way impede the public use of or access to designated public rights-of-way to the waters of the City of Providence.
2. No person shall store a vessel, vehicle, or structure upon a designated public right-of-way to the waters of the city.
4. Any person violating this section shall be subject to punishment in accordance with Section 11-8.

(l) Moorings.

Reserved.

Sec. 11-6 Fees; Harbor Management Fund**(a) Fees**

Any time the Harbor master, or his / her lawfully designated agent, including the Providence Police, directs that a motorboat or vessel be towed pursuant to this ordinance, there shall be a fee

assessed to the owner of said motorboat or vessel for said towing. Said fee shall be one hundred dollars (\$100.00) and shall be subject to annual revision by the PRHC and shall be approved as part of the PRHC's budget submittal to the City Council. Should the towing be performed by a commercial towing service, this fee shall be in addition to the towing charged by the towing service.

(b) Harbor Management Fund

A harbor management fund is hereby created to receive and expend monies for harbor management purposes determined by the City. All revenues generated by fines levied under the provisions of the harbor management ordinance shall be deposited into this fund. Funds shall be disbursed for purposes directly associated with the management and implementation of the harbor management plan. Monies from this fund may be allocated to the PRHC for the purpose of enforcing the provisions of the *Harbor Management Plan* and this ordinance. The harbor management fund shall be established, budgeted, and administered in a manner consistent with the procedure contained within the City of Providence Charter and funded through the PRHC's annual budget as a line item.

Sec. 11-7 Penalty

The general penalties provided for by Section 1-10 of the Code of Ordinances shall apply to violations of this chapter, except that any person electing to appear before the clerk of the court, or in lieu of a personal appearance electing to enter an appearance by mail, and admitting the violations charged shall be punished by a fine as set forth for each violation as follows:

1. Any person who violates any provision of subsections (b)(1), (b)(2), (c)(14) or (i) of Section 11-5 of this ordinance shall be subject to a fine of fifty dollars (\$50.00) for each violation.
2. Any person who violates any provision of subsections (c)(4), (c)(12), (g), (h) or (i) of Section 11-7 of this ordinance shall be subject to a fine of one hundred dollars (\$100.00) for each violation.
3. Any person who violates any provision of subsections (c)(8), (c)(9), (c)(10) or (c)(11) of Section 11-5 of this ordinance shall be subject to a fine not to exceed two hundred dollars (\$200.00) for each violation.
4. Any person who violates the provisions of subsection (b)(3) of Section 11-5 of this ordinance shall be subject to the following fines:

	<u>MPH In Excess of Speed Limit</u>	<u>Fine</u>
a)	1 - 10	\$ 25.00
b)	11 - 15	\$ 50.00
c)	16 - 20	\$ 75.00
d)	21 - 25	\$ 100.00

	<u>MPH In Excess of Speed Limit</u>	<u>Fine</u>
e)	26 and above	\$ 5.00 per mile in excess of speed limit

5. Any person found to be in violation of the provisions of subsection (b)(3) of Section 11-5 of this section shall be required to attend a boating safety course in addition to the payment of any fine. In the event a fine as set forth for each violation is not paid or a pleas of not guilty is not entered by any person charged with any violation prior to the fourteenth day after the date of the violation, said fine shall be doubled. In the event a fine as-set forth for each violation is not paid or a plea of not guilty is not entered subsequent to the fourteenth day after the date of violation, said fine shall be tripled.
6. Any person found to be in violation of any provisions of subsections (c)(5), (c)(15), (d), (e), or (j) of Section 11-5 of this section shall be guilty of a petty misdemeanor and shall be subject to a fine not to exceed five hundred dollars (\$500.00), or imprisonment not to exceed thirty (30) days, or both for each violation.
7. Any person found to be in violation of any provision of subsections (c)(1), (c)(2), (c)(3), (c)(6), (c)(7) or (c)(16) of Section 11-5 of this ordinance shall be guilty of a misdemeanor and shall be subject to a fine not to exceed one thousand dollars (\$1,000.00), or imprisonment not to exceed one (1) year, or both for each violation.
8. Any person charged with any violation set forth in subsections (b), (c)(4), (c)(8), (c)(9), (c)(10), (c)(11), (c)(12), (c)(13), (c)(14), (h), or (i) of Section 11-5 of this ordinance and notified in writing by a police officer to appear to answer such charge before the Providence Municipal Court may, in lieu of such appearance, elect to appear in person or by one duly authorized by him in writing, before the clerk of said court, admit the truth of said charge, and pay to said clerk the designated fine; provided that such appearance, admission and payment be made at the office of said clerk during regular business office hours, within sixty (60) days of such notification, and failure to so appear shall be deemed a waiver of the right to dispose of such charge without personal appearance in court.
9. In those cases where mail is used for payment of such fine, the payment shall be by check or by money order, and in those cases where payment is attempted with a check drawn against insufficient funds, an additional payment of twenty-five dollars (\$25.00) shall be imposed against the violator to defray administrative costs.
10. The payment of a fine to the clerk of the municipal court as herein provided for any violation set forth in subsections (b), (c)(4), (c)(8), (c)(9), (c)(10), (c)(11), (c)(12), (c)(13), (c)(14), (h), or (i) of Section 11-5 of this ordinance shall operate as a final disposition of the charge.
11. Notice of any violation set forth in subsections (b), (c)(4), (c)(8), (c)(9), (c)(10), (c)(11), (c)(12), (c)(13), (c)(14), (h), or (i) of Section 11-5 of this ordinance shall indicate the offense charged, a schedule of fines for such violation, the time within which such fine by mail may

be exercised, the place to which such fine may be mailed and such other information as well enable the person charged to take advantage of the provisions hereof.

Sec. 11-8 Disclaimer of liability

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

Sec. 11-9 Definitions

For the purpose of this chapter, the following terms shall have the meanings designated in this section. Words used in the present tense include the future, the singular includes the plural and the plural the singular. The word "used" includes "designed, intended or arranged to be used."

1. **Anchorage Station** - Specified locations within the harbor where vessels are permitted to be anchored.
2. **Anchoring** - To secure a vessel temporarily to the bottom of a water body by dropping an anchor or anchors or other ground tackle from a vessel.
3. **Channel** - Any water areas that are federally maintained and reserved for unobstructed movement of vessels.
4. **Commission** - The Rivers and Harbor Commission (PRHC).
5. **CRMC** - The Coastal Resources Management Council.
6. **Fairway** - Any locally designated and / or maintained water areas reserved for unobstructed movement of vessels.
7. **Rivers and Harbor Commission** - The commission established or designated in accordance with this chapter to carry out responsibilities associated with the development, oversight, and administration of municipal harbor programs.
8. **Harbor Management Plan (HMP)** - The City's element of its Comprehensive Plan for development, maintenance, and conservation of its waterfront resources.
9. **Harbor master** - An official appointed in accordance with this chapter to carry out the provisions of this chapter. There shall be a Harbor master who is responsible for the supervision and direction of all other staff appointed in support of the goals of this chapter. If this position is not filled, the duties of the harbor master shall become the responsibility of the PRHC.
10. **Houseboat / Floating Home** - A building constructed on a raft, barge or hull that is used primarily for single family habitation. Houseboats may only be anchored in a permitted marina. Discharge of sanitary waste from houseboats into the waters of the City is prohibited.

11. **Launching Ramp** - Any man-made or natural facility used for the launching and retrieval of boats (Sec. 300.4, Coastal Resources Management Program).
12. **Marina** - Any dock, pier, wharf, float, floating business or combination of such facilities that service five or more recreational boats as a commercial enterprise or in association with a club (Sec. 300.4, Coastal Resources Management Program).
13. **Master** - Any person who is in command of or is operating a vessel, whether or not that person is an owner or lessee of such vessel.
14. **Motorboat** - Any vessel whether or not the vessel is propelled by machinery. for the purposes of this chapter, motorboat shall not include houseboats as defined in the General Laws of Rhode Island, any ferry, canoes, and rowboats twelve (12) feet in length or less.
15. **Operate** - To navigate or otherwise use a motorboat or vessel.
16. **Person** - An individual, group of people, partnership, firm, corporation, association, organization, trust, company, or other entity.
17. **Resident** - Any person whose legal residence or place of principal operation is the City.
18. **Vessel** - Every description of watercraft, other than a seaplane on water, used or capable of being used as a means of transportation on water. Specifically excluded by this definition are floating homes or houseboats.
19. **Wake** - A wave generated by a vessel.
20. **Water Dependent Use** - Activities or uses that can only be conducted on, in, over, or adjacent to tidal waters or coastal ponds because the use requires access to the water for transportation, recreation, energy production or source of water; also includes non-water dependent activities that provide access to the shore to broad segments of the public.