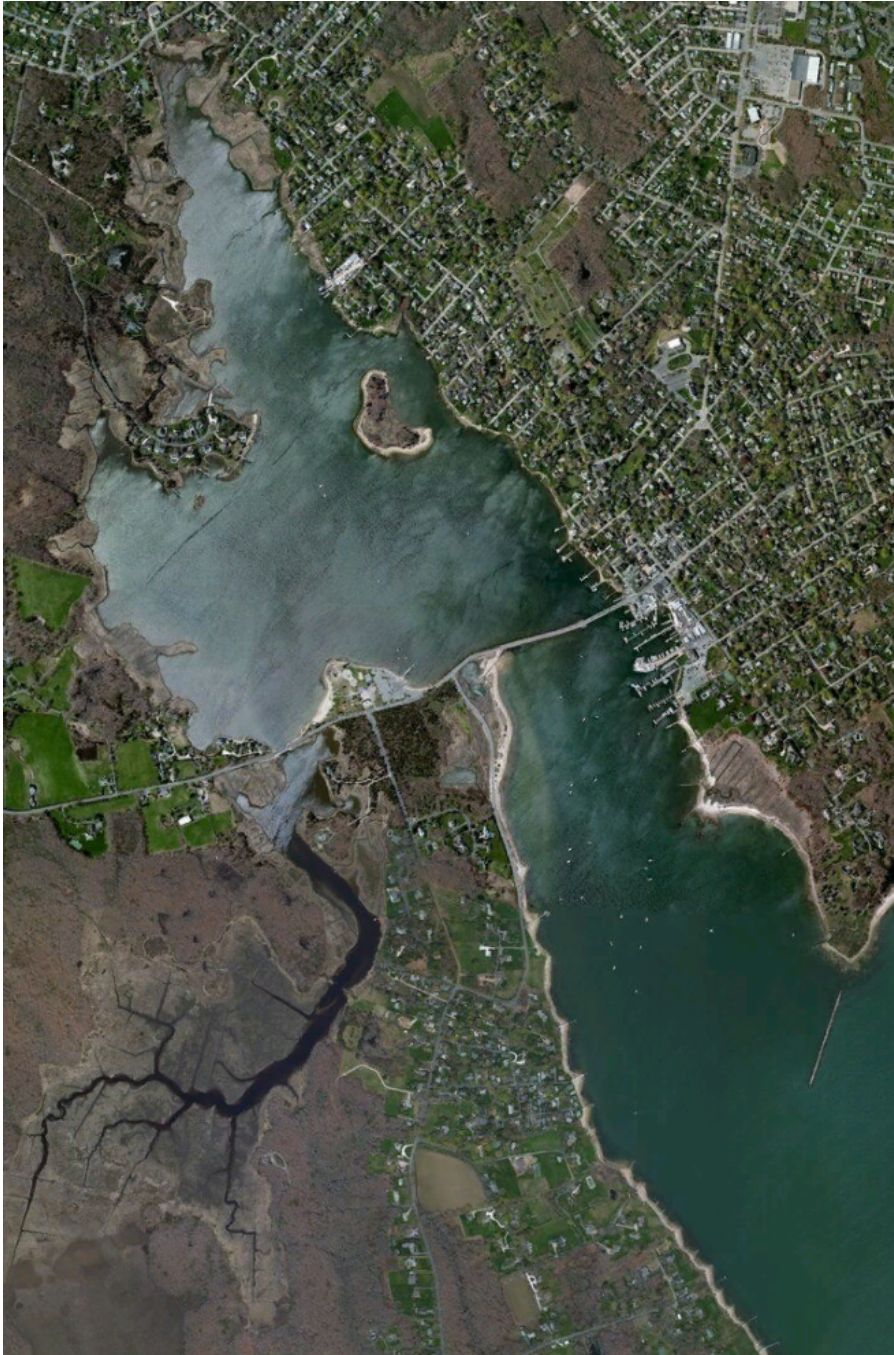


**Report to the
Dartmouth Waterways Management Commission
preliminary to the preparation of a
Harbor Management Plan for Padanaram Harbor**



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Executive Summary

The following report was prepared by Bliven & Sternack, South Dartmouth, MA with funding provided by the Town of Dartmouth, MA Waterways Management Commission. It is intended to explain and encourage the development of a Harbor Management Plan for Padanaram Harbor as well as provide information to form the basis for a grant application to fund such a planning effort. The eventual development of any plan is expected be directed by the Dartmouth Planning Department, in coordination and communication with other Town staff, Boards, Commissions, and Committees as well as appropriate State agencies and local interest groups and stakeholders associated with the Harbor.

Description of a Harbor Management Plan

A Harbor Management Plan is designed and developed to promote better uses in a harbor by:

- Identifying and assessing the current status of resources, human development, and uses within the harbor area,
- Establishing overall goals for the use and management of the harbor and its resources,
- Identifying mechanisms, whether through regulatory means, administrative procedures, or financial expenditures, by which management is currently accomplished,
- Providing specific recommendations for improved management and implementation mechanisms and a timeline to put such recommendations in place.

Benefits of a Harbor Management Plan

In brief, the benefits of a Harbor Management Plan allow the Town to:

- Manage the harbor and its resources in an efficient and coordinated manner by all agencies and levels of government through the establishment of overall goals and implementation mechanisms,
- Maximize usage of the harbor by the citizens of the Town and visitors,
- Minimize adverse impacts to the natural resources of the harbor,
- Identify commonly held values and interests in the harbor and manage accordingly,
- Involve a broad segment of the townspeople in the process as a means of communication and investment in better management of the harbor,
- Identify opportunities for public and private sector economic growth and development within the harbor and surrounding areas, and
- Identify projects that advance goals for the harbor so that, when funding becomes available, they can be undertaken in an efficient and expedient manner.

Development of A Harbor Management Plan

Once an agency is identified as to manage funding and oversight of the project (in this case the Planning Department), development of a Harbor Management Plan typically involves:

- Creation of a small (5–8 member) Steering Committee/Harbor Management Committee, often of staff to Town Departments/Committees/Commissions to provide day-to-day advice and assistance to the individual(s) or entity actually preparing the plan,
- Creation of a broad-based Advisory Committee with representation from a wide array of stakeholder or interest groups as well as Town Boards, Commissions, and Committees,
- A range of public outreach efforts to keep the general public informed as to the nature and direction of the planning process,
- Preparation of a final plan to be submitted to the Board of Selectmen for review and acceptance of the overall goals defined in the plan, and

- Implementation via normal mechanisms for changes in Town by-laws, regulations, administrative changes, or budgetary decisions. It can be very effective at this point to establish an Implementation Committee to evaluate and foster implementation the plan's recommendations, where appropriate.

Task 1 per contract

[Provide] written materials, including an Introduction to the Padanaram Harbor Plan Proposal, consisting of:

1. A description of the generalized nature and potential value of a Harbor Plan for a community.
2. A generalized outline of the contents of a Harbor Plan
3. A generalized outline of the process of developing a Harbor Plan
4. Topic areas addressed in a typical Harbor Plan
5. Comparisons between a Local Harbor Plan and a Municipal Harbor Plan approved by the State.

Work Product:

1. A description of the generalized nature and potential value of a Harbor Plan for a community.

A harbor plan is designed, developed, and implemented in a manner similar to the Master Plan for a community, albeit for a smaller, defined segment of the Town. Typically, a harbor plan will

- Identify the resources—both natural and developed—that are present in, or affect uses of, the harbor,
- Assess current conditions and trends in the condition, uses and management of the harbor,
- Define general and specific policies for management of the harbor and the surrounding areas that affect the harbor,
- Define the current management structure affecting the harbor; including existing laws, by-laws and regulations; administrative structure and practices; and associated capital expenditures,
- Recommend changes or updates in by-laws and regulations, modifications in administrative practices, or new capital expenditures with explanations of how such changes might positively affect harbor resources and uses, and
- Offer recommendations as to the appropriate implementing entity/agency and timeline for the recommended changes to be implemented. [Note that acceptance of a completed plan makes no changes of itself; the plan is implemented as each recommendation is considered through normal means, whether Town Meeting, actions by a Board or Commission, or budgetary decisions.]

The development and acceptance of a harbor management plan can provide many benefits to a community. It is of particular value when management of the harbor, its resources, and the surrounding area is fragmented and administered at the local, state, and federal level in a manner that is poorly coordinated and decisions are made in isolation.

The development of the plan is of significant importance in itself. It tends to define—often for the first time in a single process and document—the resources and uses of the harbor and how the citizens of the town feel about those resources and uses. The planning process brings together managing agencies that may not be recognizing the goals and procedures of other groups that overlap geographically or in management of a resource. The acceptance of the plan and the steps in implementation are often eased by the understanding of those goals and procedures identified during the planning process.

More specifically, some of the benefits provided by a typical harbor planning process include the following:

Intergovernmental Coordination Benefits

The planning process will:

- Assist in identifying gaps and improving the effectiveness of existing local land and water use regulations and coordinating them with state and federal programs,
- Provide guidance to the state and federal government regarding local goals and values to use in their regulatory decisions, and
- Improve local management by fostering better coordination and cooperation at all levels of government.

Community Benefits

- Define the value of the harbor—both its resources and uses—to the community,
- Establish the general and specific policies, goals and standards the community will utilize in management of the harbor, and
- Improve communication and coordination in managing the resources of and uses in and around the harbor.

Social Benefits

- Promote a broad discussion of all key interests affecting or affected by the harbor such as business, industry, environmental and historical resources, and tourism, as well as interests of concerned citizen and community groups,
- Assist in achieving consensus on harbor issues among stakeholders and managers,
- Foster community-wide buy-in of the plan through the public process, and
- Accommodate and balance multiple uses of the harbor and waterfront and their resources for the benefit of the surrounding community.

Economic Benefits

- Help in identifying implementable projects that advance the goals set for the harbor—making for more expedient and efficient decision-making when funds become available,
- Identify opportunities for appropriate private sector growth and investment in the waterfront,
- Provide a roadmap for focusing future public expenditures, and
- Provide a basis for responding to emerging trends and changing demands for harbor use.

Environmental Benefits

- Inventory and characterize environmental resources, both in the harbor and in surrounding areas that affect harbor resources,
- Establish efficient and safe patterns of use that do not adversely impact resources,
- Promote understanding of current harbor conditions to inform decision-making, and
- Address projected alterations in the environment such as climate change impacts, sea level rise, water quality improvements, etc.

2. A generalized outline of the contents of a Harbor Plan

A typical local harbor management plan includes a discussion of the following topic areas:

Purpose, Scope and Authority of the Plan

This section provides an introduction to the nature, use and scope of a local harbor management plan as well as a description of the authority of the agency commissioning the development of the plan and the authority of the plan itself upon its completion.

The Planning Area

This section typically includes a map of the study area (that area addressed in the plan and potential recommendations), a written description of the planning area boundary, and a general discussion of the nature of the area included, *e.g.*, the watershed of the harbor, immediately adjacent developed areas, the nature of the watershed and/or tributaries to the harbor, and open-water areas contiguous to the harbor.

The Planning Process

This section reviews how the plan was initiated, the process for its development, and how implementation of the plan will be addressed. Typically, it identifies the principal planning agency and staff, the agency providing oversight and direction, any advisory or review groups involved in shaping or commenting on the proposed plan, a listing and/or summary of public meetings associated with the planning process, and the process for submission of the plan and its components to the community.

Inventory and Analysis of the Existing Natural Resources and their Current Uses

This section addresses what natural and developed resources presently exist, including a discussion of their current quality or nature. This is followed by a discussion of how the resources are presently being utilized for recreational or commercial benefits with a discussion of the impacts these uses may be having.

Natural resources typically include, but are not necessarily limited to, such areas as:

- Beaches,
- Marshes and other vegetated wetlands,
- Tidal flats,
- Shellfish,
- Threatened, rare, and endangered species, and
- Water quality.

Uses typically include, but are not necessarily limited to, such activities as:

- Commercial and recreational fishing and shellfishing,
- Navigation and dredging,
- Waterfront land use,
- Shore-side infrastructure including roads, bridges, and stormwater discharges,
- Public access points and structures,
- Recreational and commercial boating activity, and
- Aquaculture.

Management and Regulatory Authorities

This section discusses the various governmental agencies charged with management authority and responsibilities over the harbor and the surrounding area that may have impacts on the harbor, its resources, and the uses thereof. This includes municipal, state, federal, and any regional authorities.

Discussion of Management Issues

Based on the information in the Inventory and Analysis section mentioned above, this section assesses the nature, priority, and severity of the various management issues to be addressed in the plan. These may include, but not necessarily be limited to:

- Administrative management activities; overlap, coordination, and communication,
- Moorings and dockage,
- Transient boating and tourism,
- Shellfishing, both commercial and recreational, and aquaculture,
- Recreational fishing,
- Public access, both physical and visual,
- On-shore and in-water recreational areas,
- Transportation and infrastructure,
- Water quality,
- Impacts from climate change and sea level rise,
- Education and outreach activities,
- Dredging, harbor safety, and navigation,
- Emergency response, and
- Management of natural and historic resources.

Goals, Objectives and Recommendation

This section provides recommendations for moving forward with improved management of the harbor, its resources, and its uses. Typically, it addresses various topic areas with the potential for improvement by providing discussion of:

- the various programs currently involved in the management of the area,
- a description and listing of the existing laws, by-laws, and regulations,
- a description of the current administrative practices, coordination (or lack thereof) between entities working in the same geographic area or involvement with the management of the same resource or use,
- a listing of potential new studies, data review or management, construction/repair or renovation of structures or land areas and/or any capital expenditures.

For each of these topic areas and categories, a suite of recommendations will be provided. In most plans, this list of recommendations will also be provided in tabular form with suggestions for the most reasonable implementing entity or entities and a time-line (*e.g.*, immediate, 3–5 years, long-term) for action.

3. A generalized outline of the process of developing a Harbor Plan

Principal goals in the development of a local harbor plan are to:

1. Gather as much existing information as possible on the resources and uses of the harbor and its surrounding area,
2. Identify the topics and/or areas where there are concerns regarding management,
3. Involve a broad sector of managers at the local, state, and federal level; stakeholders; and the community at large in the development of the plan,
4. Prepare a meaningful series of recommendations for improved management, and
5. Offer suggestions for mechanisms for the review and implementation of the recommendations.

The process typically involves the following steps:

1. Identify the entity that will be preparing the plan. Oftentimes, given the limited time available within Town Departments, a consulting team is contracted to gather the information and prepare draft documents for review.
2. Establishment of a Harbor Plan Committee or Steering Committee to guide the planning process.

This committee is generally fairly small (perhaps 5–8 members) and made up of staff of various agencies within the community. Its role is to provide day-to-day guidance on sources of information, contacts to develop information, additional topics for consideration, etc.

3. Establishment of a process for public participation.

This may be done in a variety of means including, but not limited to:

- a. Creation of a Citizens Advisory Committee, typically a broad-based group of managers, stakeholders, community activists, and interested citizens. In most cases, the members of the Harbor Plan Committee/Steering Committee are also members of the Citizens Advisory Committee. The group may function as a source of information, a sounding board for proposed goals, policies and recommendations and/or provide review and comments on preliminary drafts of documents. Additionally, this group often is involved in public outreach and education to their constituents regarding the status and direction of the planning effort.
 - b. Public meetings regarding the overall planning effort or various specific topics that may form part of the plan. Such meetings may be directed toward the public in general or specific interest or stakeholder groups. The purpose may be to solicit information or opinions on various aspects of the plan or planning effort or to simply provide information on the direction and status of planning effort and ongoing process.
 - c. Web site(s) and social media to provide information about the plan and planning process as well as notices of opportunities for public input.
 - d. Press releases or other media outreach regarding the plan and planning process.
4. Determine boundary of the planning area.

The planning area may be simply the watershed of the harbor or include various parts of contiguous waters that affect the harbor, its resources or the uses of the harbor. It often will also include various adjacent upland areas that are linked to the resources and uses of the harbor. If the issues to be addressed are solely related to use of the water area, the boundary may be simply the high-tide line around the harbor. On the other hand, if the issues include water quality, it may be necessary to include the entire watershed or stormwater drainage

area. Recreational usage, commercial development, public access and other usage may require an intermediate planning area, *i.e.*, larger than just the watershed but smaller than the overall watershed.

5. Inventory and geographically locate existing conditions and development within the planning boundary.

At this stage, the existing natural resources, human uses and management authorities are identified and assessed as far as their current condition, impacts on the resources and other uses, and effectiveness, respectively. This collection and assessment of information provides a basis of knowledge that shapes both the development of the local harbor management plan and subsequent management decisions well into the future.

6. Identify issues of concern to be addressed in the plan.

At this stage, the various issues or topic areas to be addressed in the plan are identified and prioritized. This is typically done through discussions with the Steering Committee/Harbor Plan Committee and the Citizens Advisory Committee. It is often helpful to hold a public meeting at this point in order to get public input on the priority issues as well as to provide public information on the direction that the plan is moving.

7. Establish goals, objectives and recommendations.

The consultant team, in conjunction with the Harbor Plan Committee and the Citizens Advisory Committee, will develop draft language for broad general policies regarding the management of the harbor, goals to measure the effectiveness of these policies and specific recommendations to put these policies and goals into effect for better management of the harbor area.

8. Acceptance of the Plan by the Board of Selectmen as part of the Town's operating policy.

The completed plan will be submitted to the Board of Selectmen for acceptance of the policies and goals as part of the decision-making process of the Town and its various management bodies. The harbor management plan could be considered as a stand-alone document, incorporated as an element of the Town's Master Plan, or accepted as part of some other plan.

9. Define implementation mechanisms.

To be most effective, each of the recommendations provided in the accepted plan should be assessed individually and, if deemed to be appropriate, adopted into the operation of the Town via Town Meeting vote, administrative change, capital expenditure or other means. It should be clear that acceptance of the Harbor Plan does not mean that the recommendations are immediately adopted; each must be adopted via the existing means for changes in Town administration.

4. Topic areas potentially addressed in a Dartmouth Harbor Management Plan

Based on preliminary interviews, the issues, resources, and management concerns this may be organized by resource types or uses similar to the following:

1. **Recreational Use** of Harbor and shoreline
 - a. Moorings, dockage, landings, associated facilities
 - b. Small craft usage and launch sites
 - c. Swimming
 - d. Recreational use of shore areas (parks, walkways, etc.)
 - e. Others as evolve in discussion
2. **Commercial Use** of Harbor and shoreline
 - a. Moorings, dockage, associated facilities
 - b. Water-dependent usage—boat yards, marinas, yacht club, etc.
 - c. Water enhanced usage—restaurants, shops, etc.
 - d. Others as evolve in discussion
3. **Fishing/Shellfishing/Aquaculture**
 - a. Recreational fin fishing
 - b. Recreational shellfishing
 - c. Commercial shellfishing
 - d. Aquaculture
4. Management of **living marine resources, wetland resources, and wildlife habitat** in harbor and vicinity
5. **Land Use and Open Space** Management adjacent to the harbor
6. **Public access**
 - a. Access to the shores and waters of the Harbor
 - b. Access along the shores (Chapter 91)
 - c. Access from the waters to the shore
 - d. Visual access/scenic resources
 - e. A need for parking to support public access
 - f. Operation and maintenance of the proposed Maritime Center
7. Management of **historic/cultural** features associated with the Harbor
8. **Water quality** issues in the Harbor
9. **Sea level rise**, flooding, and erosion-related issues
10. **Dredging/siltation** and related changes in bottom topography
11. **Transportation-related**
 - a. Causeway repairs
 - b. Bridge repairs and maintenance and/or replacement
 - c. Sidewalks in Padanaram Village and other areas within the planning area that might support interests related to the harbor
 - d. Parking in the Village and other areas surrounding the harbor
12. **Emergency Response**
 - a. Harbormaster
 - b. Buzzards Bay Marine Task Force
 - c. Police Department
 - d. District 1 Fire Department

5. Comparisons between a Local Harbor Plan and a Municipal Harbor Plan approved by the State.

There are two types of harbor plans developed and implemented by communities in Massachusetts:

1. Locally developed and implemented harbor management plans (Local plan) and
2. Municipal Harbor Management Plans (Municipal plan) developed in conjunction with, and requiring approval by, the State through the Office of Energy and Environmental Affairs.

Following is a description of a Municipal plan and how it compares in nature and implementation with a Local plan.

Both types of plans are locally-prepared although, as will be discussed below, the Municipal plan involves State participation at various stages of development. They both focus on issues specific to the use and management of the municipality's harbor, its resources, and the associated waterfront land area. Additionally, both types of harbor plans serve to guide future actions by the town and harbor users, and as a means of communicating and coordinating the objectives of the community with adjacent municipalities and other governmental agencies that have some level of jurisdiction over the harbor and its surrounding area. However, the Municipal plan allows the town some additional level of management of activities requiring licenses under the State Public Waterfront Act—or C. 91 as it is more commonly known.

As described on the Massachusetts Coastal Zone Management (MCZM) web site for Municipal Harbor Plans (*i.e.*, state approved plans) at <http://www.mass.gov/czm/envpermitmhp.htm>,

“Municipal harbor plans establish a community’s objectives, standards, and policies for guiding public and private utilization of land and water within Chapter 91 jurisdiction. Plans provide for an implementation program, which specifies the legal and institutional arrangements, financial strategies, and other measures to be taken to achieve the objectives of the harbor plan. Harbor plans may, for example, establish siting and design criteria for projects within a harbor, or designate certain parts of a harbor as off-limits to in-water construction and mooring placement. Plans are developed under MCZM regulations and implemented under Chapter 91 regulations.”

Local plans, on the other hand, can take any shape desired by the community and can be implemented any appropriate level of local government.

The Municipal Plan, as defined in state regulations both as to content and approval process by the Secretary of Energy and Environmental Affairs, is implemented by the Massachusetts Department of Environmental Protection (DEP) through Chapter 91 in addition to local authorities. With a Municipal Plan, the town establishes standards that DEP must use in making decisions within the area of Chapter 91’s jurisdiction—presently flowed and historically filled tidelands. It does this in three principal ways:

1. It allows the town to establish numerical standards for height, setbacks, etc. for nonwater-dependent uses on filled tidelands different from those included in the C. 91 regulations. (A summary of these numerical standards is attached in Appendix 1 of this section.)
2. It allows the town to define or apply numerical standards to a wide range of terms in the C. 91 regulations. In many instances the regulations use phrases like "significant impact" or "adverse impact". While DEP has some policy background for these, they may change from instance to instance and are defined to protect state-wide interests, not designed around the interests or

conditions of any specific town or geographic area. With a Municipal Plan, the town can define these terms to fit particular concerns in its harbors. (A summary of instances in the C. 91 regulations where this sort of undefined phrase is used is found below in Appendix 2)

3. It allows the town to include new regulatory standards in areas where the C. 91 regulations are silent, so long as they do not contravene other state standards.

It should be emphasized that adoption of a Municipal plan does not give DEP or the State any additional authority over resources or uses within the Town. Rather, it allows the values and standards of the Town to be implemented through State licensing and permitting via C. 91.

The process of developing the above standards through a Municipal Plan is more extensive in effort and time and very open for public discussion and comment. Going through the State approval process may add up to a year to the final adoption of a harbor plan.

The value in preparing local standards for state approval through a Municipal Plan is that DEP's Chapter 91 licensing authorities become another means by which the plan's recommendations are implemented. The State's authorities add a layer of assurance that certain of the plan's objectives will be implemented through the regulatory process. This is particularly important if the town never translates the appropriate portions of a plan's objectives into its own zoning regulations—specifically in areas of filled tidelands.

The two types of plan are not mutually exclusive. They can be quite similar in the range of issues addressed and in how they are implemented at the local level, *e.g.*, changes in harbormaster regulations, acquisition of a critical parcel, expenditures for a town dock repair, etc. Lack of State approval does not mean that DEP ignores local harbor plans; DEP will review a local harbor plan for guidance in making its regulatory decisions, particularly when the municipality refers to provisions of the local plan in its comments on a development proposal submitted for Chapter 91 licensing. Where the Municipal Plan differs is that state approval commits DEP to use the standards of the Municipal Plan in its regulatory decision making. Therefore, a Municipal Plan has added value in shaping the nature of development of the waterfront. Further, Chapter 91 authority, (which extends to Municipal Plan standards), flows from the state's ownership interest in tidelands and is not, as in zoning authority, limited to matters of "public health, welfare, and safety" (the Police Powers).

As part of the harbor planning process, the town will need to decide whether the benefits of preparing a Municipal Plan are important or useful to the needs and desires of the town regarding implementation through C. 91. There is, however, no need to make such a decision early in the process. As the harbor planning effort evolves, it may become apparent which form of plan would most suit the needs of the community. At that point, the planning process can be directed toward either a Local plan or a Municipal Plan.

Appendix 1.

Waivable Requirements of the Waterways Regulations for nonwater-dependent projects (for illustrative purposes only; this list is not necessarily complete)	
Waterways Regulation 310 CMR 9.00	Summary of Applicable Waterways Regulation with Policy Intent
9.51(3)(a)	<p>No placement of pile-supported structures beyond the footprint of existing, previously authorized, pile-supported structures.</p> <p>Objective of tidelands policy is that “no net loss of open water will occur, in order to improve or maintain the overall capacity of the state’s waterways to accommodate public use in the exercise of water-related rights ...”</p>
9.51(3)(b)	<p>No placement of facilities of private tenancy over flowed tidelands or at ground level within 100’ of the project shoreline on filled tidelands.</p> <p>Objective of tidelands policy is that “no significant privatization of waterfront areas immediately adjacent to a water-dependent use zone will occur for nonwater-dependent purposes, in order that such areas will be generally free of uses that conflict with, preempt, or otherwise discourage water-dependent activity or public use and enjoyment of the water-dependent use zone ...”</p>
9.51(3)(c)	<p>Addresses minimum distance that new or expanded buildings for nonwater-dependent use must be set back from the project shoreline</p> <p>Objective of tidelands policy is to ensure that “new or expanded buildings for nonwater-dependent use are not constructed immediately adjacent to the project shoreline, in order that sufficient space along the water’s edge will be devoted exclusively to water-dependent use and public access associated therewith ...”</p>
9.51(3)(d)	<p>Addresses minimum site coverage limits for existing and proposed buildings containing nonwater-dependent use.</p> <p>Objective of tidelands policy is that “buildings for nonwater-dependent use will be relatively condensed in footprint, in order that an amount of open space commensurate with that occupied by buildings will be available to accommodate water-dependent activity and public access associated therewith ...”</p>
9.51(3)(e)	<p>Addresses minimum height limits for new or expanded buildings for nonwater-dependent use</p> <p>Objective of tidelands policy is that “new or expanded buildings for nonwater-dependent use will be relatively modest in size, in order that wind, shadow, and other conditions of the ground level pedestrian environment will be conducive to water-dependent activity and public access associated therewith ...”</p>
9.52(1)(b)(1)	<p>Addresses minimum width for walkways in a pedestrian access network.</p> <p>Objective of tidelands policy is for accessways to be sized in a manner that is “appropriate given, among other things, the size and configuration of the water-dependent use zone and the nature and extent of water-dependent activity and associated public uses that may be accommodated therein ...”</p>
9.53(2)(b)–(c)	<p>Addresses minimum amount of ground-level space to be devoted to uses of water-related public benefit on Commonwealth tidelands.</p> <p>Objective of tidelands policy is to provide “public outdoor recreation facilities and ... interior facilities of public accommodation that will establish the site as a year-round locus of public activity in a ... highly effective manner ...”</p>

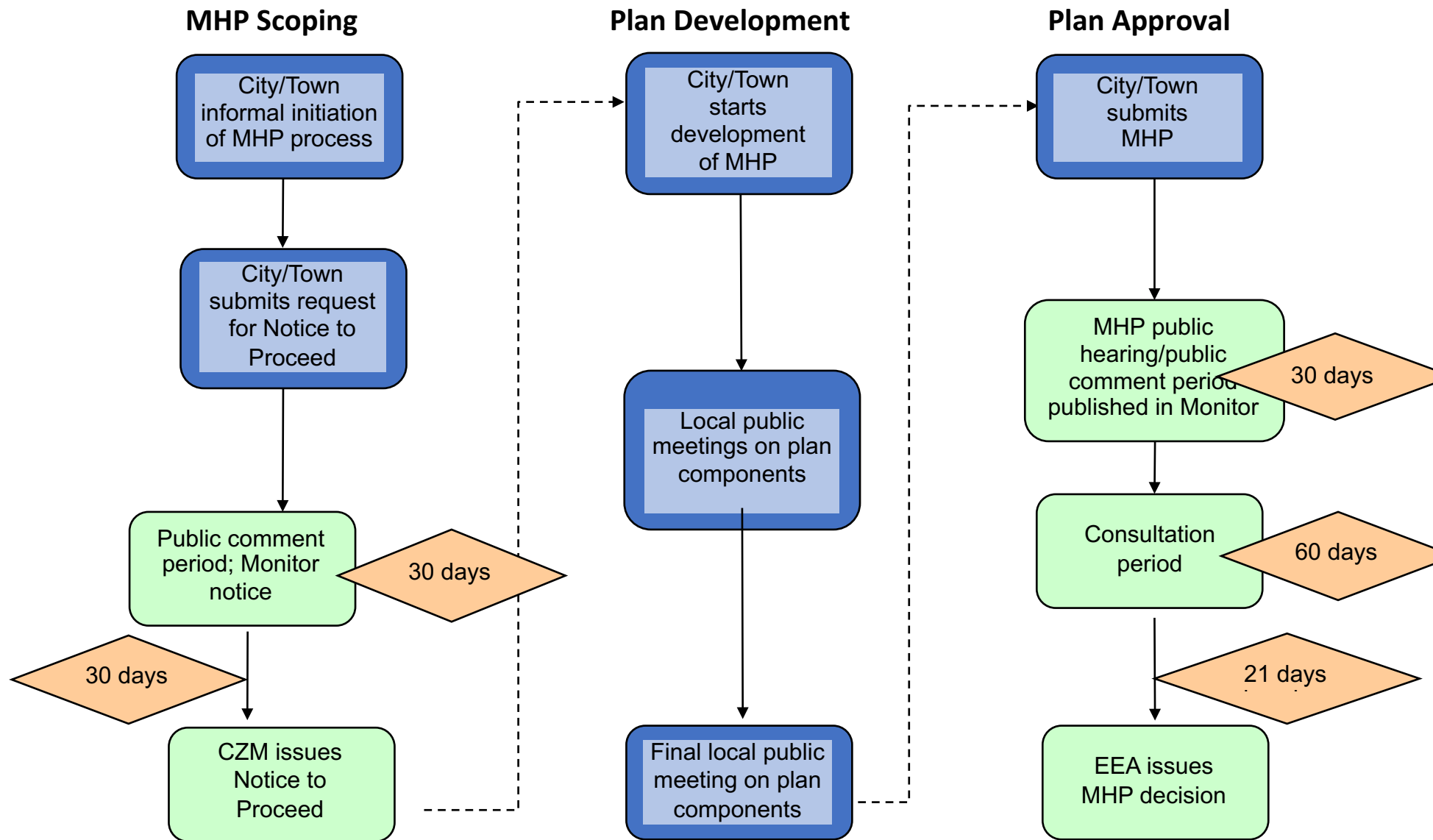
Appendix 2.

<i>Discretionary Requirements of the Waterways Regulations</i> (for illustrative purposes only; this list is not necessarily complete)	
Waterways Regulation 310 CMR 9.00	Summary of Applicable Waterways Regulation (Discretionary requirements in Bold)
9.07(2)	The harbormaster shall provide a written procedure for the fair and equitable assignment of moorings from a waiting list for use of vacant or new moorings.
9.07(3)(e)	No Annual Harbormaster Permit may authorize unreasonable interference with the public's rights of fishing, fowling, and navigation ...
9.32(1)(a)2.	Within Tidelands ..., fill for water-dependent uses located below the high water mark is eligible for a license provided that reasonable measures are taken to minimize the amount of fill ...
9.32(1)(a)3.	Within Tidelands ..., a structure to accommodate public pedestrian access on flowed tidelands is eligible for a license, provided it is not reasonable to locate such structures above the high water mark or within the footprint of existing pipe-supported structures or pile fields.
9.32(2)	Fill or structures for the uses specified in 310 CMR 9.32(2)(a)–(d) may be licensed provided that reasonable measures are taken to avoid, minimize and mitigate any encroachment in a waterway.
9.32(3)(d)2.	... an accessory use, other than parking, that is clearly subordinate and incidental to a water-dependent use, provided that it cannot be reasonably be located above the high water mark
9.35(2)(a)	A project shall not interfere significantly with public rights of navigation that exist in all waterways.
9.35(2)(a)1.g.	A project shall not generate water-borne traffic that would interfere substantially with existing or future water-borne traffic in the area.
9.35(2)(b)	A project shall not interfere significantly with public rights of free passage that exist in all waterways.
9.35(2)(c)	A project shall not interfere significantly with public rights associated with a common landing, public easement, or other historic legal form of public access from the land to the water that may exist on or adjacent to the site.
9.35(3)(a)	A project shall not interfere significantly with the public's rights of fishing and fowling that exist in tidelands ...
9.35(3)(a)1.	A project shall not pose a substantial obstacle to the public's ability to fish and fowl in waterway areas adjacent to the site.
9.35(5)	Any project located on tidelands shall provide for long-term management of public access areas that achieves effective public use and enjoyment, and minimizes conflicts with other interests.
9.35(5)(a)	No limitation on hours of availability or scope of allowed activity or other substantial restriction may be placed on public access areas except as authorized expressly in the license; reasonable rules and regulations governing the use of public access areas may be adopted.
9.35(5)(b)	For projects <u>required</u> to provide public access and those projects deemed appropriate by DEP, public patronage must be encouraged by placing and maintaining adequate signage at all entryways and other appropriate locations on site.

9.36(2)	The project shall not interfere significantly with rights of littoral or riparian property owners.
9.36(3)	The project shall not disrupt significantly any nearby water-dependent use and include mitigation and/or compensation measures deemed appropriate by DEP to avoid such disruption.
9.36(4)	The project must include reasonable arrangements for any pre-existing water-dependent use to be continued at its facility or at and alternative site with similar characteristics .
9.37(1)	All fill and structures must not unreasonably restrict the ability to dredge any channels
9.37(3)(c)	DEP shall require non-structural (soft) shoreline stabilization measures (v. hard coastal or shoreline engineering structures) where feasible .
9.38(1)	Public recreational boating facilities located on Commonwealth Tidelands shall include measures to ensure patronage by the general public .
9.38(1)(c)	Public recreational boating facilities located on Commonwealth Tidelands shall include reasonable arrangements to accommodate transient boaters ...
9.38(2)(a)	Private recreational boating facilities located on Commonwealth Tidelands shall include measures to avoid undue privatization in patronage
9.38(2)(b)iv.	New marinas or berths in an existing marina located on Commonwealth Tidelands must provide water-related public benefits commensurate with the degree of privatization
9.39(1)(a)2.	Any new marinas, or expansion to an existing marina of ten or more berths, must provide safe and unobstructed navigational ingress and egress to the docking facilities .
9.39(1)(a)3.	Any new marina, or expansion to an existing marina of ten or more berths, must provide sanitary facilities, including an adequate number of restrooms, refuse receptacles, and sewage pump-outs, as appropriate .
9.39(3)	Specified facilities associated with boat launching ramps must be provided to a degree deemed appropriate by DEP
9.51	A nonwater-dependent use project on any tidelands shall not unreasonably diminish the capacity of such lands to accommodate water-dependent use .
9.51(1)	Facilities of Private Tenancy must be developed in a manner that prevents significant conflicts in operation with water-dependent uses that can reasonably be expected to locate on or near the site .
9.51(2)	New nonwater-dependent structures or uses must be developed in a manner that prevents significant design incompatibility with those on-site or adjacent water-dependent uses that can be reasonably expected to locate there .
9.52	A nonwater-dependent use project located on any tidelands shall devote a reasonable portion of such lands to water-dependent uses, including public access .
9.52(1)(a)	When there is a water-dependent-use zone, the project shall include one or more facilities that generate water-dependent activity of a kind and to a degree appropriate for the site, given the nature of the project, conditions of the adjacent water body and other relevant circumstances .
9.52(1)(b)	When there is a water-dependent-use zone, the project shall include a pedestrian access network of a kind and to a degree that is appropriate for the site .
9.52(2)	When there is no water-dependent use zone, the project shall provide connecting public walkways or other public pedestrian facilities, as necessary to connect with adjacent water-dependent zones, public ways, and public access facilities .

9.53	All nonwater-dependent use projects located on Commonwealth Tidelands ... must promote public use and enjoyment of such lands to a degree that is fully commensurate with the proprietary rights of the Commonwealth and that ensures that private advantages of use are not primary but merely incidental to the achievement of public purposes.
9.53(2)	The project shall attract and maintain substantial public activity on the site on a year-round basis, through the provision of water-related public benefits of a kind and to a degree that is appropriate for the site given the nature of the project, conditions of the adjacent waterbody, and other relevant circumstances.
9.53(2)(a)	When there is a water-dependent use zone, the project must include at least one facility that promotes water-based public activity.
9.53(2)(c)	When there is a water-dependent use zone, the project shall devote interior space to facilities of public accommodation, with special consideration given to facilities that enhance the destination value of the waterfront by serving significant community needs, attract a broad range of people, or provide innovative public amenities.
9.53(2)(d)	The project shall include a management plan for all on-site facilities offering water-related benefits to the public, to ensure that the quantity and quality of such benefits will be sustained effectively.
9.53(2)(e)	DEP may consider measures provided by the applicant to provide benefits elsewhere in the harbor or in the vicinity of the site if the water-related public benefits that can reasonably be provided on-site are not appropriate or sufficient.
9.53(3)	The project shall promote other development policies, plans or programs of Commonwealth, federal, regional, or municipal agencies in a manner that does not detract from the provision of water-related public benefits.
9.55(1)	The requirements of 310 CMR 9.51–9.53 shall not apply to nonwater-dependent use infrastructure projects located on tidelands, including those mitigation and/or compensation measures deemed appropriate by DEP to ensure that all feasible measures are taken to avoid or minimize detriments to the water-related interests of the public.

The flow diagram on the following page, prepared by the Massachusetts Coastal Zone Management Office, illustrates the various steps and associated timelines in the preparation, submission, review, and approval of a Municipal Plan.



Task 2 per contract

Task Description:

A Map showing the preliminary identification of the study area for a harbor planning effort

1. Area initially identified by the Waterways Management Commission with potential changes during the preliminary interview process.
2. Provide a map showing the preliminary study area with additional data layers identified by the Waterways Management as available.

Work Product:

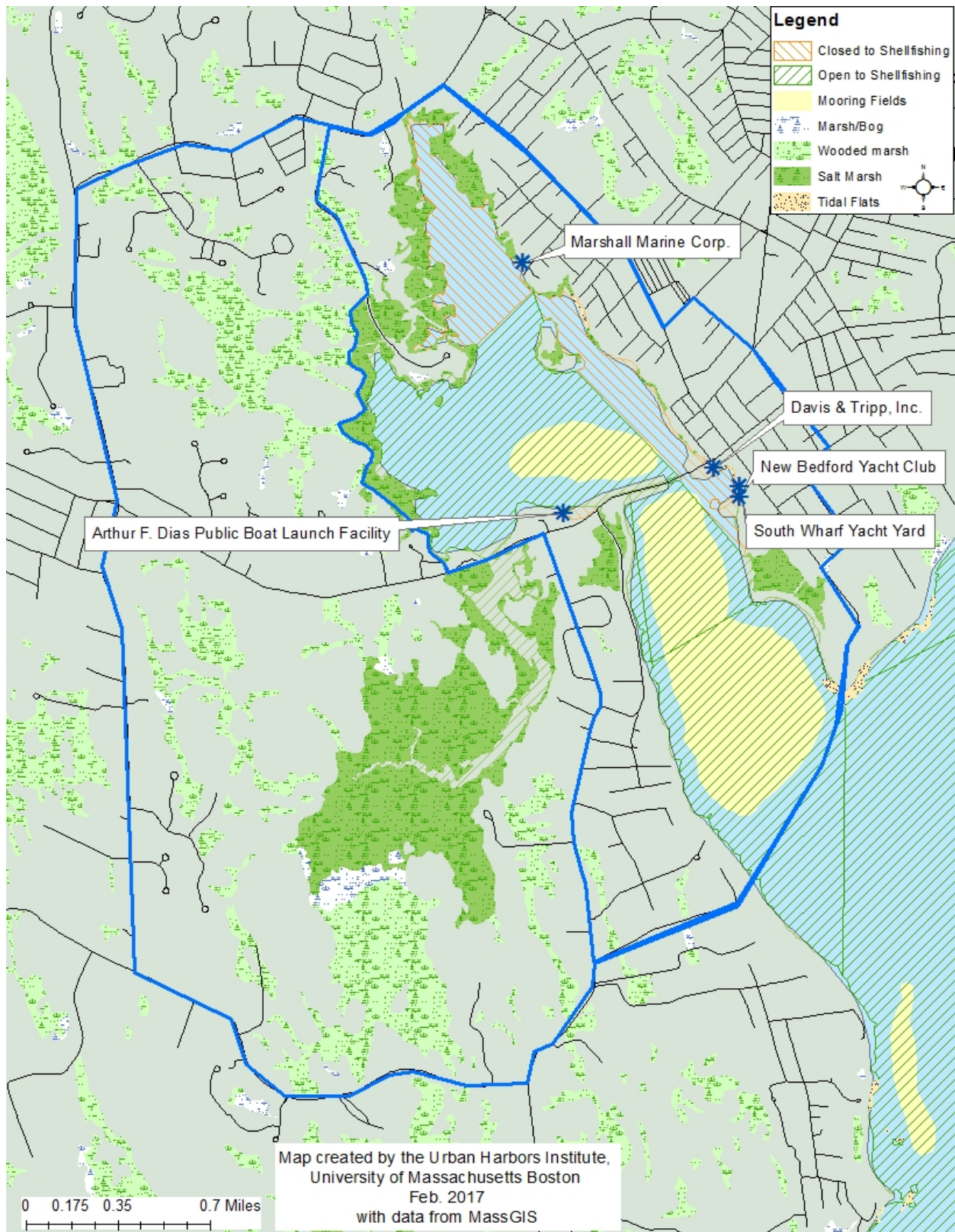
On the next page is a map of Padanaram Harbor and its surrounding areas showing two possible options for a planning boundary for the proposed Harbor Management Plan. In preliminary interviews, there were mixed feelings about which boundary might be the best for this exercise.

The smaller of the two is generally bounded on the east by Elm Street to Fremont Street to Pleasant Street to Harbor Street to Middle Street to Bush Street to Elm Street to Russells Mills Road; on the north by Russells Mills Road; on the west by Star of the Sea Drive, the upper edge of the marsh along the northern portion of the harbor, Gulf Road and Smith Neck Road; and on the south by Shore Acres Road and a line across the water extending from the stone breakwater. This boundary includes the waters of the harbor and developed areas immediately adjacent to the shoreline.

The broader of the two areas has the same boundaries to the south, east and north but extends further west along Russells Mills Road to Bakerville Road, then south to Rock O Dundee Road and north along Smith Neck Road to Shore Acres Road. This boundary includes all of the smaller option plus the salt marsh and creek resources south of Gulf Road and the freshwater wetlands and watershed area between Bakerville Road and the harbor, all of which drain into the northern portion of the harbor. Additionally, there has been discussion of a public access walkway on the uplands above the high marsh along the western side of the north harbor.

Determining the boundary of the study area, at least in preliminary form, is one of the early steps in the planning process. The boundary may be revised as the process continues and additional information is gathered both as to resources and uses affecting the harbor.

The map on the following page was provided by the Urban Harbors Institute at the University of Massachusetts Boston. The base map data were taken from the State's GIS.



Task 3 per contract

Task Description:

Preliminary Identification of Objectives of the Harbor Plan and Issues of Concern through interviews with managing entities and stakeholders.

1. Initial interviews with members of the Dartmouth Waterways Management Commission
2. Additional interviews with representatives of various managing entities and stakeholders to be identified by the Waterways Management Commission
3. Data from the interviews will be collated and summarized to provide a general suite of objectives/concerns to be used in any grant application process and/or development of a subsequent Harbor Management Plan.
4. Appendices:
 - a. List of those interviewed

Work Product:

1. Initial interviews with members of the Dartmouth Waterways Management Commission

Interviews have been held with all of the Commission members except one. Attempts to contact that member via email and phone have not been fruitful. A summary of the interview results follow. While all responses were recorded, they have not been weighted or evaluated. The intent here is rather to show the range of viewpoints and responses. As such, they are the opinions of individual members; not necessarily positions or policies of the Commission as a whole.

Role(s)/Function(s) of Waterways Management Commission

- Primary role is advisory to Selectmen and Harbormaster.
- In the past, there has been a need to support the Harbormaster and his efforts.
- Advise the Waterways Department on budget and policy issues.
- Assist in the development of regulations for Harbormaster/Waterways Department.
- Work with Harbormaster on outreach on topics such as safety on the water.

Goals of Commission

General

- Foster the development of a Harbor Plan for Padanaram Harbor and potentially for the rest of the waterways in the town.
- Provide a better harbor experience for boaters and the general public.
- Promote aquatic uses of all kinds, including small boats/personal watercraft, swimmers, fishing, shellfishing, and aquaculture.
- Improve relationships with other Town entities following recent difficulties in communication/coordination.
- Establish a publicly visible mission statement/description of role.
- Establish overarching goals for the Commission via a clear mission statement or the like.
- Improve a public understanding of the resources and importance of the harbor and its management.

Boating

- Improve waterways for boating.

- Maximize the use of the waterways.
- Develop and maintain access to the water for boaters.
- Improve/increase access at Town Landing.
- Maximize use of dinghy storage racks and/or dockage.
- Investigate the possibility of a small-boat marina at the Landing.
- Provide parking for people looking for access to boats.
- Investigate the possibility of a Town marina.
- Re-grid/align/tweak mooring lay-out in the southern portion of the harbor to maximize space for boats.
- Support the concept of a Town Maritime Center.
- Keep boating costs low by making management efficient.

Public Access

- Improve/maintain public access to boating and the water in general.
- Improve/maintain visual access to the harbor.
- Encourage acquisition of waterfront property by the Town for public use.
- Foster the perspective that both land-to-water and water-to-land access is important.
- Need to cooperate in development, operation, and maintenance of the proposed Maritime Center

Shellfish

- Encourage the Shellfish Department to expand shellfish program to include more aquaculture and propagation/seeding/grow-out efforts.
- Where possible, assist the Shellfish Department to open some of the currently closed shellfish areas.

Water Quality

- Encourage the clean-up of contaminant inputs from Buttonwood Brook.
- Lessen new silting-in of upper harbor.

Swimming

- Encourage the development of a swimming program in the harbor.

Issues in Harbor and adjacent areas

General

- Need to improve inter-departmental coordination and communication.

Public Access

- There is a need for additional public access of various types, visual, to shoreline, to boats, from boats to shore, access to boats for those who don't have them.
- Presently there is insufficient parking for people seeking to utilize the resources of the harbor.
- New fire station might provide some parking and/or public restrooms.
- Old fire station parcel might offer parking options.

Water Quality

- Water quality needs improvement.

- Need to improve flushing in upper harbor to improve water quality there.
- Nutrients and turbidity in upper harbor have resulted in limited eelgrass.

Links to Village

- Emphasize that harbor activities are a conduit to village and economic development in town.
- Need to improve design, condition, maintenance of the causeway bridge.

Work Product:

- 2. Additional interviews with representatives of various managing entities and stakeholders to be identified by the Waterways Management Commission**
- 3. Data from the interviews will be collated and summarized to provide a general suite of objectives/concerns to be used in any grant application process and/or development of a subsequent Harbor Management Plan.**

Names of all those interviewed, including members of the Waterways Management Commission, are listed below in Appendix A.

Material from the various interviews has been grouped into topic areas as they might be addressed in a Harbor Management Plan. The goal, at this point, was to provide a wide sweep of the topics raised, not to evaluate or prioritize them. Consequently, the responses have not been assessed as to accuracy or the potential for their coming to fruition. In some instances, comments have been added of either an explanatory nature or where conflicting responses may warrant further information. In many instances, similar comments were offered by a number of individuals; in such cases, identification for only one individual was provided.

Overall Management of the Harbor and Communication and Coordination between Existing Management Entities

Perhaps the most common concern among those interviewed is a lack of understanding of how the overall management of the harbor is being coordinated. There are a significant number of interests and activities that take place within the harbor and surrounding areas and, in some instances, they conflict. It seems unclear what the current mechanism is to resolve such conflicts. Consequently, there have been several instances where Boards, Commissions, and Committees of the Town have not had optimal communication and/or coordination in either their on-going activities or their response to new initiatives.

Comments related to this topic include the following:

Interdepartmental Coordination:

General

- The Town Administrator noted that some of the Town Boards, Commissions, and Committees currently have poor working relationships, to the detriment of advancement of some projects potentially benefiting the harbor. This was further reflected in the comments of several others interviewed.

Regarding Public Access:

- The Town Planner and representatives of the DEP Waterways Division noted the opportunity for the Waterways Department (Harbormaster/Waterways Management Commission) to provide comments to the Planning Board on Chapter 91 license applications to encourage increased or enhanced public access. This perspective was also reflected by the Chair of the Trails Committee. At the time of the interviews, this inter-departmental coordination and communication was reported to be functioning on a very limited basis.

- The Town Administrator expressed concerns that the Town should not be put in the position of enforcing C. 91 licenses, that being the role of DEP.

Regarding Historical/Cultural/Heritage issues

- The Chair of the Historical Commission feels that the various Departments of the Town should consider and promote, where possible, the heritage of the Town in their activities. Currently there is somewhat limited communication and coordination in this process.

A broad suite of other topics was addressed during the interviews. Comments are grouped by topics below.

Public Access:

There are a wide range of aspects related to public access in and around the harbor that were addressed in the various interviews, including

- Getting boaters from the shore to their boats,
- Providing mooring/anchoring/dockage space for transient boaters and an option for them to get to shore from their boats,
- Providing access to and along the shore in various parts of the harbor,
- Providing visual access to the harbor and the historical/heritage viewsapes surrounding the harbor, and
- Increasing usage of the Harbor's resources for small boats, swimming, shellfishing, fishing, etc.

General Comments regarding Public Access

- The Planning Board Is the Town agency authorized to comment on C. 91 licenses, particularly as regards public access. The Town Planner noted that a goal of the Planning Board is to increase public access to the Harbor.
- The DEP Waterways Division encourages comments by the Waterways Department (Harbormaster/Waterways Management Commission), via the Planning Board, on C. 91 license applications.
- The 2007 Town Master Plan suggests that the Harbor Commission (subsequently the Waterways Management Commission) would be most suitable to develop an inventory of public access points to the Harbor.
- Dartmouth does not presently participate in the Massachusetts Heritage Viewscape Program. It is not clear whether the Town has incorporated the results of the Massachusetts Landscape Inventory Project (1982) into its decision-making process.

Access for Boating

- Representatives of the boating businesses in the Town noted there is difficulty providing access to get boaters from the shore to their boats.
- Concordia Company pointed out that they are an "inland" boatyard presently without access to the shore for their customers. They are considering establishing a launch service for their customers—but will need to find dockage for the launch and parking for their customers.

Proposed Harborwalk:

- The Trails Committee has been working on the development of a Harborwalk in and around Padanaram Village. The conceptual design would provide a walkway linking access mandated in various licenses under C. 91 for businesses occupying formerly filled tidelands. These would be linked, in turn, with the proposed extended sidewalks along Elm Street and other parts of the Village as well as those on the causeway/bridge and beyond.
- Representatives of the boating businesses along the harbor, many of which have mandated public access as part of their C. 91 licenses, expressed concerns about having the public passing through working boatyards. They suggested dangers to the public and distractions/dangers to their workers who would have to look out for the public.
- The Director of the Department of Public Works noted that sidewalks in the Village are currently in the planning stage, but that the various segments of the project will look at extension of sidewalks beyond just the Elm Street section.

Other Walkways/Trails:

- The Trails Committee is proposing the extension of sidewalks along Russells Mills Road from Elm Street to the sidewalks near Bakerville Road and the High School.
- The Trails Committee is considering the potential for a trail along the west side of the northern portion of the Harbor from Star of the Sea Drive to Gulf Hill Road.
- The Dartmouth Natural Resources Trust (DNRT) would consider working with others to develop a trail along the west side of the upper Harbor.
- The Trails Committee would like to see the new sidewalk running south on Smith Neck Road from Gulf Hill Road extended at least to Bay View to provide a walk along the west side of the southern portion of the Harbor. The Director of the Department of Public Works expressed similar interests, assuming funding can be found.
- The Director of the DPW noted that the pump station on Russells Mills Road at the head of the Harbor is publicly accessible with a bench provided for public/visual access.
- Representatives of the boating business along the harbor suggested that a trail along the west side of the Harbor, both north and south of the bridge, might be more suitable than a Harborwalk through working boatyards.

Parking in the Village to support Public Access

There was broad agreement among those interviewed that one of the most significant lacks regarding public access is that of very limited parking available in the Village as noted in the following comments.

- The Town Planner notes the lack of sufficient parking in the Village to support both merchants and public access along the harbor. It is difficult to bring people to the Village and public access areas if there is no place to park. This perception is supported by the chair of the Trails Committee.
- Several commenters noted the potential for creation of a new parking area at the site of the Fire Department storage building on Bridge Street. Related to this was a suggestion to extend sidewalks at least that far on the chance that the lot could become a parking area.
- The Director of the Department of Public Works noted that there is consideration to making Water Street one-way which would potentially add some parking spaces in the Village.
- Representatives of the boating businesses in the Town noted the lack of parking for both day sailors and those making long-term cruises. They questioned whether the Fire Department parcel might be utilized for parking and/or the Parks Department parking area

adjacent to the Town Landing might be used when it would not conflict with scheduled events there.

- There was a suggestion that the Town investigate the possibility of use of the various church parking areas in or near the Village. These have limited usage during the week and might provide an additional option.

Natural Resource Management and Habitat Improvement

Water Quality, particularly in the Upper Harbor Area

- The Buzzards Bay Project noted that turbidity from increased levels of nutrients and disturbance of the bottom from boating and mooring activities limits repopulation of the area by eelgrass (an important shellfish habitat and sediment stabilizer) and suggested a study to define the current amounts and location of eelgrass in the upper Harbor area.
- The Buzzards Bay Project noted that Total Maximum Daily Loading (TMDL) reports are in the process of development but need to be refined/completed and implemented to make any difference in water quality in the area.
- The Buzzards Bay Project noted the significant levels of contamination coming from Buttonwood Brook but did not have specific insights as to the source of the contamination.
- The Dartmouth Natural Resources Trust (DNRT) presently has ownership or restrictions along Buttonwood Brook and would consider some restoration/remediation work (assuming available funding) to help reduce contamination.
- The Director of the Department of Public Works reported that two stormwater treatment units have been installed on the east side of the upper harbor to treat water running off from street ends and through storm drains.
- The Director of the Department of Public Works noted that they would like to be able to repair the storm drain outlet in the vicinity of the proposed Maritime Center.
- The Director of the Department of Public Works noted that most of the harbor watershed is sewered so that most nutrients and/or pathogens entering the harbor would be coming from stormwater runoff.
- The DPW has located and mapped all stormwater outlets into the harbor and is in the final stages of development of an outfall management plan.

Siltation

- One of the long-time boating businesses along the harbor expressed concern that the upper harbor was becoming shallower due to siltation.
- The Buzzards Bay Project (BBP) has no information to suggest that the northern portion of the harbor is any shallower now than in the past due to siltation. Their initial thought is that sea level rise is moving about as fast as any siltation so water depths may remain at about historic depths. The BBP suggested review of past hydrographic charts to confirm or deny siltation causing shallowing.
- According to the Conservation Agent, there is only anecdotal evidence for siltation in the upper Harbor. There does not seem to be reliable information on bathymetry for the area so nothing conclusive is available.

Habitat Improvement

- The Conservation Agent noted that salt marsh restoration projects have been completed along the harbor and that there remains a need for additional work.

- The causeway improvement project will provide increased flushing for the small salt pond at the intersection of Smith Neck Road and the causeway/Gulf Road.
- The Conservation Agent noted that the harbor would benefit from restoration of eelgrass, particularly in the upper Harbor. Presently elevated nitrogen levels and turbidity are keeping eelgrass from repopulating the area. [See also comments in the *Water Quality* section above.]

Human Development and Usage

Mooring and Dockage

- The Town Administrator feels that re-gridding/re-alignment of the mooring area in the South Harbor could increase the number of boats accommodated. Representatives of the marine business sector within the Town and the Harbormaster agreed that re-gridding/realignment would be beneficial, both to increase the number of moorings available and to preclude damage from boats bumping one another while on their moorings.
- Representatives of the marine business sector within the Town pointed to limited dockage for dinghies to get people from the shore to their boats.
- Representatives of the marine business sector within the Town feel that there is no real way to increase dockage within the harbor without significant reconfiguration of the docks which might conflict with mooring areas or navigation and might require dredging (the latter making it cost-prohibitive).
- Presently the various boating businesses (including the yacht club) work together to provide service for transient boaters.
- Representatives of the boating businesses felt that the development of a designated anchorage area might increase transient boating in the harbor, to the benefit of local merchants.

Boating and Emergency Response

- The Harbormaster provides the primary oversight over activities and enforcement in the Harbor. He is generally the initial contact for emergencies on the water.
- The Dartmouth Police Department maintains a Marine Patrol Unit that patrols (primarily on busy weekend days) in conjunction with the Harbormaster. They function in general as a visual deterrent but can issue citations for improper actions both on the water and shoreside. The Marine Patrol also responds to on-water emergencies such as boating accidents, medical problems, injuries, etc. The Police Department has a 25' boat that is generally kept at the Police Headquarters on a trailer. It would take approximately 20 minutes to launch subsequent to assembling the crew.
- Currently five members of the Dartmouth Police Marine Patrol participate in a regional dive team.
- District 1 Fire Department has a 32' boat used for fighting fires and pumping out capsized vessels. The boat is generally docked in the harbor from May to November.
- The Town participates in the Buzzards Bay Marine Task Force which responds to a range of types and locations of emergencies.
- Currently, marine emergencies in or near the harbor may be reported to either the Harbormaster, the Police Department, or the Fire Department rather than through one central location.

Shellfishing and Aquaculture

- The Town Administrator is interested in further developing the Town's aquaculture program.
- One aquaculture project has been established in the southeast corner of the outer Harbor growing out oysters. The operator notes that establishing this facility was difficult due to the lack of a clear process within the Town at the time. He feels that any difficulties will be reduced now that the Harbormaster has produced a new body of regulations addressing aquaculture—making the process more transparent.
- The Shellfish Constable indicated that the development of a shellfish/aquaculture plan for the Town's waters—including the Harbor—might be beneficial for several reasons: more efficient management, the possibility of opening some areas currently closed to shellfishing, and as an educative process regarding the nature, constraints and benefits of shellfishing.
- The Town Administrator noted that the Town's shellfish regulations have been updated/rewritten.
- The Shellfish Department has ongoing programs for shellfish transplants into the harbor, either juveniles for grow-out or adults and juveniles for depuration.
- The Shellfish Constable would like to see the Shellfish Department grow back to a full-time, year-round function, staffed independently of the Waterways Department. This would allow an increase in attention to aquaculture and shellfish propagation projects and, hopefully, allow for opening and management of other waters of the Town. Funding could potentially come from licenses, grants, etc.

Bridge/Causeway

- The Director of the Department of Public Works noted their hope to complete the causeway work by the end of 2017.
- Work on the bridge is not part of the causeway project but the bridge does need major repair. Presently there is insufficient funding for a replacement so the focus will be on making appropriate repairs to allow the bridge to function as well as possible.
- It is expected that better sidewalks on the re-worked causeway will improve visual access to the harbor.

Historic/Cultural Resources

- The Chair of the Historical Commission noted the links between Padanaram Village and the coastal/maritime heritage of the Town. The Village has been designated as a National Historic District. The Historical Commission has records regarding the heritage of many of the buildings along the Harbor, particularly along Elm Street, and has some publications regarding the historic activities in and around the harbor in its files.
- An archaeologic survey of the Town has been completed with some areas of interest falling within the potential Harbor Plan study area.
- The Harbormaster/Shellfish Constable would like to further develop programs like the "Learn to Quohaug" project to introduce more people to the heritage of the harbor, or emphasizing the role that harbor-related activities have had in the history, growth, and development of the Town.

4. Appendices:

Appendix A. Completed Interviews and Public Presentation:

A number of interviews were held regarding initial goals/issues/concerns to be addressed in a Harbor Plan for Apponagansett Harbor, Dartmouth, MA. Altogether 32 interviews were held, two by phone, one via email, and the rest in person. Additionally, a presentation was given to the Padanaram Business Association, with a solicitation for any follow-up comments or questions. Those interviewed included the following:

Waterways Management Commission

- Gerry Hickey, Chair
- Roger Race, Vice-Chair
- Joseph Hannon, Member
- Andrew Herlihy, Member
- Geoff Marshall, Member

Town Staff

- David Cressman, Town Administrator
- John Hansen, Town Planner
- Michael O'Reilly, Conservation Agent
- Steve Melo, Harbormaster, Shellfish Constable
- Dave Hickox, Director, DPW
- Tim Lancaster, Parks and Recreation
- Brad Ellis, District 1 Fire Chief
- Joe Rapoza, Police Department

Members of Town Boards, Commissions, Committees

- Alan Heureux, Chair, Pathways Committee
- Judy Lund, Chair, Historical Commission
- Joe Vierra, Chair, Parks and Recreation Board
- Dave Tatelbaum, Chair, Finance Committee
- Doug Roscoe, Finance Committee
- John Souza, Planning Board

State Agencies

- Dave Janik, Massachusetts Coastal Zone Management Office, South Coastal Regional Coordinator
- Joe Costa, Director, Buzzards Bay Project
- Eileen Feeney, Fisheries Habitat Specialist, MA Division of Marine Fisheries
- Andrea Langhauser, MA DEP Wetlands and Waterways Division
- Carlos Fragata, MA DEP Wetlands and Waterways Division
- Dahlia Medeiros, MA DEP Wetlands and Waterways Division

Stakeholders/Interest Groups

- Andrew Gerbutvich, New Bedford Yacht Club
- Stuart MacGregor, Concordia Company

- Sharon Tripp, Davis & Tripp
- Dave Nolan, Cape Yacht/South Wharf
- Geoff Marshall, Marshall Marine (also interviewed separately as member of the Waterways Commission)
- Dexter Mead, Director, DNRT
- Steve Caravana, Padanaram Oyster Farm

Presentation provided to the Padanaram Business Association, including:

- Anne Whiting, Anne Whiting Real Estate
- Linda Hopps, Hopps Realty
- David Russell, Rusitzky & Russel
- Mimi Powell, Farm & Coast Market
- Andrew Leone, South Wharf
- Anne Shadow, Flora
- Milena Melo, BayCoast Bank
- Elizabeth Murphy, College Edge
- Don Watson, New Bedford Yacht Club (invited guest)

Work Task 4

Task Description:

Identification and listing of other communities with similar harbor resources and uses that have done Harbor Plans

1. Provide a listing of other communities generally similar to Dartmouth that have done Municipal Harbor Plans
2. Provide a listing of other communities generally similar to Dartmouth that have done State-Approved Municipal Harbor Plans
3. Provide contact information for people associated with the planning efforts identified in a) and b) above.

Work Product:

Towns of a Somewhat Similar Size/Nature to Dartmouth that have Completed or are Working on Locally Implemented Harbor Plans

Dennis—specific to Sesuit Harbor (2015)

Contact:

Daniel Fortier, Town Planner, 508-760-6119 or 508-760-6122 dfortier@town.dennis.ma.us

Created a new zoning district around Sesuit Harbor to help ensure

1. existing water-dependent uses are not displaced by non-water-dependent uses;
2. harbor waters and the immediate shoreline and pier areas are dedicated to water-dependent uses; and
3. commercial uses allowed by the district are compatible with, support, or otherwise do not interfere with water-dependent uses of the site.

Marshfield (Plan completed in December 2015, Consultant: Urban Harbors Institute)

Contacts:

Mike DiMeo, Harbormaster -- mdimeo@marshfieldpolice.org

Mike MacNamera, Chair Harbor Committee - Mikehome02050@yahoo.com

A copy of Plan is available at:

www.townofmarshfield.org/Collateral/Documents/English-US/Waterways/FINAL%20Marshfield_Waterways_PlanDEC2014.pdf

Plymouth (Currently developing plan, Consultant: Urban Harbors Institute)

Contacts:

Len Blaney, Chair of Harbor Planning Committee - lenblaney@gmail.com

Chad Hunter, Harbormaster - CHunter@townhall.plymouth.ma.us

Scituate (completed 2011)

Contacts—Current Waterways Commission and Harbormaster:

Fran McMillen, Chair, Waterways Commission, waterways@scituatema.gov

Brian Cronin, Vice Chair, Waterways Commission

Stephen Mone, Harbormaster, (781) 545-2130, harbormaster@town.scituate.ma.us

Contacts—Former members who worked on plan:

John Murphy, Chair, Waterways Commission (no longer there)

Commission member Geoff Gaughan (no longer there)

Harbormaster, Mark Patterson (no longer there)

A copy of Plan is available at:

www.scituatema.gov/harbormaster/files/waterways-management-plan

Wareham (2015, update of 1995 plan, 2015 Update done Marine Resources Commission, 1995 Plan Consultant was Louis Berger and Associates, Inc. of Providence, RI)

Contacts:

Donald Jepson, Chair, Marine Resources Commission

Gary Buckminster, Harbormaster/Shellfish Constable, (508) 291-3100 ext. 3186,
harbormaster@wareham.ma.us

Copies of past and current plans are available at:

www.wareham.ma.us/marine-resources-commission/pages/harbor-management-plans

Wellfleet (completed in 2006. Plan was prepared by the Town of Wellfleet Natural Resources Advisory Board)

Contacts:

John Riehl, Chair, Natural Resources Advisory Board, 508-349-0300 (Town offices)

Michael Flanagan, Harbormaster, 508-349-0320, michael.flanagan@wellfleet-ma.gov

A copy of the 2006 plan is available at:

www.wellfleet-ma.gov/sites/wellfleetma/files/file/file/harbor.pdf

Towns of a Somewhat Similar Size/Nature to Dartmouth that have completed State-Approved Municipal Harbor Plans

For detailed information on State decisions regarding these Plans see:

<http://www.mass.gov/eea/agencies/czm/program-areas/port-and-harbor-planning/municipal-harbor-plans/>

Chatham (2015, Consultant: Ridley and Associates)

Contacts:

Ted Keon, Chair, Coastal Resources Director, (508) 945-5176, tkeon@chatham-ma.gov

Robert Duncanson, Water Quality Laboratory Director, (508) 945-5165, rduncanson@chatham-ma.gov

Stuart Smith, Harbormaster, (508) 945-5185, ssmith@chatham-ma.gov

A copy of the plan is available at:

www.chatham-ma.gov/south-coastal-harbor-plan-committee/pages/south-coastal-harbor-management-plan

Nantucket (2009, Consultant: Urban Harbors Institute)

Contacts:

Matt Herr, Chair of Harbor Plan Committee: mattherr117@gmail.com

Tara Riley, Town of Nantucket Shellfish Biologist: triley@nantucket-ma.gov

A copy of the plan is available at:

www.nantucketharborplan.com/