STONINGTON
HARBOR
MANAGEMENT PLAN

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Stonington Harbor Management

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THE PLAN: Analysis and Recommendations

1. Introduction

1.1 History: Prior to May, 2000

Prior to the mid-1970, Stonington Harbor was an un-crowded, well protected and popular anchorage for recreational boats, both locally based and transient. Mooring spaces were plentiful and free, needing only the Harbormaster's verbal approval. Written permits were not required and records were few. Dock structures were few and unobtrusive.

The 1970's saw profound changes in the harbor. Demand for moorings intensified. Some mooring areas became over-crowded, primarily due to unauthorized emplacement of both individual and commercial moorings. By 1985 the situation had forced the Harbormaster to close the harbor to new moorings. A waiting list of roughly one hundred applicants developed. A black market soon developed, with individual moorings bought and sold, some for thousands of dollars; others were leased out for a fee. Some people held one or a number of moorings but owned no boat; moorings lay unused year after year.

There was mounting evidence that water quality in the Harbor was deteriorating. Meanwhile, docks and dockominiums appeared along the shore, permitted by the State but lacking approval by any local authority, i.e. a Planning & Zoning Commission. (The latter's Jurisdiction stops at the water's edge - the Mean High Water mark.)

Better and more responsible harbor administration was clearly needed if one of Stonington's premier resources and amenities was to be preserved. State law provided a way for a solution to be created.

The State of Connecticut holds legal title to navigable waters and the lands under them (i.e. harbor bottoms), which has always precluded individual or local-government ownership of mooring spaces. Stonington's Harbormaster and Deputy, who were and are part-time employees of the State rather than the Town, faced an overwhelming task: administering about 400 moorings needing annual renewal, with no specific rules in force, no clerical help, no official boat to use, and no salary beyond a $400 - later $700 - annual stipend, plus reimbursement for expenses. They sorely needed the guidance and the local support that could be provided by a management plan and ordinance, and the assistance of a locally appointed Harbor Commission.

In 1984, the State of Connecticut had enacted the Harbor Management Act, which authorizes towns with harbors to establish harbor commissions, which can prepare management plans and implement them, after securing state approval and enactment by the local legislative bodies. Accordingly, the Stonington Harbor Management Commission was formed in early 1985, and in 1987 reorganized as a joint Town/Borough commission. Between 1987 and 2000, the Commission prepared four successive State-approved Plans. All were accepted by the

Borough Board of Warden and Burgesses, but rejected by the Stonington Town Meeting. At last, in May 2000, a plan was enacted.

1.2 The May, 2000 Plan

Highlights of the Harbor Management Plan approved in 2000 are:

- The Harbor is explicitly dedicated to public use and enjoyment. The Plan established a practical guide for preservation of this great asset, a mission which includes protection of the marine environment by working closely with State and Local bodies, such as the Stonington Shellfish Commission and the Connecticut DEEP (Department of Energy and Environmental Protection).

- The Plan gave Stonington for the first time a strong voice in matters concerning proposed uses of the harbor. The Harbor Management Commission was empowered to review all proposed development on property contiguous to the Harbor. Furthermore, State agency decisions affecting the Harbor must be consistent with the Plan's policies and the recommendations of the Stonington Harbor Management Commission, unless the agency shows cause why its decision should differ from the Commission's recommendation.

- The Plan enabled the Town to eliminate the gross unfairness in the acquisition and allocation of moorings; and ensured for future generations that there would be equal access to this valuable but limited resource.

- The Plan provided for a much safer harbor through mandatory specifications for mooring tackle.

- The Plan assured that local Harbormasters would be chosen, and that they would be provided substantial assistance in the performance of their duties. (State Statutes provide that if a harbor management plan has been adopted by a municipality, the Governor shall make the appointment of a Harbor Master from a list of not less than three persons submitted by the Harbor Management Commission.) Decisions by the Harbormaster, while he / she is a state employee, must be consistent with the Harbor Management plan, a safeguard for the people of the local community.

- The Plan enhanced the preservation of the harbor environment through coordination with other local and State agencies; i.e., the State Department of Energy and Environmental Protection and the Stonington Shellfish Commission.

- Finally, the proposed Ordinance required that all funds necessary for implementing the Plan would come only from users of the Harbor through mooring fees. No tax revenues would be needed.

1.3 History, May 2000 to Present

Subsequent to the enactment of the Ordinance and Plan, a variety of steps have been taken by the Harbor Management Commission to better fulfill the intentions of this Plan. These have included:

- Promulgation and regular enforcement of all regulations pertaining to the location, placement, mechanical construction, and periodic maintenance of all moorings.

- Establishment with state and community approval of a legally enforceable "slow-no-wake zone" for Stonington Harbor.

- Regular participation by the Stonington Harbor Management Commission (and, as needed, with an invitation for public input) in all State and Federal decisions regarding new construction of or changes in structures on and in the water in Stonington Harbor, including docks, breakwaters, and bridges.

- Preparation and distribution of an effective storm management plan for the Harbor.

- Acquisition and ongoing maintenance of a Harbormaster's boat.

- Leadership and support (including financial assistance) for the creation of a new sewage pump-out facility in the Harbor. This station assures that the sewage pump-out boat that services both local and transient boats will be able to meet its environmental-protection mission in a timely, convenient manner.

- Development of an open and fair waiting-list process, which ensures that this list (and all other Commission documents, such as minutes of meetings) will be accessible for public inspection and review.

- Enhanced communications supporting the mission of the Commission, including a website and, beginning in 2011, a periodic public newsletter.

- A "wharfing-out" policy to be employed when the Commission is invited as a part of the State permitting process to comment on the proposed construction of or modification to wharfs and other structures in the Harbor.

- Most recently, the Commission has undertaken a comprehensive, professionally assisted plan to "grid" the Harbor's mooring fields. Until now, mooring placement in the Harbor has been guided by a combination of "precedent" (locations determined by past decisions) and, in the case of new moorings, case-by-case assignments made by the Harbor Master.

  The result has evolved to a distribution of moorings that is both unsystematic and a highly inefficient use of available space. A few areas of the Harbor are crowded, but many more are underutilized. It is estimated that a GPS-based "grid" plan, to be phased in from

2012 to 2015, will relieve instances of crowding and enable scores of new mooring spots to be assigned — and thus will be a major step in meeting the assigned "public-access" portion of the goals of the Commission.

1.4 The Proposed Revision

This document is divided into two basic parts: the Plan, and the Ordinance. The proposed Plan (Sections 1 through 7) largely follows the organization of the existing document. It provides background and a rationale for the Ordinance, while the revised Ordinance itself is intended to be enforced by the Harbormaster after its adoption. As an example, the Plan recommends establishment of a "mooring plan" to provide for orderly and equitable administration of mooring permits, priorities and records. The Ordinance then describes a system to accomplish this purpose.

Following the Plan and the Ordinance are Appendix 1 (summary of shellfish habitat in the Commission's area of jurisdiction) as well as charts that describe the Water Use Plan, Coastal Resources, Harbor Uses, and Public Access Points.

The Stonington Harbor Management Commission was created by concurrent ordinances adopted by the Town of Stonington on May 31, 1989 and by the Borough of Stonington on May 17, 1989. These ordinances set forth the reasons for creating the Commission, its membership, powers and duties, and its jurisdictional limits. In the Borough, ordinances lapse after ten years. The Harbor Management Ordinance was readopted by the Borough on March 3rd, 1999 and July, 2009.

2. Physical Condition and Harbor Setting

2.1 General

As shown on town maps, Stonington Harbor has a north-south measurement of 1.1 nautical miles. It has 4.4 nautical miles of shoreline and lies within the Town of Stonington.

The northern part of the Harbor is bounded by a railroad causeway which separates it from Lambert's Cove. Passages exist under two railroad bridges that are serviced by a channel within the harbor.

The western shoreline consists of rock bluffs and headlands along the southern part at Wamphassuc Point. Moving northward, there are minor escarpments and low beaches. Coastal resources in the harbor are shown on Chart II.

2.2 Ocean Swells

Because Stonington Harbor is partly open to the south, long ocean swells frequently come into the harbor. They are particularly noticeable at high tide as they cross the reefs east of Fishers Island.

These swells (surges) affect most boats and structures in the harbor. When strong winds blow from the south, these surges can grow to 4 foot waves. This is a good reason why boat owners prefer to have their boats on moorings so

that they can better cope with wind and waves from the south.

2.3 Water Depth

Harbor Management Plan Chart III shows the depth of water at Mean Low Water (MLW). The sources for these water depths are government charts and soundings taken by DiCesare-Bentley Engineers in 1983.

The Army Corps of Engineers (ACOE) has been responsible for maintaining the east and west breakwaters and the depth of the two Federal anchorages within the harbor. In 1957 dredging was completed on Penguin Shoal to a depth of 10 ft. and to 12 ft., from the Town Dock to the northernmost Breakwater.

2.4 Shoreline Flood Potential

The average tidal range for Stonington is 2.7 ft., with a spring range of 3.2 ft. Flood Insurance studies of 1980 and 1982 cite the possibility for extensive flooding caused by a 100 year storm. Maximum flooding of 16 ft. above MLW at Stonington Point and 14 ft. in the northern part of the harbor is possible. In such a storm all waterfront facilities would be flooded or destroyed by wave and wind action.

2.5 Harbor Protection

Three stone breakwaters (shown on Chart I) provide some measure of protection to the harbor except under extreme tropical storm conditions with winds from the southeast through the southwest quadrants.

2.6 Water Quality

The waters of outer Stonington Harbor (south of the railroad tracks) are within the Stonington Harbor Management Commission's jurisdiction and are classified by the State of Connecticut Water Quality Standards as SB. They are designated for marine fish habitat; other aquatic life and wildlife; certain commercial shellfish harvesting when and where authorized; recreational water activity including bathing; industrial water supply; and navigation.

The adjacent inner harbor waters (north of the railroad tracks to the saltwater limit near Route 1), as well as Little Narragansett Bay and Fishers Island Sound to the south are important considerations for outer harbor planning and management. These areas are classified as SA by the State of Connecticut with some restrictions on shellfish harvesting in the inner harbor. Appendix III, Shellfish in Stonington Harbor and Little Narragansett Bay provides further detail on harbor shellfish harvesting.

The Connecticut 2010 Integrated Water Quality Report to Congress assessed Inner Stonington Harbor for Aquatic Life Use Support as Unassessed (insufficient information), and Full Support for Recreation. The same report assessed Outer Stonington Harbor for Aquatic Life Use Support as Unassessed (insufficient information), and Full Support for Recreation.

The harbor is used in a variety of ways. On the east side of the harbor are the state wharfs and the seafood-processing structures used by the commercial fishing fleet — historically and even now a major factor in the use of Stonington Harbor. One of the Town's three Water Pollution Control sewage-treatment facilities is sited just to the north of the fishing docks. The Dodson Boatyard in Stonington Harbor, a major resource for recreational boaters, provides marine services and amenities as well as a launch service for moored and anchored vessels (it was certified in 2004 as a "Clean Marina" by the CT DEEP).

The harbor continues to be heavily used by resident and visiting boaters. Available private mooring spaces are completely filled and a waiting list of up to 200 speaks to the harbor's desirability for boating. Numerous sailing and marine education programs as well as organized sail racing events are regularly scheduled throughout the summer season and, to a lesser extent, during the rest of the year. Commercial development has expanded to support these activities including additional dockage capacity and marine services, restaurants and lodging, clubs and sailing facilities. Residential development has continued and the west shoreline is now fully developed.

Harbor activity as well as commercial and residential development can all be sources of non-point source pollution, typically through boat effluent, cleaning and petroleum products; lawn, garden and agricultural fertilizers and other chemicals; and storm sewer runoff from streets and rail structures. Active enforcement of no-discharge law and more recently the provision of free pump-out service have made a substantial impact on the first of these problems.

The Commission publishes a periodic newsletter to communicate with the harbor community about its initiatives as well as to provide guidance on regulations issued by Federal and State environmental agencies.

The Commission actively collaborates with several local non-profit and municipal entities including:

- Clean Up Sound and Harbors (CUSH) is an environmental group whose goal is to reduce water pollution in Stonington Harbor through water monitoring, marine habitat restoration and educational programs. CUSH initiated water quality monitoring in 2008 and conducts monthly and bi-weekly testing at various sites in Stonington Harbor. The water quality reports for the can be viewed at the CUSH website, cushinc.org

In 2010, CUSH reported that Stonington Harbor is flushed by strong tidal currents entering from Block Island Sound through Watch Hill Passage, and with some exceptions has consistently shown good water quality (from the perspective of low levels of measured pollution). The report states that this probably indicates removal of most pollutants before they can be measured (by strong tidal flow).

- New England Science and Sailing (NESS, nessf.org), with sailing and educational facilities on the harbor, is a non-profit educational foundation that provides sailing instruction and marine-science educational programs for children of all ages. NESS has grown rapidly and now expects to educate over 1,000 children each year with the largest number enrolled in its marine-science programs. Most importantly, by providing a large number of the area's youth with an early understanding of the marine environment, NESS aims to establish the basis for informed and enduring public stewardship of our harbor environment.

- The Stonington Shellfish Commission is a partner in its stewardship of shellfish resources whose habitat depends on water quality conditions. (See Appendix III).

2.7 Anchorage Areas

Chart III shows two Federally designated anchorages that are maintained by the Army Corps of Engineers and are available for the use of all U.S. citizens without regard to State or Town residency. This chart also shows Special Anchorage Areas determined by the U.S. Coast Guard, which permit vessels less than 65 ft. in length to anchor without regard to the use of anchor lights or fog signals.

3. Harbor Uses

3.1 General

Stonington Harbor is an extensively used boating resource for both commercial and recreational purposes. It is the homeport of Connecticut's last remaining commercial fishing fleet. Approximately 400 recreational boats are moored here.

Stonington Harbor is one of the most popular ports in New England for visiting cruising yachts, and has become an important center for organized sailboat racing. Other recreational uses include sport and shore-side fishing, motor boating, day sailing, small boat instruction, windsurfing, scuba diving and swimming.

3.2 Town Dock Facilities

The Town Dock consists of two concrete and rock piers, extending from the eastern shore towards the channel. The north or main dock is approximately 618 feet long and houses a fish off-loading facility on its south face. The second pier is located just to the south, and is approximately 452 feet in length. It provides some wave shelter to boats moored in the water between these two docks. Depths between the two docks start at 7 feet at the east end, and slope to 15 feet by mid-pier. Approximately 18 draggers and 14 lobster boats are assigned berths.

The west end of the south dock is unsuitable for berthing because of its exposed location and the dock is used only for short-term tie up. The

southerly face of the northerly dock is also limited for berthing because of its exposed location, with the westerly portion not being used at all. Vessels moored adjacent to the fish packing facility cannot unload during periods of high waves caused by southerly winds or during periods when offshore storms create a surge in the Harbor. It was reported that on several occasions boat crews had to man the vessels while tied to the dock during storms and in some instances had to operate engines to keep the vessels off the dock. The northerly face of the north dock provides a sheltered area and some vessels are berthed in this area.

Over the past few years there have been several improvements at the Town Dock. New piles and decks have been installed on both the north face of the southerly dock and the south face of the northerly dock. The Ice House was reconstructed a few years ago, but further expansion is planned to provide for more extended offshore fishing. The Fish Packing facility provides capabilities for unloading two vessels at one time.

3.3 Mooring and Anchorage Areas

The Special Anchorage Areas are used by recreational boats for both permanent and transient moorings. The Harbormaster, who is responsible for assignment of mooring locations throughout the harbor, currently has approximately 200 mooring permit applications on a waiting list. A more efficient "grid" system of mooring location is now in development.

Of the approximately 400 permanent moorings located within the Stonington Harbor, approximately 130 are approved commercial moorings. The remainder are individually owned.

During the boating season, 300 or more boats may visit Stonington Harbor each week and the harbor is regularly visited by groups of boats cruising together. Some of these visitors are accommodated by commercial moorings, but some are not. For this reason, a transient anchorage area exists in the harbor. The area is shown on Chart III.

3.4 Available Harbor Services

One full service boatyard and marina is located in the northeast corner of the harbor. The yard owns and services commercial moorings within the harbor. Service includes seasonal and transient mooring rentals, as well as a travel lift. Fuel and sanitary pump-out facilities are available including free public toilets. The boatyard operates the only commercial launch service. Service is provided to renters of the commercial moorings and for a fee, to private and transient anchored boats. The launch has a shore-side landing float at the yard.

Two small boat commercial marinas located north of the railroad bridge at the head of the harbor provide commercial moorings in the harbor as well as service for individual moorings. These marinas provide small motorboat storage and tie-up. Service is confined to small boats owing to the limited vertical clearance under the railroad bridge. Three small boat marinas which provide small boat storage and tie up are located east of Stonington point.

Within the Town of Stonington, there are 12 small boat- launching ramps. One is owned by the State at Barn Island; another is located adjacent to the south side of the fishing dock and is owned by the town.

The Town of Stonington leases to the Stonington Small Boat Association (SSBA) a storage area adjacent to the town launch ramp for recreational boating activities. Here small craft may be launched, hauled, and stored on small hand-operated dollies. Powered boats are not allowed. Boat storage is available to members of the SSBA who must be town residents. The general public may launch and haul small craft by hand. This beach is used for Wednesday night sailboat races. Visiting cruising boats may use this area also for landing non-powered dinghies. (See Chart III)

A float for the use of transient dinghies is located off the docks of the Commons Condominium. This access satisfies the legal requirement for transient dinghy access to shore mandated by the Army Corp of Engineers as a condition for dredging Stonington Harbor in 1955. The building and maintenance of this particular dinghy dock was part of the agreement which allowed the Commons to build their floating docks.

3.5 Public Access

Public Access to the harbor means many things. For example, it could mean a public dock at which boats could land, a public walkway affording a view of the water, or simply a vista at the end of a street. It does not include unrestricted access to private property.

Chart No. IV at the end of this document shows the sites of public access to both Stonington Harbor and the waters on the east side of Stonington Borough.

Site 1 is an existing platform at the west end of the Town Dock's North Wharf, which provides for recreational fishing and viewing of the harbor by the public.

Site 2 is not available.

Site 3, is the small beach and boat launch area adjacent to the Stonington Small Boat Association boat storage area.

Site 4, is a shore-side public walkway adjacent to Harboredge Condominiums leading west to the flagpole.

At Site 5, Wayland Wharf has a small dock and a limited temporary dinghy landing.

Site 6, is a Public Walkway and the Inner Breakwater. The Public Walkway is a waterfront nature path with gazebo shelter at Stonington Commons. The Inner Breakwater has a public right-of-way connecting it to Water Street. However, hurricane damage has left the breakwater in such disrepair as to be dangerous. Rebuilding would maximize its use for boating, fishing and other recreation. Such rebuilding should be part of any future development of the property. This site would

also be suitable for a public dinghy landing on its north side after repair.

Site 7, Stonington Point, is heavily used by the public for parking, swimming, scuba diving, board-sailing and general recreational uses. DuBois Beach is owned by the Village Improvement Association, and is open to the public for a small fee.

Sites 8 through 12 afford water views and varying degrees of physical public access to and from the water. They are best visited by foot, as parking is scarce or non-existent nearby. Sites 10 or 11 may have potential as dinghy landing sites.

Site 13 is the State-owned boat launch ramp and parking lot on Randall Neck, east of Wequetequock Cove.

Site 14 is a hand launch only ramp with parking for 2-3 cars which opened in 2012 on Oxacossett Brook with access to Wequetoquock Cove. The ramp is located at the entrance to the former Stonington Airport site at the juncture of Routes. 1 and 1A.

3.6 Shellfish Concentration Areas

The area within the jurisdiction of the Stonington Harbor Management Commission (www.stoningtonshellfishcommission.org) provides an excellent habitat for a wide range of shellfish. It is an important source of adult shellfish for recreational and commercial activity, as well as breeding stock for populations of hard and soft clams, scallops, oysters, and other bivalves. These important resources, which are managed by the Stonington Shellfish Commission, require careful consideration in the harbor management process.

The Stonington Harbor Management Commission will coordinate efforts with the Stonington Shellfish Commission to ensure mutually supportive policies. Special emphasis will be given to placement of moorings and docks, since the numbers and placement of boats can have a negative impact on the use of shellfish populations. The Harbor Management Commission will send to the Shellfish Commission copies of all business that has the potential to affect the use, health, or management of the shellfish resources of the Town of Stonington. Appendix 1 provides a description of the existing shellfish situation and the applicable rules.

3.7 Shoreside Development, Wharves, Piers

The Stonington Harbor shorefront has evolved with mixed use development, integrating water dependent uses with those that are not dependent on the water. Many water dependent facilities include opportunities for public access and enjoyment. They include several swim and boating clubs offering water sports, educational programs and dining; a small boat launch ramp; a full service marina with launch service; a public beach and park; a major commercial fishing wharf complex with public viewing and fishing area; and the New England Science and Sailing (NESS), a sailing and marine science educational facility.

Non-water dependent uses often include a facility for public access as well, such as the public waterfront nature path, gazebo and fishing access to a nearby breakwater offered by Stonington Commons, a condominium and residential community on the harbor. Other non-water dependent land uses such as dining and lodging facilities have been

developed to complement visitor and resident enjoyment of the harbor's distinctive marine character and support its water dependent uses.

Commission reviews of proposals for development of property on or contiguous to the waters of the Commission's jurisdiction provide a process whereby the Commission can work with planning and zoning agencies as well as other waterfront groups to protect land resources and review land use development proposals.

In recent years there has been considerable activity by property owners on both the east and west shores of Stonington Harbor in the construction of wharves and piers. This activity could affect the natural resources of the harbor, as well as have a serious impact on the harbor's aesthetic quality. Although not yet a severe problem, this wharfing out, if not checked, would have a severe impact on water use in the harbor for moorings, for recreational sailing and boating, and even on the channel utilized by the commercial fishing fleet.

The character of wharf and pier construction has reflected the development of adjacent land areas. On the west side of the harbor, the shoreline contains single-family residences on large lots. Here the pattern of dock construction has been that a homeowner has usually built one dock, not to keep a large boat but to keep small boats and dinghies which are used to provide access to larger boats on moorings. Here, since the water is generally shallow, docks must be quite long, on the order of 100 feet, even to keep a dinghy afloat. However, it is desirable to keep docks here as short as possible to preserve as much open water as possible It is also desirable to minimize dredging in order to preserve natural resources.

On the east side of the harbor the situation is different. Deeper water has given rise to the generally commercial and institutional character of much of the land use. There are some areas of single-family residences on small lots; but generally, here the various types of land uses call for a greater variety of types of docks. Nevertheless it appears desirable to keep them as short as possible for the reasons given above.

On the southeast shore of the harbor lies the former Atwood industrial property which has now become Stonington Commons, a residential and service-oriented complex with several hundred feet of waterfront and a floating-dock marina which accommodates both seasonal and transient users. A use-restricted public dinghy dock provides free short-term (not overnight) tie-ups.

The Commission has established wharfing-out guidelines for reviewing proposed wharf projects in conjunction with Town, Borough and State agencies.

4. Goals, Problems and Recommendations/Solutions

4.1 Goals

- ***Establish*** short and long term policies, guidelines and strategies to be used by Borough, Town, State and Federal Agencies for guiding decisions affecting Harbor uses and development.

- ***Establish*** an increased role for the Borough and Town of Stonington in the management and regulation of Harbor-area activities through implementation of a Harbor Management Plan incorporating the above policies, guidelines, and strategies. This will require the following:

    a. Establishment of procedures for efficient and coordinated administration and management of the harbor by Borough, Town, State and Federal Jurisdictions.

    b. Promotion of public awareness of the effect of harbor-related activities on the quality of life in the Borough and Town, and thus support for Harbor Management.

    c. Planning and regulation for use of the Harbor in a manner that assures safe, orderly and efficient use of the water and the waterfront. Protect the natural and man-made resources of Stonington Harbor.

4.2 Problems and Recommendations/Solutions

The problems described below have been associated with the condition and use of Stonington Harbor. With each problem is presented the Harbor Management Commission's recommendation or solution for its alleviation. The problems have been organized in the following groups:

Moorings and Anchorages
Commercial Fishing
Other Water Uses and Safety
Water Quality
Shoreside Development

4.2.1 Moorings and Anchor Anchorages

Problems:

A. The demand for deep water moorings exceeds supply.

B. The distribution of moorings in the harbor is very inefficient.

Recommendations/Solutions:

A. Establish an improved mooring plan (or "grid") which provides for a more efficient allocation of mooring locations. All mooring emplacement, retention and moving will be managed in a manner that is fair, equitable and open, and controlled by the Harbormaster.

B. Establish mooring permit and wait list procedures that optimize mooring use by the public through efficient, timely mooring assignment.

C. Establish a category of limited Special Purpose Moorings that can be approved by the Commission for use in providing access to the water for the general public.

D. Mooring spaces are first allocated to owners of registered moorings in the harbor during the previous boating season. After that, moorings are allocated by the Harbormaster from the waiting list.

E. When a permit holder no longer makes active use of a mooring, that mooring will revert to the Harbormaster for reassignment.

F. Commercial moorings will not exceed the current level of approximately 35% of deep draft moorings in the Harbor.

G. The Special Anchorage Areas will be preserved

H. The Transient Anchorage Area shown on Chart I should be reserved for transient vessels for limited periods.

I. Mooring tackle specifications and guidelines have been promulgated, and provision made for regular inspection of mooring tackle.

4.2.2 Commercial Fishing

Problems:

A. Potential loss of the commercial fishing fleet because of a shortage of berthing spaces for local and transient vessels.

B. Surge at Town Dock.

Recommendations/Solutions:

A. Implementation of the recently completed plan for the Town Dock that was sponsored by the Southern New England Fisherman and Lobstermen's Association and the Waterfront Commission. This plan includes repair of the north side of the Town Dock, and the recent extension of the south Dock.

B. Extension of the inner and outer breakwaters for reduction of the far field wave and surge that disrupts off-loading and boat tie-up is not a realistic goal at this time. Any extension will be well into the future and primarily for expansion of the harbor. However, the Federal government is planning a repair / restoration of the storm-damaged outer breakwater, which the Commission is actively supporting.

4.2.3 Other Water Uses and Safety

Problems:

A. With increasing demand for mooring, anchoring, and wharfing out, open water for small boat sailing, racing, rowing, and instruction could become more restricted.

B. Excess speed, principally by power boats, creates danger to small boat operators, danger to moored and anchored boats, and to shore facilities, as well as slow erosion.

Recommendations/Solutions:

A. The Mooring and Anchorage Areas shown on Chart I constitute the planned limits of expansion for these purposes within Stonington Harbor. All other water areas remain open for recreational boating activities, except where particular activities are prohibited for reasons of safety and where structures have been authorized by state and federal permits.

B. Enforcement of State and recently-created local regulations concerning boat operation, wakes and speeds will address this concern.

4.2.4 Water Quality

Problems:

A. State and Federal law regarding sewage discharge by boats has proved to be only one step in eliminating this hazard.

B. Shellfish harvesting has been restricted by pollution from point and non-point sources.

The 2010 Connecticut Integrated Water Quality Report to Congress includes an assessment of inner Stonington Harbor as Not Supporting for the designated use of Shellfish Harvesting for Direct Consumption where authorized. The Bureau of Aquaculture classifies the area as Restricted Relay meaning that only commercial harvesting may take place and that the shellfish must be depurated.

The report assesses the outer harbor as Fully Supporting for the designated use of Commercial Shellfishing where authorized. The Bureau of Aquaculture further classifies the outer harbor as Prohibited and Conditionally Restricted Relay (shellfish may be taken commercially and depurated only at certain times of the year), depending on location. (See

Figure 1-1, Appendix III, Shellfish in Stonington Harbor and Little Narragansett Bay.)

C. While the water quality studies report good water quality in Stonington Harbor, the level of turbidity of the harbor's water remains high. The strong tidal action noted by the CUSH reports could be a major (and unalterable) factor in this lack of water clarity; so too may be increased discharge of treated sewage-plant effluent from the Borough Plant in the past two decades. Whatever the precise mix of causes may be, high water turbidity is a major reason that eelgrass (which must receive sunlight in order to survive) now exists stably only in the shallowest part of the harbor.

Recommendations/Solutions:

A. The Commission partnered with CUSH in 2011 to provide a free pump-out boat to service watercraft in the harbor as well as construction of a shore-based discharge station to support the pump-out boat. This initiative represents a complete response to this part of the pollution problem. The Commission will continue to take steps to ensure that all local and transient boaters are aware of this resource and are encouraged to use it.

B. Continue to work with the Shellfish Commission and with advocacy groups to support ongoing water-quality education efforts and, when and where appropriate, expanded shellfish harvesting.

C. Work with partner organizations (see above) to ensure that complete data on water quality, including relative water turbidity / clarity wherever possible, are provided to both the Stonington WPCA and to DEEP so that current water-quality data will inform their future decisions.

D. While the area where eelgrass now exists in the harbor is too shallow to be used for moorings, the Commission will continue to ensure that its future actions / decisions regarding wharfing-out applications and mooring placement will respect the importance of this environmental-preservation concern.

4.2.5 Shoreside Development

Problems:

A. Providing equitable utilization of water area for wharves vis-a-vis other uses, such as moorings, navigation, access, recreational sailing, etc.

B. Providing adequate areas for dinghy tie-up.

C. Further loss of existing water-dependent uses along the developed shorefront, via potential future development of non-water-dependent uses.

D. Tidal Wetlands are in jeopardy of being lost or despoiled by dredging, pumping, filling and other activities such as hard structures (seawalls) which can impact the loss of tidal wetlands.

Recommendations/Solutions:

A. Continue to review all State permit applications to ensure they follow Commission guidelines for the construction of wharves and docks or other facilities.

B. Ensure via the "wharfing-out" review process that applications to the DEEP and ACOE for wharf and dock construction conform with the State Statute and this Plan regarding dinghy access.

C. Commission reviews of proposals for development of property on or contiguous to the waters of the Commission's jurisdiction should consider the preservation of current water dependent land use as well as the integration of complementary water-dependent facilities in the development of new non-water dependent uses (e.g. public walkways, park areas).

D. Reviews should consider the preservation and encouragement of healthy tidal wetlands.

5. Harbor Mooring Plan

This plan has the following main features:

A. *Permits:* all mooring owners must have valid permits with identification of the owner on the mooring buoy.

B. *Permit Transferability:* Mooring permits are not transferable. This includes transfers within a family. When the holder of an individual mooring no longer keeps his or her boat on the mooring, the Harbormaster shall be notified by the holder, and the mooring will become available for reassignment from the waiting list. A permit holder may not lease or sell the mooring location. Spouses are automatically considered co-permittees.

C. *Shorefront Property Owners:* Owners of waterfront property retain a long-standing legal right to access navigable water from their property. This plan gives shore-front owners precedence over other permit applicants for one mooring in adjacent waters, except within Federal Navigation Projects.

D. *Mooring Permits:* will be renewed annually in January upon payment of a designated fee and a completed application with supporting materials. Permits not renewed by March 31st may result in re-assignment of the mooring space to an applicant on the waiting list. The Harbormaster is empowered to adjust implementation of this regulation in certain special, short-term circumstances.

E. *Record Keeping:* An alphabetical list of names holding valid permits will be maintained in the Town Hall in an area visible to the public as well as on the Stonington Harbor Management Commission website. A waiting list of applicants for a mooring permit will be similarly available. Both lists may include date of permit or date of application for a permit, name of person, and name, length and draft of boat.

F. *Settlement of Disputes:* Any dispute arising between a mooring permit holder or an applicant for a permit and the Harbormaster or the Commission over the interpretation or intent or these regulations will be settled in a public meeting. The boat owner must request such a meeting from the chairman of the Commission in writing. The chairman and four other members of the Commission, chosen by the chair, will form a panel to settle the dispute.

G. *Mooring Fees*: are to be used exclusively by the Commission and the Harbormaster for expenses related to the administration and enforcement of the plan as well as harbor enrichment programs, ashore and afloat. No tax of any kind will be proposed or levied on any Stonington resident for the administration of any part of this plan.

H. *Mooring Classes*: although different "classes" of moorings (such as "private" and "commercial") have always been informally identified by users of the Harbor, it seems appropriate to make these informal terms explicit in this document, so as to make any distinctions in the administration of different classes of moorings more easily understood.

6. Harbor Development Plan

The Commission has the power under Section 22a-113p of the Connecticut General Statutes to review and comment on all applications to municipal agencies which involve proposals for development of property on or contiguous to the waters of the Commission's jurisdiction. The principal agencies involved will be the Town and Borough Planning and Zoning Commissions.

In addition, under Subsection 22a-113n (b) of the statutes, the Commission has the power to review and comment on proposals for actions by State agencies which would affect development in the harbor. In making such comments, the Commission intends to follow the guidelines presented below:

A. That no channel or fairway designated in the Plan (Chart I) will be restricted or reduced in width.

B. That areas for mooring, recreational boating, and sailing will not be unduly restricted.

C. That the proposal will not cause water quality or other coastal resources to be degraded.

D. That the proposal is in general harmony with the aesthetic character of the harbor.

E. That the proposal is in general harmony with zoning and current land use on the property in question, and will not adversely affect water use or water safety by harbor users, waterfront properties or adjacent properties.

F. That the intensity of proposed development is in general harmony with that of existing activities in areas within the Commission's jurisdiction.

G. That public use will be encouraged consistent with the foregoing. An example of public use could be a marina, which provides services to transients, in contrast to condominium docks, which are owned by private individuals.

7. Management Approach

A. Town-Borough Coordination

Communication and coordination between the Town of Stonington and the Borough of Stonington must be maintained in order for this Plan to be effective. It is the responsibility of the Chairman of the Stonington Harbor Management Commission, or his / her designee, to act as the liaison between this Commission and all Borough and Town governing and legislative bodies, commissions, boards and agencies.

B. Source of Funding

Upon adoption of a Harbor Management Plan by the Town and Borough of Stonington, the source of all funding for the implementation of the Plan shall be confined to the mooring-related fees collected annually by the Harbormaster. The Commission must thus be able (within the guidelines set by Connecticut Statutes) to propose as part of its budgeting process annual fee levels that will ensure there will be adequate revenue to support its work.

There shall be no use of general tax revenues from the Town or Borough of Stonington in the annual budget of the Stonington Harbor Management Commission.

II. The Ordinance

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Article 5: Review and Modification of The Harbor Management Plan

Section 1:	Review of Harbor Management Plan
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Article 6: Definitions

Annex A: Slow No Wake Ordinance
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Annex C: Mooring Tackle Specifications
Drawing C-1: Mooring Buoy Specification
Drawing C-2: Typical Mooring Schematic

Article 1: General Provisions

Art. 1 Sec. 1 Title
This Ordinance shall be known as the Stonington Harbor Management Ordinance.

Art. 1 Sec. 2 Applicability
Unless otherwise provided, each provision of this Ordinance shall apply to:

A. All waters lying east of Wamphassuc Point, south of the Conrail railroad embankment and the shoreline eastward to the Borough of Stonington, west of the western shoreline of the Borough of Stonington and north of the westerly breakwater and of a line between its eastern end and the red and green buoy "SP" lying south of Stonington Point, which waters are herein defined as "Stonington Harbor;" and to

B. All waters lying east of the eastern shoreline of the Borough of Stonington and north of a line running from the aforesaid buoy "SP" true east to the Connecticut-Rhode Island border, thence following the state border north and thence generally eastward to buoy "19" thence north to the tip of Pawcatuck Point, which waters include Wequetequock Cove and portions of Little Narragansett Bay.

Art. 1 Sec. 3 Area Chart
A chart showing the waters to which this Ordinance applies as well as the mooring and anchorage areas of Stonington Harbor is included in the Stonington Harbor Management Plan as Chart I and is made a part of this Ordinance.

Art. 1 Sec. 4 Invalidity of Provisions
Should any provision or provisions of this Ordinance be held invalid or inoperative, the remainder shall continue in full force and effect as though such invalid or inoperative provisions had not been determined.

Art. 1 Sec. 5 Harbor Management Fund
In accordance with Sections 22a-113l and 22a-113s of the Connecticut General Statutes, a Stonington Harbor Management Fund is hereby established to provide for the costs of administering the Stonington Harbor Management Plan.

Within the limits of Connecticut State Statute, the Stonington Harbor Management Commission (the "Commission") shall propose fee schedules for a mooring or anchorage or any other activity within the scope of this Ordinance, to be adopted by vote of the Town of Stonington and the Borough of Stonington legislative bodies.

The Harbormaster or Deputy Harbormaster shall collect all fees and deposit them into an account maintained by the Town of Stonington and administered by the Commission. The

account shall be used for the maintenance, safety and improvement for the public of the waters under the jurisdiction of this Commission and for expenses for personnel, equipment, and services directly related to the function of the Commission or the Harbormaster or the Deputy Harbormaster. All expenditures shall require the approval of the Commission with payment orders to be signed by a Selectman and the Town Treasurer.
No member of the Commission shall receive compensation from the Fund for services, but may be reimbursed for any necessary expense. No Town or Borough tax revenues shall be used in administering this Plan.

Article 2 : Safety and Traffic Control

Art. 2 Sec. 1 Defective or Dangerous Conditions

In accordance with CT General Statute 15-11a, whenever any vessel, structure, or floating facility within the jurisdiction is found by a duly authorized harbormaster to be defective or damaged so as to be unsafe or dangerous to persons or property, the environment, or safe navigation, it shall be rendered safe or no longer dangerous by the owner within 30 days of the receipt of written notification. Circumstances may arise that require the Harbormaster to take a more immediate response.

Art. 2 Sec. 2 Traffic and Speed Control

The Harbormaster, Deputy Harbormaster, the Stonington Police Department, and the State (DEEP) and Federal (USCG) authorities shall have authority to control waterborne traffic. The laws governing this are set forth in Chapter 268 "Boating" of the Connecticut General Statues.

The Stonington Harbor Slow No Wake ordinance is included in Annex A.

Article 3: Harbor Use Regulations

Art. 3 Sec. 1 Enforcement Authority

The Stonington Harbormaster and Deputy Harbormaster shall enforce the provisions of this Ordinance. The Harbormaster or Deputy Harbormaster may cite any alleged violators of this Ordinance. All uniformed officers of the Stonington Police Department shall have the authority to enforce the provisions of this Ordinance.

Art. 3 Sec. 2 Penalties

Any person who violates any provision of this Ordinance shall, upon conviction thereof, be punished by a fine in accordance with Connecticut General Statutes.

Art. 3 Sec. 3 Liability

Any person using Stonington jurisdictional waters or its maritime facilities shall assume all risk of personal injury or loss of life and all risk of damage or loss to their property. Both the Town of and Borough of Stonington assume no risk on account of fire, theft, Act of God, or

damage of any kind to vessels within the area under the jurisdiction of this Ordinance, nor responsibility for personal injury or loss of life within the same area.

Art. 3 Sec. 4 Swimming and Underwater Scuba
Swimming and recreational scuba diving are prohibited in all Coast Guard designated channels and fairways. Scuba Diving is also prohibited north of a line extending from the west breakwater (green navigational aid #5) to the end of the inner breakwater (red navigational aid #8). However scuba diving for the maintenance of boats on moorings or for harbor maintenance (by permission of the Harbormaster) is permitted. Exceptions may be made by permission of the Harbormaster and with due considerations for safety.

Art. 3 Sec. 5 Water Sports
Recreational towing activities including, but not limited to, water skiing, tubing and wakeboarding are prohibited within Stonington Harbor, and within the waters north of a line running from red and green buoy "SP" thence to buoy "2" thence to the northwest tip of Sandy Point, and thence to Edwards Point. See Chart I.

Art. 3 Sec. 6 Fixed Fishing Gear
In Accordance with DEEP – enforced Connecticut Department of Environmental Protection Regulation 26-142a-31(D), placement of fixed fishing gear (e.g. lobster pot buoys) in channels or fairways at any time, and in mooring areas from May 1 to October 15, is prohibited.

Art. 3 Sec. 7 The Use of Vessel as Abode
The use of vessels or floating homes/offices in Stonington jurisdictional waters as permanent or long-term (greater than 30 days) abodes is specifically prohibited. Sleeping aboard vessels is allowed as a secondary use to the vessel's principal commercial or recreational use. Temporary exceptions to this regulation for unusual circumstances may be allowed at the discretion of and by permission of the Harbormaster.

Art. 3 Sec. 8 Coordination with Town, Borough, and State Agencies Pursuant to Sec. 22a-113p of the Connecticut General Statutes, any Town or Borough commission or board that is considering a proposal that affects the real property on, in or contiguous to the waters within the jurisdiction of the Commission shall notify the Commission in writing within 15 days of receipt of the proposal and at least thirty-five days prior to the taking of final action on the proposal. At the request of this Commission, a copy of the proposal under consideration shall be forwarded to this Commission for review and a recommendation. Overriding of an unfavorable recommendation from the Commission must be by a two-thirds vote. The proposal shall be acted upon by the Commission within thirty-five days after initial receipt of notification of the proposal from any Town or Borough commission or board. Failure of the Commission to submit a recommendation will be deemed to be approval of the proposal.

Art. 3 Sec. 9 Sanitation
The waters within the jurisdiction of the Commission are a No Discharge Zone defined in accordance with Sec 312 of the Federal Clean Water Act by Connecticut General Statute. Included is the discharge of any refuse, waste, debris, petroleum product or by-product, paint, varnish, or treated or untreated sewage.

Art. 3 Sec. 10 Settlement of Disputes
Any dispute arising over the use of the jurisdictional waters as defined in this ordinance, shall be settled by the Commission in a special meeting. The Complainant shall request in writing such a meeting from the Chairman of the Commission.

Article 4: Mooring, Anchoring, and Securing Of Vessels

Art. 4 Sec. 1 Placement of Moorings
Placing any mooring in the waters of the harbor without a permit from the Harbormaster is prohibited. Vessels shall not be moored so that they come closer than fifty feet to the north side of the west breakwater. Unpermitted moorings shall be removed by the Harbormaster within 14 days after written notification to the owner, provided the owner can be identified. Removal of unpermitted moorings shall be at the owner's expense. If the owner is unknown, removed equipment shall be treated as lost property and disposed of by the Harbormaster.

Art. 4 Sec. 2 Private Moorings
Private moorings shall be used by the holders of the permits for those moorings. That is, the moorings shall not be rented or leased (only approved commercial moorings may be rented or leased) nor shall they be left unused for more than sixty consecutive days between July 1 and September 30 without consulting the Harbormaster. The Harbormaster may decline to renew permits for unused moorings.

The registered permit holder for any private mooring must be the majority owner of the vessel registered to the said mooring. In the case of a vessel of joint ownership, a notarized statement of ownership of the vessel shall be required as proof of majority ownership by the mooring holder (forms are available from the Harbormaster.)

Occasional use of private moorings by guests of the permit holder and mooring vacancies during cruises or boat repairs are allowed. Protracted vacancies caused by delays between selling a permitted boat and acquiring a new boat, or by such circumstances as illness of the permit holder or temporary absence from the Stonington area may be allowed by the Harbormaster. These situations should be discussed with the Harbormaster as they arise.

At the request of a permit holder who is facing one of the situations described in the previous paragraph, the Harbormaster may issue a temporary permit (not to exceed six months) for use of a vacant mooring. The standard mooring permit application must be submitted to the Harbormaster for review and approval. If approved, the permit shall be

marked "TEMPORARY" to indicate that it is not a permanent permit. If the Harbormaster approves temporary use of a private mooring, the holder of the temporary permit must assume all liability in writing. The Harbormaster shall consider the waiting listing List when he/she issues temporary permits.

Art. 4 Sec. 3 Commercial Moorings

Approved commercial moorings may be rented or leased by the authorized lessee. Commercial moorings may not be placed in the harbor without the proper Army Corps of Engineers and Connecticut Department of Energy and Environmental Protection permits.

Art. 4 Sec. 4 Special Purpose Moorings

Special purpose moorings are intended to provide access to the water for the general public. Moorings of this type will be approved by the Commission at its discretion for a period of one year.

The "Application for Mooring Permit", described in Article 4, Sect 5 (below), shall be followed with the following exceptions:

- The standard mooring permit application shall be submitted to the Harbormaster who shall forward it to the Commission for review and consideration for approval.
- A detailed description of each element of the selection criteria described below, shall accompany the application.
- The permit shall be issued in the name of the person or designated principal of the entity.

The Commission shall use the following criteria for initial permit approval as well as subsequent re-evaluations.

- Mooring availability,
- Provides access to the water for the general public,
- Promotes use of the water for recreational, educational or research use,
- Person/entity is not for-profit organization,
- Intended/actual use.

Applications shall be submitted and re-evaluated each year. Public access moorings shall not be used for any purpose other than that specified on the mooring permit application.

Art. 4 Sec. 5 Application for Mooring Permit

A. New Applications. Effective November 3, 2012, any person who has a Connecticut Safe Boating Certificate at the time of the application may apply for a mooring permit. The waiting list application form (Annex B) should be submitted to the Harbormaster with any processing fee established yearly by the Commission. Application forms are available at the Town Clerk's office, Borough Clerk's office, and from the Harbormaster. Applications shall be placed on the waiting list in the order of receipt by the Harbormaster.

B. Renewal Applications. The intent of the waiting list renewal process is to ensure the timely assignment of newly available moorings to waiting list applicants. The procedure annually validates applicant interest and ensures current applicant contact data to expedite Harbormaster communication with applicants.

Waiting list applications are valid for one year and must be renewed annually for the following year. Waiting list renewal applications will be sent to current waiting list applicants in September of each year. The applicant shall return the completed and signed renewal application with the stated fee to the Harbormaster postmarked no later than the date designated on the application. Failure to renew by that date shall result in the applicant's removal from the waiting list.

The applicant will be notified, using registered and regular mail with delivery tracking or certificate of mailing, of removal from the waiting list and may apply for reinstatement to the former position on the list by contacting the Commission by December 31. The new waiting list will be published in January to reflect the changes effected by the renewal process.

C. Mooring Permit Renewal Process. Mooring permits are valid for a period not to exceed one year. All mooring permits expire on December 31st. Applicants must complete the renewal process by March 31st. The Harbormaster, in January of each year, shall send a renewal application to persons who are eligible for mooring permit renewal for the upcoming season.

The renewal applicant shall:

- review and, if necessary, make changes to the information provided on the application,
- sign the application,
- enclose a copy of the applicant's current Connecticut registration or Connecticut certificate of number,
- include the appropriate application fee,
- include the majority ownership affidavit if required,
- return the renewal application and associated documentation to the Harbormaster.

Completed applications must be post marked by March 31st for the upcoming season. Failure to renew shall result in loss of mooring permit. The Harbormaster shall acknowledge receipt of completed paper work electronically or by mail.

D. Restrictions:

- There is a restriction of one permit per person including the littoral-type permit (See also Article 4, Section 6E – Shorefront Property Owner Moorings).
- Mooring permits are not transferable.
- Spouses are considered joint permit holders.

E. Mooring Permit Fee. The Stonington Harbor Management Commission shall establish a fee schedule for a permit for a mooring location or any other activity within the scope of the Stonington Harbor Management Plan. The fee schedule shall be within the limits set by the Ct General Statute 22a-113s, be approved at a Town Meeting, and will be published annually by September 1. If a revised schedule is not set by September 1 and approved by a Town Meeting, the previous fee schedule shall govern until so approved. The schedule will be posted in the office of the town clerk for Stonington and Stonington Borough.

A fee in accordance with the following fee schedule shall accompany each mooring permit application:

- Private Mooring Fee: $20.00
- Special Purpose Mooring Fee: $20.00
- Commercial Mooring Fee: $100.00

Art. 4 Sec. 6 Allocation of Mooring Spaces

A. General Assignment Factors. All mooring locations shall be determined by the Harbormaster, with due consideration to vessel size, draft, water conditions, and other relevant factors, such as coastal resource protection.

B. Previous Mooring Holders. Mooring locations shall first be allocated to those owners of registered moorings in the harbor provided they have met all the required provisions of the Stonington Harbor Management Ordinance. The Harbormaster may assign current mooring holders to a new location in order to optimize the use of mooring space within Stonington Harbor.

C. Relocation Applications. A permit holder who applies to relocate his mooring shall be given such priority as the Harbormaster may deem appropriate.

D. Waiting List. When a mooring space becomes available, it shall be offered to the senior applicant on the mooring waiting list, subject to the constraints contained in these regulations. If the available mooring space is not suitable to accommodate the senior applicant's vessel or specific needs, it shall be offered to the next senior qualified applicant. The senior applicant shall retain his or her place on the waiting list. The Harbormaster shall continue efforts to provide a suitable mooring space for the senior applicant. If the senior applicant voluntarily passes an offer of a mooring, he will retain his position on the waiting list for one year.

E. Shorefront Property Owners Moorings. Shorefront property owners within the jurisdiction are entitled to littoral moorings. The owner of private shorefront property on Stonington Harbor shall have precedence over the waiting list applicants when applying to the Harbormaster for a mooring permit within Stonington Harbor. A shorefront

property owner may hold only one mooring. A littoral mooring permit becomes invalid when the owner sells the shorefront property if the permit was issued after October 9, 2012. The Harbormaster shall reassign the mooring at his discretion. The former property owner may apply to the waiting list for a new mooring.

F. Commercial Moorings. Commercial moorings shall be limited to a maximum of 35 percent of the total deep draft moorings in the harbor. This percentage may be modified by the Harbor Management Commission.

Art. 4 Sec. 7 Mooring Records

A. The Harbormaster shall keep a detailed record of each mooring, its location, and the owner's name, home address, email address, telephone number(s), date mooring was set, and for private and public access moorings, the name, length, Connecticut registration number or Connecticut certificate of number, mooring inspection report, and type of boat to be attached thereto.

B. The Harbormaster shall maintain in a public place a waiting list for moorings which will include the original dates of all permit applications, and a list of assigned moorings with permittee names. Both lists shall be updated semi-annually.

Art. 4 Sec. 8 Transient Anchorage

A. Vessels may remain in the transient anchorage area for a period not to exceed 9 consecutive days except in cases of special circumstances and after notification of and approval by the Harbormaster.

B. Vessels shall be properly and securely anchored.

C. Vessels shall not be left unattended for more than 24 hours. A vessel's operator shall not leave the immediate area without notifying the Harbormaster and providing a ship keeper for the vessel.

D. No transient vessel shall anchor inside the special anchorage areas shown on Chart 3 which are reserved for permitted moorings.

Art. 4 Sec. 9 Secure Berthing, Mooring, and Anchoring of Vessels.

It shall be the responsibility of the owner of the vessel, and where applicable, of marine facility operators, to assure that a vessel is properly secured and to provide for periodic inspection, maintenance, and replacement of such equipment at reasonable intervals as determined by the Harbormaster.

Art. 4 Sec. 10 Mooring Specifications

Minimum specifications for mooring tackle are provided in Annex C.

Art. 4 Sec. 11 Mooring Inspection

Inspection of mooring tackle shall be required every three years on a rotating schedule established by the Harbormaster. When issuing mooring permits, the Harbormaster shall notify those mooring permit holders who are required to have mooring inspections performed during that calendar year. The inspection documentation form (available from the Harbormaster) must be completed in full and be signed by an inspection contractor authorized by the Harbormaster (list provided with the inspection documentation form) and returned to the Harbormaster in the calendar year in which it applies. Failure to provide a signed copy of the required mooring inspection documentation shall result in non-renewal of the mooring permit for the following season.

Mooring inspections may be required by the Harbormaster when circumstances arise that lead the Harbormaster to question the safety of the mooring. In such instances, the Harbormaster shall notify those mooring permit holders who are required to have a mooring inspection performed before the mooring is deemed usable.

Art. 4 Sec. 12 Winter Mooring Sticks

Winter mooring sticks shall be removed by June 30th and replaced with the mooring permit owner's properly marked mooring ball, in accordance with the ground tackle requirements stated herein. Winter mooring sticks remaining past June 30th may be removed (contracted out) by the Harbormaster at the expense of the mooring permit holder. Winter Mooring Sticks shall not be placed in the Harbor before October 1st. Winter sticks (spars) shall be lettered with the mooring number and mooring holder's name, and shall be attached directly to the chain so the other end is clearly visible above the water at all times.

Art. 4 Sec.13 Storm Precautions:

Owners are expected to add reasonable scope, weights, and extra anchors in anticipation of storm conditions. Prompt return to usual mooring provisions shall be completed within seven days after a storm.

Article 5: Review and Modification of The Harbor Management Plan

Art. 5 Sec. 1 Review of Harbor Management Plan

Section 22a-113m of Connecticut General Statutes provides for an annual review of the Harbor Management Plan by the Harbor Management Commission and by the Commissioners of Environmental Protection and Transportation. The Commission shall conduct its review during the boating season, prior to Labor Day. As part of the review, the Commission shall hold a public workshop to receive comments and recommendations concerning all aspects of management of Stonington Harbor and the other waters under its jurisdiction. The review shall include the administration of mooring regulations, mooring permit fees, and the operation of commercial moorings.

Art. 5 Sec. 2 Modification of Harbor Management Plan
Modifications to the Stonington Harbor Management Plan shall be made in accordance with Connecticut General Statutes and shall be approved by the legislative bodies of the Town and the Borough of Stonington.

Article 6: Definitions

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.

Berth: space for a single vessel alongside a pier, finger float, or other structure.

Buffer: an open water area between the shore and a designated mooring area.
Channel: a water area officially marked and maintained to permit unobstructed movement of vessels.

Commercial Mooring: a mooring that is rented or leased or available for rental or lease.

Deep Draft: A minimum depth of 4 feet at mean low water.

Distress: a state of disability or of present or obviously imminent peril which, if unduly prolonged, could endanger life or result in serious property damage.

Emergency: a state of imminent or proximate danger to life or property in which time is of the essence.

Fairway: a locally-designated water area reserved for unobstructed movement of vessels.

Floating Home/Office: A floating building or structure constructed on a float, barge or raft, no longer principally intended for nor generally capable of safe navigation, as determined by the Harbormaster, but principally used as an abode or place of business.

Harbor Facility: an area or structure providing private or public access to the water.
Harbor Management Act: the legislation contained within the State of Connecticut General Statutes, Sections 22a-113k through 22-113t and as may be amended.

Harbor Management Commission: the local municipal commission established under and carrying out the responsibilities authorized by the Connecticut Harbor Management Act.

Harbormaster: an official appointed by the Governor of the State of Connecticut to administer a harbor, in this case Stonington Harbor, in accordance with the Connecticut General Statutes. The Harbormaster shall enforce the Harbor Management Ordinance.

Littoral Mooring: Littoral refers to the intertidal zone, the area that is above water at low tide and under water at high tide. "Littoral mooring" is one assigned to a landowner whose property abuts the intertidal zone.

Majority Owner: In the case of a vessel owned by multiple persons, one person must be a larger share owner than any of the other owners.

May: "may" is permissive. See "Shall".

Moor: to secure a vessel to a mooring.

Mooring: a device or system incorporating mooring tackle intended for long term use by which vessels are secured to the bottom of a water body.

Mooring Buoy: a floating device designed to mark a mooring.

Mooring Tackle: the hardware and cordage used to secure a moored vessel.

Open Water: a water area designated in the Water Use Plan where moorings and structures are restricted in order to preserve the area for navigation, natural resource, or public recreational purposes.

Private Mooring: any mooring that is not a commercial mooring.

Public Access: an area where the public has free access from the land to either a view of the water or the water itself.

Public Area: all areas of the harbor except those areas under specific government lease to private parties or owned privately.

Shore: the part of the land in immediate contact with a body of water, including the area between high and low water lines.

"Shall": "shall" is mandatory. See "May".

Special Purpose Mooring: Special purpose moorings are designated moorings that provide access to the water for the general public.

State: the State of Connecticut.

Structure: a dock, pier, piling, breakwater, groin, seawall, and combinations thereof.

Transient Anchorage: an area designated for the exclusive short-term use of commercial and recreational vessels.

Underway: the condition of a vessel that is not anchored, moored, made fast to the shore, nor aground.

Vessel: every description of watercraft, other than a seaplane on water, used or capable of being used as a means of transport through the water, as defined in CGS Section 15-127.

Wharfing Out: The erection of a wharf upon public (submerged) land by a landowner whose property abuts the littoral/intertidal area.

Annex A: Slow No Wake Zone Ordinance

ORDINANCE RE: SLOW-NO-WAKE ZONE IN STONINGTON HARBOR

AN ORDINANCE OF THE TOWN OF STONINGTON, CONNECTICUT, PROVIDING FOR A SLOW-NO-WAKE ZONE IN STONINGTON HARBOR.

WHEREAS, the body of water commonly known as Stonington Harbor is located within the territorial limits of the Town of Stonington (hereinafter "Town"); and

WHEREAS, General Statute §15-136 provides that the Town, by ordinance, may make local regulations respecting the operation of vessels on any body of water within the Town's territorial limits; and

WHEREAS, the Town desires to protect the health, safety and welfare of its boating citizens and guests by regulating the operation and speed of vessels within Stonington Harbor .

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL TOWN MEETING DULY ASSEMBLED THAT:

Section 1. The ordinances of the Town of Stonington be amended by adding a section to read as follows:

(A) There shall be a Slow-No-Wake zone established within Stonington Harbor. Said Slow-No-Wake zone shall be within that area of the harbor that is bounded to the north by the railroad causeway; bounded east and west by land; and bounded south by a line beginning at fixed red navigation aid #8, thence running in a southwesterly direction to green navigation buoy #7, thence running south to fixed green navigation aid #5, thence running along the breakwater in a westerly direction, thence running west from the westernmost point of the breakwater to the southernmost point of Wamphassuc Point.

(B) No person shall operate a vessel under mechanical propulsion in excess of Slow-No-Wake within the Slow-No-Wake zone described in subsection (A) of this ordinance, except for the purpose of aiding a mariner in distress. For purposes of this ordinance, "Slow-No-Wake" shall mean that a vessel shall not produce more than a minimum wake, and shall not attain speeds greater than six (6) miles per hour over the ground unless a higher minimum speed is necessary to maintain steerageway when traveling with a strong current. In no case shall the wake produced by a vessel be such that it creates a danger of injury to persons, or will damage vessels or structures of any kind.

Section 2. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. If any provision of this ordinance or the application thereof is held to be invalid such invalidity shall not affect other provisions or applications of any other part of this ordinance which can be given effect without the invalid provisions of applications; and to this end the provisions of this ordinance and the various applications thereof are declared to be severable.

This Ordinance shall become effective following: (1) approval by Town Meeting; (2) fifteen (15) days after publication in a newspaper having a substantial circulation within the Town of Stonington; and (3) sixty (60) days after submission of this Ordinance to the Commissioner of the Department of Environmental Protection, provided the Commissioner does not disapprove of said Ordinance within said sixty (60) days.

Adopted – March 21, 2011
Effective – April 9, 2011

Annex B

STONINGTON HARBOR WAITING LIST APPLICATION FORM

NOTICE

It should be understood that the order in which you are on the waiting list is not the sole determinate for your selection for a mooring. Other factors such as boat size, draft and the kind of mooring available will be considered. The waiting list will be posted at the Stonington Town Hall and online at http//www.stoningtonharbor.org

INSTRUCTIONS:

1) Complete this form which certifies that you have applied to be put on the waiting list for a mooring in the area under the jurisdiction of the Stonington Harbormaster.

2) Mail to:
STONINGTON HARBORMASTER, PO BOX 135, STONINGTON, CT 06378-0135

.....

Name:_____
First Last

Address:_____
Street Town State Zip

Home Phone:_____ Work Phone:_____ Email:_____

Do you currently own a boat? (circle one) YES NO

If Yes: Type of Boat: (circle one) SAIL POWER

Size: _____ft Draft: _____ft

Make of Vessel: _____ Name of Vessel:_____

NOTE: It will be up to the discretion of the Harbormaster to determine your status if you refuse a mooring or do not own a boat at the time that a mooring becomes available. An appeal can be made to the Harbor Commission if you are not satisfied with the decision.

I understand the above to be true and if there is any change in status to the above information I will contact the Stonington Harbormaster.

Signature _____

_____ DO NOT WRITE BELOW THIS LINE _____

DATE RECEIVED _____ HARBORMASTER _____

REV 9/2/02

Annex C: Mooring Tackle Specifications

The following mooring tackle specifications are minimum recommendations to be followed when placing a mooring in Stonington Harbor. It should be understood that no minimum standard would assure absolute protection for all vessels at all locations under all conditions. The Commission recognizes that particular conditions may necessitate a stricter requirement or allow a relaxation of these standards on a case by case basis.
The mooring permittee may request, or the Harbormaster may require, deviation from these minimum standards on consideration of the following factors: location of the mooring, including factors such as expose, water depth, proximity to shore or structures or other moorings: type of vessel to be moored including factors such as bulk, windage, and draft; and type of mooring tackle, including adequate substitution of mooring type and chain weight.

No standards can assure adequate protection from severe coastal storms with associated winds and waters. However, the following specifications are offered as a compilation of research based on marine engineering studies, neighboring Harbor Commissions and marina usage in Southern New England.

Vessel Length	Mushroom Weight		Bottom Chain		Top Chain		Pennant
	(Sail) Lbs	(Power) Lbs	Length	Diameter	Length	Diameter	Diameter
15'	200	200	15'	3/4"	20'	3/8"	5/8"
20'	300	300	15'	3/4"	20'	1/2"	5/8"
25'	400	500	15'	3/4"	20'	1/2"	5/8"
30'	500	600	15'	3/4"	30'	1/2"	3/4"
35'	600	800	20'	1"	30'	1/2"	3/4"
40'	800	1000	20'	1 1/8"	40'	3/4"	7/8"
45'	1000	1500	20'	1 1/8"	40'	3/4"	1"

Notes:
(1) Lengths are maximums for each set of tackle specifications. For vessels greater than 45' boat owners shall get approval of Harbormaster for proposed tackle.

(2) Top chain lengths are maximums for boats moored. Total length of top chain shall be at least 2 1/2 times the depth of water at high tide, up to the maximums shown above.

(3) Mooring buoys shall be a minimum of 15 inches in diameter, white with a clearly visible blue band midway between the top of the buoy and the waterline. Mooring buoys shall be lettered with the mooring designation number, as assigned by the Harbormaster, and mooring holder's surname. See Drawing C-1.
(4) Anchor weights and tackle sizes (diameters) are minimums. They may exceed the above figures, but the total scope of chain may not be exceeded without approval of the Harbormaster. Bottom chain length shall be not less than the water depth, for ease of shackle inspection.

Additional Requirements
(refer to Drawing C-2)

1. All shackles shall be seized. Seizing material shall not promote electrolysis.

2. Chafing gear shall be used.

3. Adequate and properly secured chocks are required.

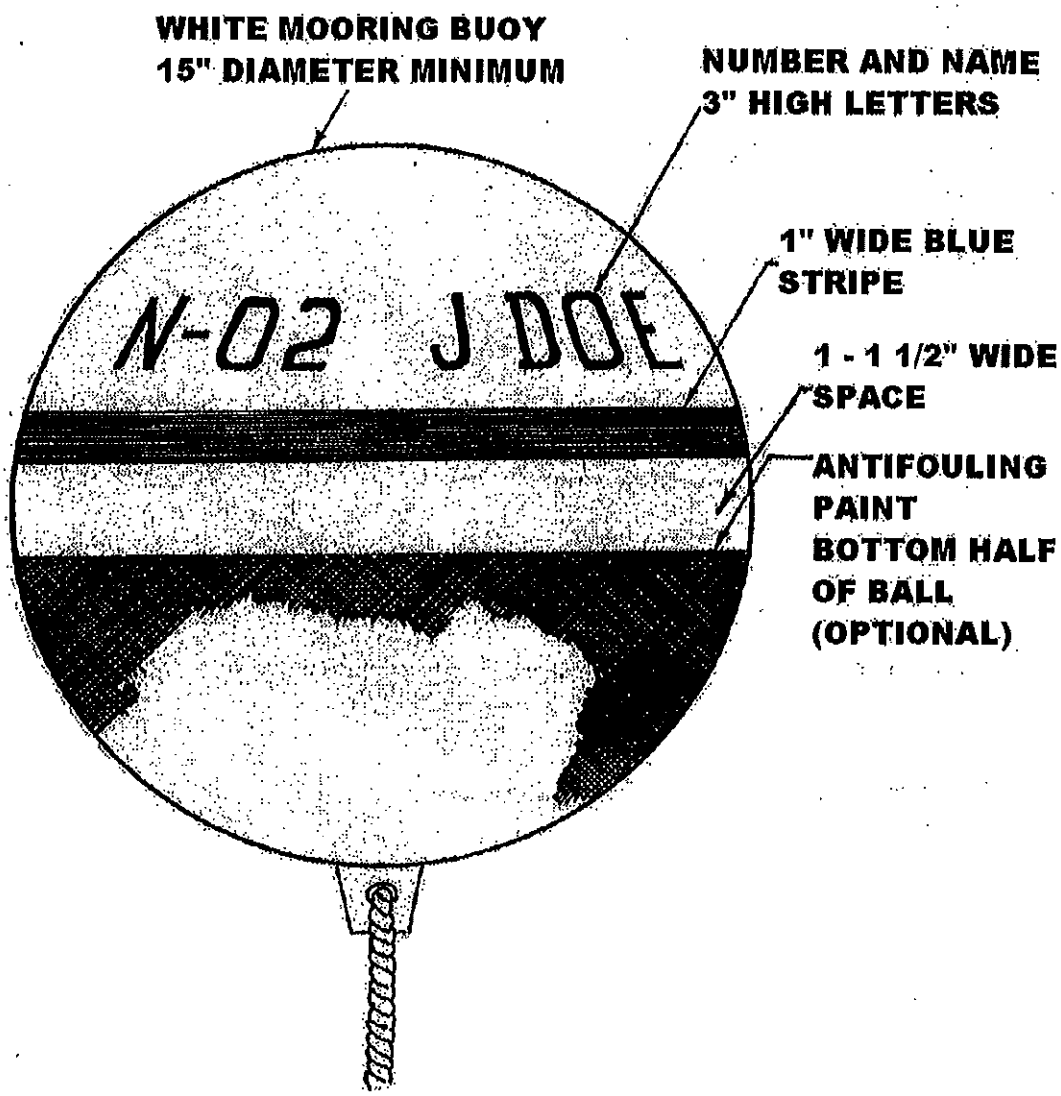
4. Two pennants are required and shall be shackled to the chain. Wire shall not be used for pennants. Pennant length should be 2 1/2 times the vertical distance from the bow chock to the water, plus the distance from the bow chock to the mooring cleat or post.

5. Only systems designed for the anchoring of vessels may be used for moorings.

6. Mid-chain weights or anchors shall not be used as regular tackle, but are encouraged during storm conditions. They shall be removed promptly afterward so as to ensure proper swing.

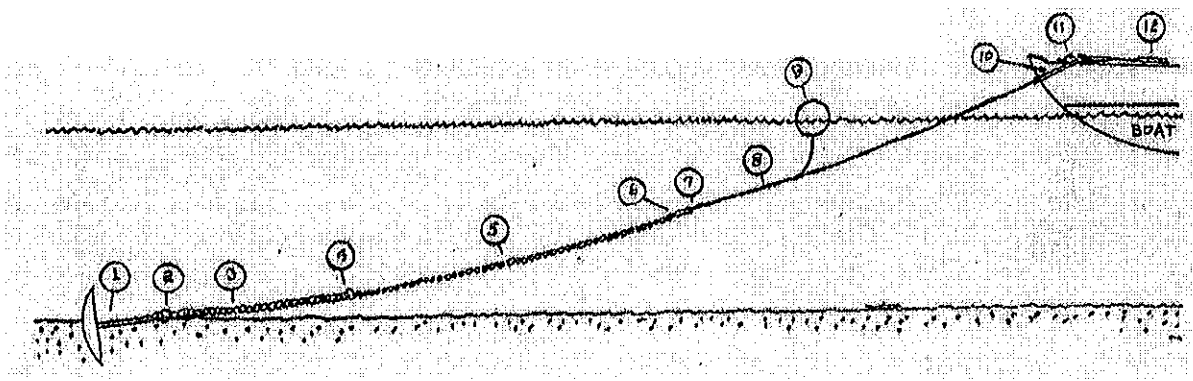
7. The proposed ground tackle as a whole must be acceptable to the harbormaster.

No representation of adequacy is made by this section or by the Harbormaster's acceptance of proposed tackle.


WHITE MOORING BUOY
15" DIAMETER MINIMUM
NUMBER AND NAME
3" HIGH LETTERS
1" WIDE BLUE
STRIPE
1 - 1 1/2" WIDE
SPACE
ANTIFOULING
PAINT
BOTTOM HALF
OF BALL
(OPTIONAL)
N-02 J DOE

LEGEND

1. MUSHROOM ANCHOR
2. SHACKLE OR SHACKLES
3. BOTTOM CHAIN
4. SHACKLE
5. TOP CHAIN
6. SWIVEL
7. SHACKLE WITH THIMBLE EYESPLICED IN PENDANT
8. PENDANT (DOUBLE PENDANT PREFERED)
9. MOORING BUOY
10. CHAFING GEAR
11. CHOCK
12. EYESPLICE IN PENDANTS OVER CLEATS



TYPICAL MOORING SCHEMATIC ONLY. NOT TO SCALE.

Drawing C-2

III Appendix: Shellfish in Stonington Harbor and Little Narragansett Bay

1. Goals of the Stonington Shellfish Commission

The goals of the Stonington Shellfish Commission are:

A. Manage recreational and commercial shellfishing activities to provide benefit to the Town of Stonington and its residents.

B. Maintain and improve access to recreational shellfish resources.

C. Manage commercial shellfishing interests to maintain and improve a traditional economic livelihood.

D. Manage shellfish and other resources to provide sustainable shellfishing opportunities in Stonington waters.

E. Collaborate with other boards, commissions, agencies, groups and individuals to promote and enhance shellfish resources and the environment they inhabit and rely upon.

2. Shellfish Resources of Stonington Harbor and Little Narragansett Bay

Stonington Harbor supports a rich and extensive population of hard clams and small populations of bay scallops, soft clams and blue mussels. The hard clams are widely and thickly distributed throughout the harbor. The scallops are thinly scattered in the eel grass beds on the west side of the harbor. Although this is a small population that is rarely important for recreational harvesting, it is important as a breeding stock, in part because of the protection afforded by the healthy eel grass bed.

Little Narragansett Bay also contains a rich and extensive population of hard clams, and, in some years, an extensive bay scallop population. There are some lesser populations of soft clams, oysters and blue mussels. The hard clams are widely and thickly distributed. The scallops are usually limited to the area near Barn Island in the eastern part of the bay. In recent years Little Narragansett Bay has lost its major eel grass beds which has adversely affected the production and survival of juvenile scallops.

3. Shellfish Management and Resource Status in Stonington Harbor and Little Narragansett Bay

The Connecticut Department of Agriculture, Bureau of Aquaculture (DA/ BA) and the Stonington Shellfish Commission regulate shellfish harvesting in Stonington Harbor and the Connecticut portion of Little Narragansett Bay. State Statutes and local regulations are enforced by conservation officers of the Connecticut Department of Energy and Environmental Protection, the Stonington Police Department and the Stonington Shellfish Commission's Warden.

Currently, the water quality in Stonington Harbor and Little Narragansett Bay does not allow the taking of most shellfish for direct human consumption. This prohibition extends back to 1948, when the Connecticut Department of Health ordered the closure due to poor water quality. The only shellfish exempted from this prohibition is the bay scallop, which may be taken for direct human consumption provided only the adductor muscle is consumed.

The Stonington Shellfish Commission and DA/ BA conduct extensive water quality tests at locations throughout Stonington Harbor and Little Narragansett Bay and use this information as a basis for determining the shellfish growing water classifications (Fig. 1-1).

A. Stonington Harbor. The Anchorage Area, which encompasses most of the harbor, is classified as *Conditionally Restricted Relay.* This classification means that DA/BA licensed shellfish operations may harvest shellfish for depuration (cleaning) from November 1 - March 31. During the boating season this area is closed to all shellfishing activity. That area of Stonington Harbor located within a 1,000-ft. radius of the sewage outfall from the Stonington Borough Wastewater Pollution Control Facility at the town dock is classified as *Prohibited,* which means that no shellfishing of any kind is permitted.

B. The remainder of Stonington Harbor, the entrance to Little Narragansett Bay and the bay itself are classified as *Restricted Relay,* which means that DA/BA licensed operations may harvest shellfish for transfer to *Approved* areas for natural biological purification.

C. Scallops may be harvested for direct human consumption during the prescribed season as set by the Stonington Shellfish Commission, so long as the adductor muscle only is consumed.

4. Current Shellfishing Activity in Stonington Harbor and Little Narragansett Bay

A. Stonington Harbor. Currently there is no commercial shellfishing activity in Stonington Harbor or at the western entrance to Little Narragansett Bay. In the past, however, the Stonington Shellfish Commission has permitted DA/BA licensed operations to harvest shellfish in Stonington Harbor. In 1995, the Shellfish Commission began placing seed scallops in the eel grass bed in the west part of the harbor to enhance the breeding stock. To date this area

with its eelgrass, continues to be a potential breeding area for scallops. In addition, the Shellfish Commission has made arrangements to use several docks in the harbor for aquaculture experiments.

B. Little Narragansett Bay. Since 1998, the Shellfish Commission has permitted DA/ BA licensed operations to harvest shellfish in the western part of Little Narragansett Bay. The eastern part of the bay is the traditional location of Stonington's recreational scalloping activity. Good scallop seasons generate much excitement, but unfortunately, they are becoming rare. This area appears to be particularly sensitive, thus it is being preserved for eel grass and scallop enhancement projects. In 1998, the Shellfish Commission participated in an extensive study of the distribution of submerged aquatic vegetation in the bay. The results of this study will be used as a basis for future restoration projects. Further studies have been conducted in coordination with CUSH (Clean Up Sound and Harbors) and the South County Coast Office of Save The Bay, located in Westerly, RI. The most recent study was conducted in the fall of 2011 to determine the population of hard shell clams for potential commercial harvest.

5. Future Shell fishing in Stonington Harbor and Little Narragansett Bay

The Stonington Shellfish Commission wishes to see all waters in the Town of Stonington open to the harvest of shellfish for direct human consumption, including Little Narragansett Bay and Stonington Harbor. This is a long-term goal and the Shellfish Commission will continue to collaborate with other commissions and agencies to achieve it.

The recent water quality data from Little Narragansett Bay indicates that there is some hope for opening a portion of the bay to the recreational harvesting of clams. The Shellfish Commission has initiated a water sampling program to meet DA/BA reopening requirements. The presence of a significant number of moored or anchored boats would greatly hinder the efforts to use to this area for recreational shellfishing.

Reopening Stonington Harbor to recreational clamming is a much greater challenge because of the outflow from the sewage treatment plant and the large number of moored boats. Currently, reopening the harbor is not a high Shellfish Commission priority. However, the valuable hard clam resource in the harbor can benefit Stonington's recreational shellfish beds. Although the Shellfish Commission has no specific plans at this time, a commercial harvester could remove the clams from the harbor, depurate them, and place them on the recreational beds. The Shellfish and Stonington Harbor Management Commissions will cooperate to ensure that access to this valuable resource is protected.

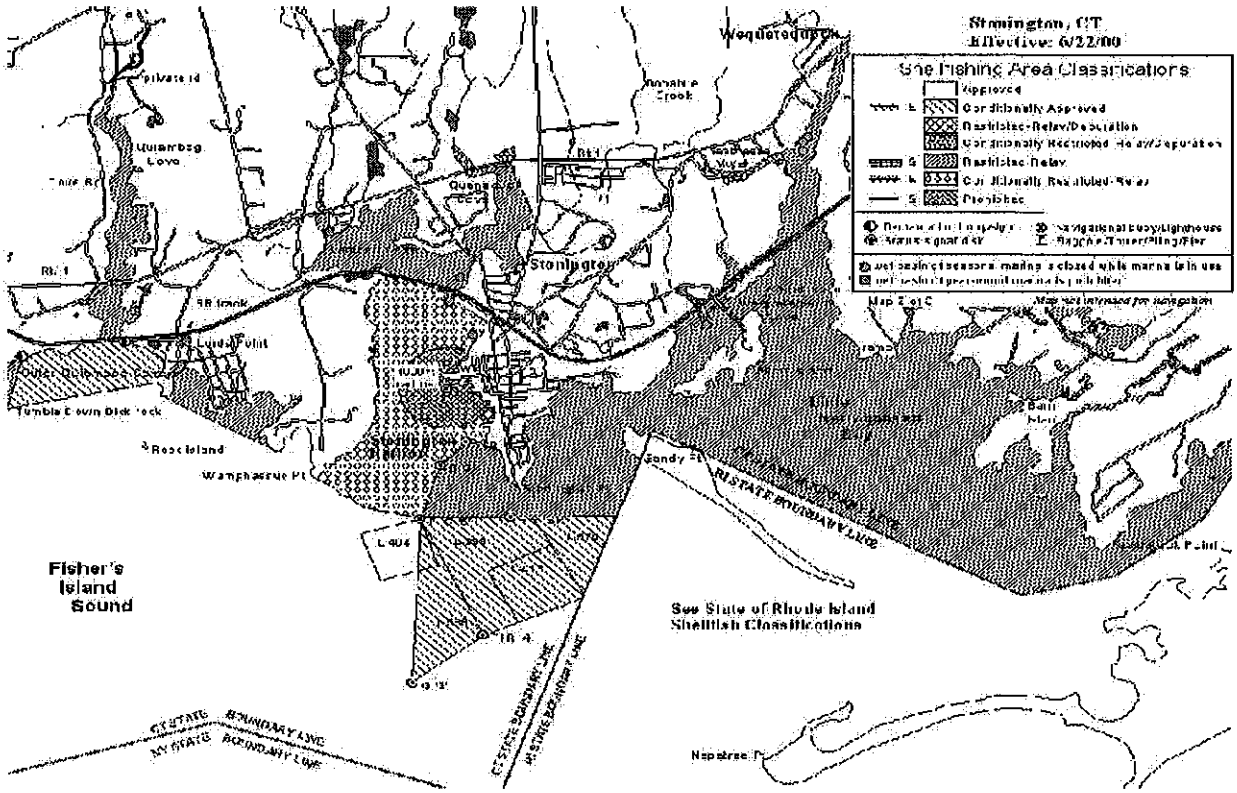


Figure 1-1. Shellfishing Area Classifications.

IV. Charts

1. **Water Use Plan**
2. **Coastal Resources**
3. **Uses**
4. **Public Access Points**

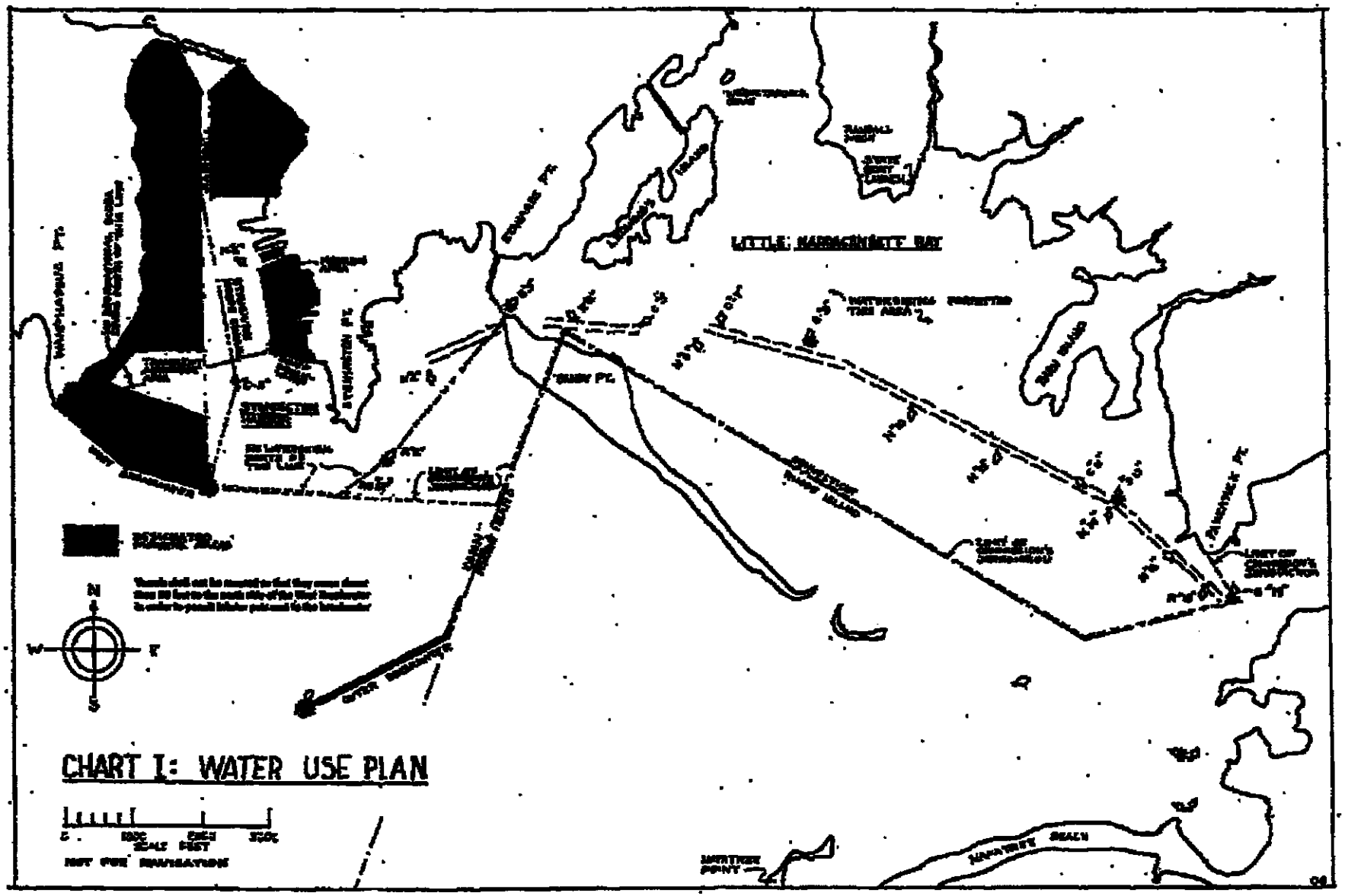


CHART I: WATER USE PLAN

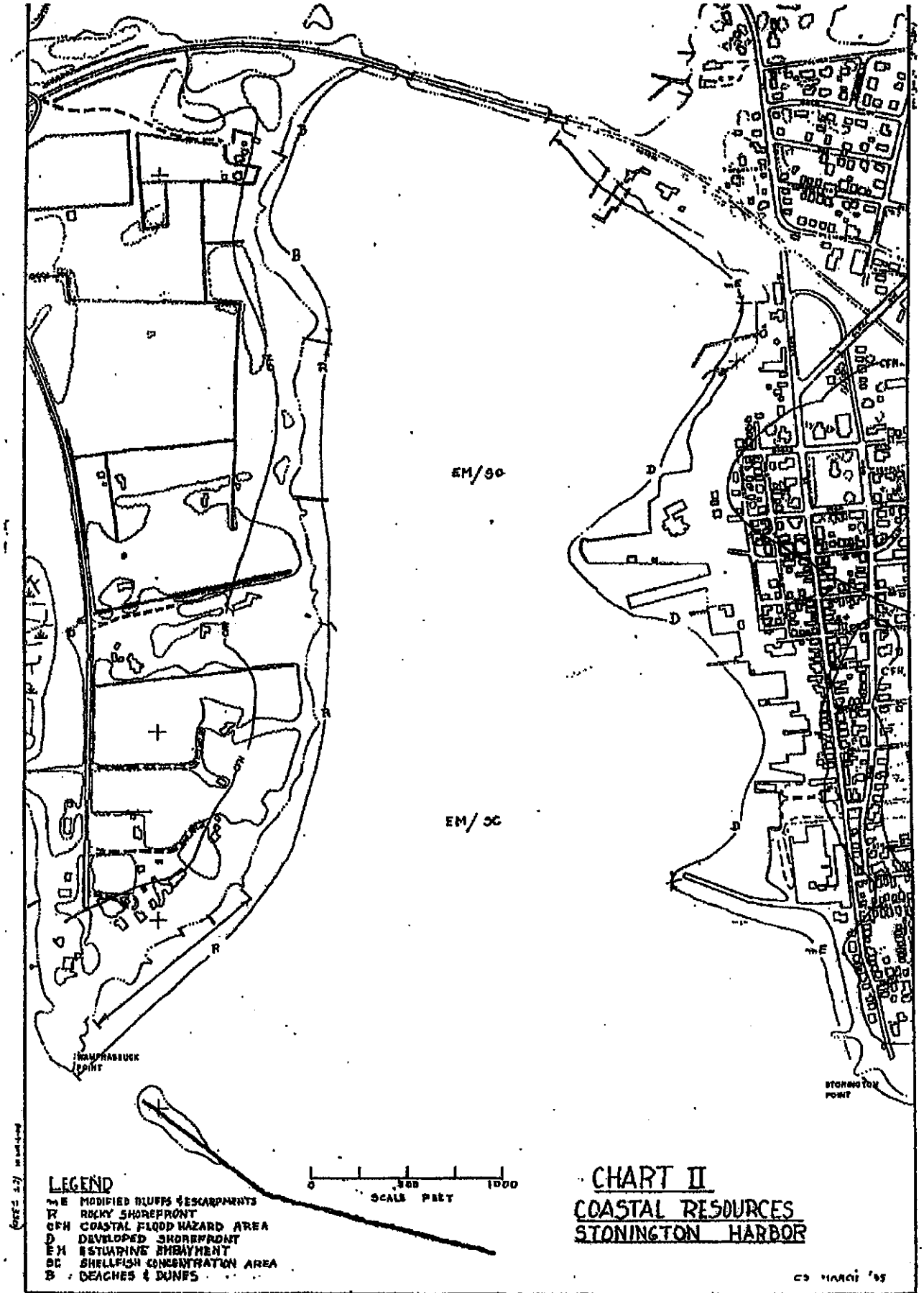


CHART II
COASTAL RESOURCES
STONINGTON HARBOR

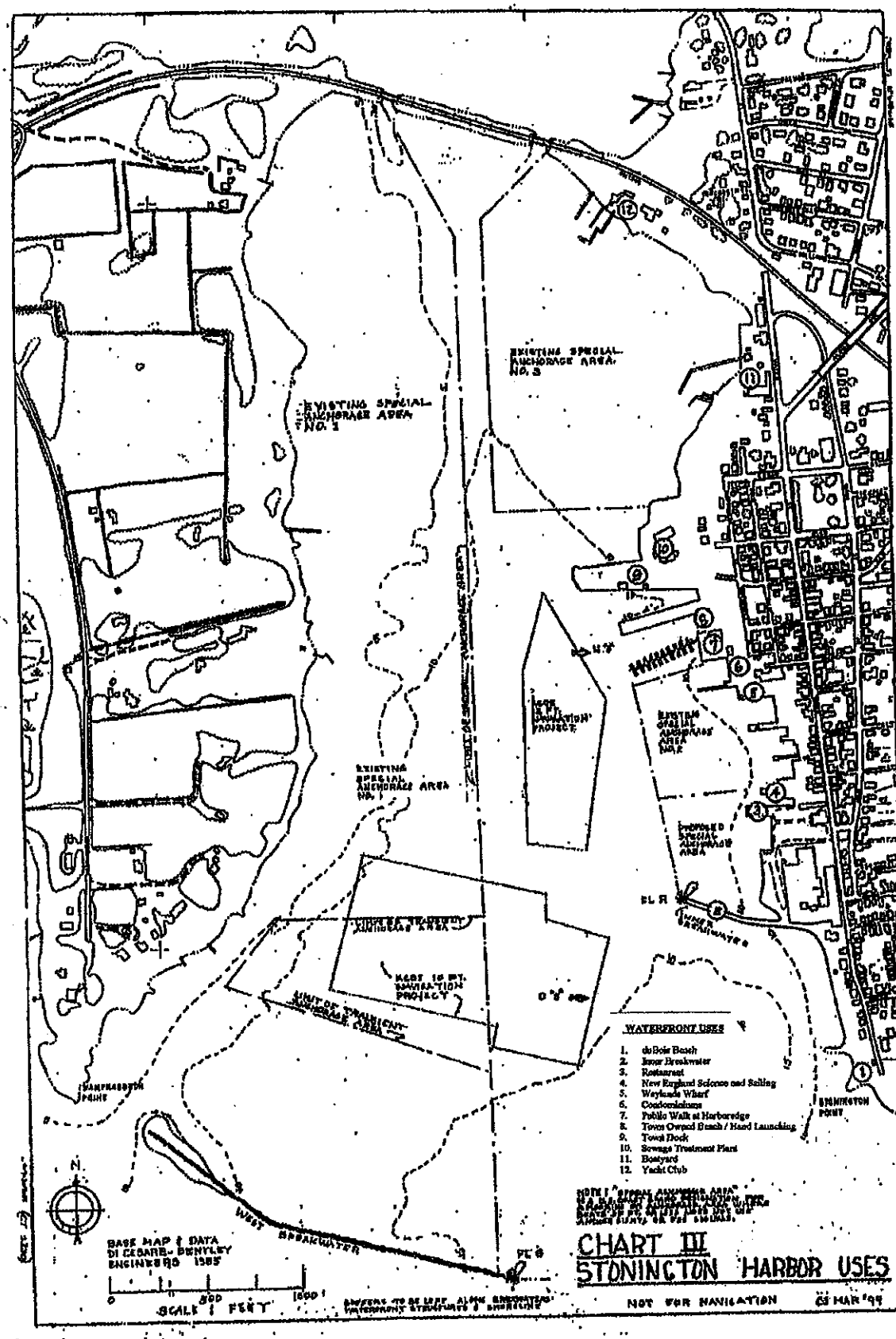
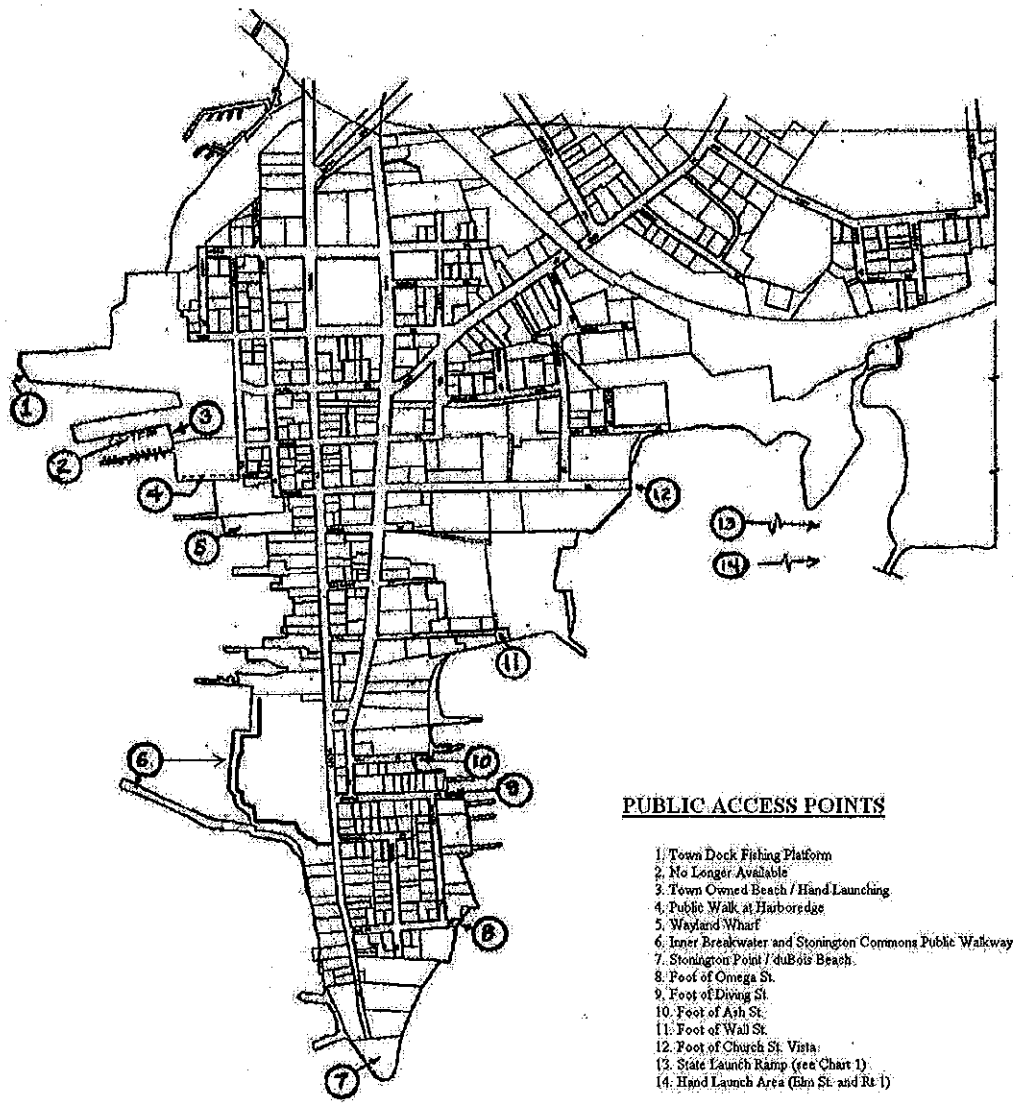

EXISTING SPECIAL ANCHORAGE AREA NO. 3
EXISTING SPECIAL ANCHORAGE AREA NO. 2
EXISTING SPECIAL ANCHORAGE AREA NO. 1
PROPOSED SPECIAL ANCHORAGE AREA
WEST BREAKWATER
WATERFRONT USES
1. deBois Beach
2. Inner Breakwater
3. Restaurant
4. New England Science and Sailing
5. Weylands Wharf
6. Condominiums
7. Public Walk at Harboredge
8. Town Owned Beach / Hand Launching
9. Town Dock
10. Sewage Treatment Plant
11. Boatyard
12. Yacht Club
BASE MAP & DATA DI CESARE-BINNLEY ENGINEERS 1985
SCALE 1 FEET
CHART III
STONINGTON HARBOR USES
NOT FOR NAVIGATION
23 MAR '99

CHART IV



PUBLIC ACCESS POINTS

1. Town Dock Fishing Platform
2. No Longer Available
3. Town Owned Beach / Hand Launching
4. Public Walk at Harboredge
5. Wayland Wharf
6. Inner Breakwater and Stonington Commons Public Walkway
7. Stonington Point / duBois Beach
8. Foot of Omega St.
9. Foot of Diving St.
10. Foot of Ash St.
11. Foot of Wall St.
12. Foot of Church St. Vista
13. State Launch Ramp (see Chart 1)
14. Hand Launch Area (Elm St. and Rt 1)