

## CHAPTER 1. INTRODUCTION

### 1.0 OVERVIEW

Chatham is surrounded on three sides by some of the most extraordinary coastal waters on the Eastern coast of the United States. As a result, Chatham's community heritage is closely linked with the ocean. Many town residents still earn their living by the sea, while others enjoy coastal waters for a wide variety of recreational activities. For many decades the Town's coastal waters could easily accommodate these varied uses with little incident. As Chatham's population and its popularity as a seasonal destination have grown, so have the demands on the Town's waterways. As this growth occurs, increased congestion on the waterways, along with impacts from surrounding land development, becomes more noticeable. With these trends comes a growing recognition that the Town can no longer assume the safe accommodation of a growing number of waterways uses and impacts. The need for harbor management planning becomes apparent.

Chatham's first steps in harbor planning began early in the 1980's. Increased boating activity, a growing mix of recreational and commercial activities in close proximity, and an increase in the number of moorings and docks raised questions about public safety, as well as concerns for the prolific shellfish beds in the Stage Harbor system. These issues prompted a group of concerned citizens to encourage Town officials to consider comprehensively planning for the waterway. In 1987, the Friends of Chatham Waterways—a private organization—encouraged the newly formed Chatham Waterways Commission to consider developing a harbor plan for the Stage Harbor system. A subcommittee of the Waterways Commission, with input from concerned citizens and harbor users, began a public process to formulate goals and a vision for the plan. In 1989 voters were presented with the broad outlines of the plan, and a request for funds to hire a consultant to complete it. Although Town Meeting voted to accept the plan outline, funding to develop the plan was not approved. Recognizing the importance of building on local momentum in support of the plan, the Friends of Chatham Waterways raised private funds to move the project forward.

Following more than two years of intensive analysis of issues, public input and evaluation of management alternatives, the Town adopted the Stage Harbor Management Plan in 1992. Chatham became the first community in the state to develop a harbor plan pursuant to 301 CMR 23.03, the state regulations governing local harbor management plans. The Secretary of the state Executive Office of Environmental Affairs (EOEA) approved the plan in 1994. The plan recommended that the Town establish a committee to coordinate implementation of the plan, and the Board of Selectmen formed the Stage Harbor Management Plan Implementation Committee (SHMPIC) for this task. Since its formation the SHMPIC has overseen implementation of the Stage Harbor plan, including the review of Chapter 91 applications in terms of consistency with the policies of the plan.

In the years following adoption of the plan, the Town took a number of important steps toward implementation. Among these was the creation of a Coastal Resources Department to address coastal processes and facilities issues that generally fall outside the realm of the Harbormaster, Shellfish Constable, Conservation Commission or Park and Recreation Commission. Other steps the Town has undertaken to implement the Stage Harbor plan include:

- Adoption of comprehensive guidelines and regulations to govern commercial and recreational activities at town landings;
- Implementation of boat pump-out facilities and designation of the Stage Harbor Complex as a “No Discharge Area”;
- Development of mooring policies with clear mooring management goals and objectives;
- Development and implementation of a comprehensive water quality monitoring program, involving more than 150 volunteers trained to collect data and record field conditions throughout the town’s South Coastal waters;
- Adoption of a resource management plan for Pleasant Bay, incorporating Chatham’s north-side waters, and formation of a three-town Alliance to implement the plan;
- Adoption of a town-wide Comprehensive Plan addressing public access issues and objectives; and
- Initiation of a town-wide nutrient management plan.

These actions, discussed in more detail throughout this document, have helped to further define the management needs for the Town’s South Coastal waters in the coming decade.

State regulations governing harbor management plans require that plans be re-certified every five years. In 1999 the Town obtained from the state a five-year renewal of the 1994 Stage Harbor Management Plan, which extends through 2004. In initiating the process to update and renew the Stage Harbor plan for 2004, the SHMPIC identified the need to expand the coverage of harbor planning to the adjacent waters of the Southway and Nantucket Sound. Thus, the renewal and expansion of the plan would be accomplished through a comprehensive South Coastal Harbor Management Plan. As described below, the development of the South Coastal Harbor Management Plan is a fulfillment of recommendations within the original Stage Harbor plan, and a management response to current conditions within the waterways.

## **1.1 OBJECTIVES OF THE PLAN UPDATE AND EXPANSION**

The South Coastal Harbor Management Plan is an outgrowth of the original Stage Harbor Management Plan. Its purpose is to update the provisions of the original plan that apply to the Stage Harbor Complex, and to extend harbor planning to Chatham’s adjoining waters of the Southway and Nantucket Sound.

Two objectives provide the motivation for updating and expanding the existing plan. One objective is to consolidate and refocus the actions recommended for the management of the Stage Harbor Complex. The existing harbor management plan emphasized the need to address nitrogen inflows from land uses within the watershed of the Stage Harbor system. Since the adoption of the plan, the Town has undertaken two comprehensive planning efforts that address land use and wastewater issues cited extensively in the original Stage Harbor plan. These planning efforts are: the Chatham Comprehensive Plan and the Chatham Comprehensive Nutrient Management Plan (draft). While referring to the work of the other plans, the South Coastal plan focuses on issues related to the balance of conflicting harbor uses and the compatibility of those uses with the long-term ecological sustainability of the Stage Harbor Complex.

A second objective of the renewal and expansion effort is to extend a comprehensive management framework to other harbor areas in Town that currently are not addressed by a management plan. The Stage Harbor plan cites the value of comprehensive planning for the Town's waterways and includes a recommendation to prepare a harbor plan for Chatham's other harbors. Through its participation in the Pleasant Bay Resource Management Plan, the Town has addressed the need for planning for its north-side harbors, extending to the Chatham inlet. Chatham formed an Alliance with Orleans and Harwich to implement the Pleasant Bay plan, which was adopted by the Towns in 1998 and by the Commonwealth's Secretary of Environmental Affairs in 1999. The remaining waters—notably the Southway, and Nantucket Sound—remain outside the purview of any current management plan. Because of the natural connection between these waterways, the issues and opportunities associated with these waters would be best addressed through an expansion of the existing harbor plan. Both areas are adjacent to the Stage Harbor Complex and exhibit shared management issues. For example, many of the users of the Southway or Nantucket Sound rely on Stage Harbor's facilities and channels for access.

## **1.2 PLANNING AREA**

The boundary for the South Coastal Harbor Management Plan encompasses three planning zones:

- (1) *Stage Harbor Complex* (as addressed in the original plan,) encompassing Stage Harbor, Oyster Pond, Oyster Pond River, Mill Pond, Little Mill Pond, and Mitchell River;
- (2) *Southway Complex* encompassing the area between North Monomoy and South Beach, including Outermost Harbor and the Morris Island Cut; and
- (3) *Nantucket Sound Complex* encompassing the near-shore waters of Nantucket Sound and Taylor's Pond, Mill Creek, Buck's Creek/Cockle Cove Creek/Sulphur Springs, Cockle Cove Beach, Forest Beach, Pleasant Street Beach, Ridgevale Beach, and Harding's Beach.

The plan focuses on near-shore areas and associated estuaries and connected tidal ponds within these zones, up to the three-mile limit of local jurisdiction. Thus the

planning area consists of all waterways, all filled tidelands and all shoreline within the zones, as shown on Figure 1. Other landward areas that are or have potential to be functionally linked to the harbor planning area, but may or may not be adjacent thereto, may also be addressed by the plan.

### **1.3 BENEFITS OF HARBOR PLANNING**

Harbor planning is beneficial to the community for a number of reasons. One such reason is that information and analysis generated in developing a harbor plan can be useful to town officials when assessing the benefits and impacts of various management decisions. Another benefit is that it allows the Town to plan for the improvement, development or acquisition of public facilities. A harbor plan can also ensure that land and water-based initiatives and projects are consistent with local and state regulations that are designed to limit impacts associated with waterway and tidal development. In accordance with Massachusetts Waterways Regulations (310 CMR 9.00), state waterways licenses will generally only be granted for projects that are consistent with a locally and state approved harbor plan. Finally, by having an approved local harbor management plan, the Town increases its chances of obtaining limited federal funding for coastal projects, such as dredging.

Beyond these benefits, the exercise of putting together a harbor plan enables town officials and community residents to take a step back from daily management or enforcement issues and consider the long-term public use and enjoyment of the harbor and the health of its natural resources. The planning process requires the community to take a broad look at a full range of management issues, both current and potential, and consider how one issue may interact with others. Most importantly, it requires the community to consider its vision for the harbor areas, and develop goals and strategies for achieving that vision.

### **1.4 VISION AND GOALS FOR THE SOUTH COASTAL HARBOR MANAGEMENT PLAN**

*The key question facing Chatham's officials is the Harbor's carrying capacity. Uses such as marinas and motor boating significantly decrease the potential for other uses such as shellfishing. Activities such as recreational boating and mooring increase congestion and decrease potential use of open water for swimming. Chatham must resolve the dilemma of how to ensure that each competing use may continue within the Harbor Complex. In order to resolve use conflicts in the Stage Harbor system's waters, town officials and residents must clearly define what they want the Harbor to be.*

This statement, written more than a decade ago for the original Stage Harbor Management Plan, reflects a concern about the growing demands on the use of the Stage Harbor system and the need for a community vision and a process to guide local decision-making affecting the health and use of the waterways. The statement remains

true for Stage Harbor Complex today, as well as for Chatham's adjacent waters of Nantucket Sound and the Southway.

The carrying capacity of a waterway can be difficult to define. One way to express it is the degree to which the community's shared goals for a waterway can be accommodated within the bounds of natural resource protection and public safety. In this respect, the guiding vision for managing Chatham's South Coastal waters can be expressed as a set of planning goals.

The overarching planning goal is *to achieve balance among the various commercial and recreational uses of the harbor system and the quality and quantity of natural resources*. Achieving this goal requires the Town to consider broad community input in managing the harbor system, to give priority in decision-making to the long-term environmental health of the system and to maintaining a variety of harbor uses.

Underlying this planning goal are the following six management objectives:

- Maintaining the navigability of the harbor waterways,
- Protecting the viability of the commercial fishing and shellfishing industries,
- Maintaining a mix of recreational uses in the harbor areas,
- Protecting water quality, and the quality and quantity of shellfish, finfish and wildlife species and habitat,
- Maintaining adequate public access to the harbor shoreline and waterways, and
- Preserving the character and scenic quality of the harbor areas.

## 1.5 PLANNING PROCESS

Decisions about how to manage the uses and resources within the Town's South Coastal waterways must be grounded in a plan that is broadly supported within the community. Accordingly the process for developing this plan has relied heavily on input from citizens with a variety of interests and perspectives relating to the waterways.

The planning process began in 2001, when Town Meeting authorized funds for the purposes of revising and updating the Stage Harbor Management Plan. The Board of Selectmen authorized the Stage Harbor Management Plan Implementation Committee to manage the process of revising and expanding the original plan on behalf of the Town. The Committee is comprised of a cross representation of individuals, local committees and organizations with interest in the South Coastal planning area: commercial fin and shellfishermen, recreational boaters, marina owners, and shoreline residents. A list of Committee members and their affiliations is found in an appendix B. Town staff with management responsibilities directly related to the planning areas assisted in the plan development. These include the Director of Coastal Resources, Town Planner, Director of Health and the Environment/Water Quality Laboratory, Harbormaster, and Shellfish Constable. Ridley & Associates, Inc was hired by the Town to serve as coordinator for the development of the plan.

As with the development of the original plan, early and continuing public outreach and involvement are central to the planning process. A series of public information sessions was held in summer 2002 with the aim of gathering community concerns at the outset of the plan development. Representatives from federal, state and county agencies with jurisdiction or expertise in areas related to the plan were also involved in the planning process. A draft plan was released for public comment in November 2003. The draft plan was sent to numerous county, state and federal agencies with interests or jurisdiction in the geographic or topical areas of the plan. A public meeting was held December 8, 2003 to hear questions and comments on the draft plan. The public comment period concluded January 15, 2004. The Committee carefully considered all comments received during the public comment period, and made appropriate revisions to the draft plan. A summary of comments is provided in an appendix to the plan.

A final plan was submitted to the Board of Selectmen in December 2004. The next step is for the plan to be submitted to Chatham Town Meeting for adoption. Following adoption of the plan it will be forwarded to the EOEIA Secretary for approval.

## **1.6 ORGANIZATION OF THE PLAN**

The plan includes a review of resource conditions and human use characteristics in each of the three planning areas, integration of relevant Town plans and related information pertinent to issues, identification of management issues, evaluation of management responses, and recommendations for action. An implementation framework is also provided.

The Plan is organized in five sections that present these primary components.

Section I: *Framework for the Plan*, contains this introductory chapter describing planning goals and process. The next three sections of the document focus on the respective planning areas. The chapters of Section II address the issues and recommendations for the Stage Harbor Complex. Chapter 2.A provides detailed information on the harbor uses and infrastructure. Chapter 2.B provides a review of cultural and natural resource issues and recommendations. The discussion on the Stage Harbor is more expansive than the other sections because of the intensity and diversity of activity that occurs within the Complex, and because the infrastructure in the Complex provides an important gateway to the other two planning areas.

Section III focuses on the Southway, encompassing discussion of the harbor uses and infrastructure as well as natural resources in the Southway. Section IV focuses similarly on Nantucket Sound. While the general topics covered in these two sections are comparable, there are differences in outline owing to the uniqueness of each area.

Section V contains an implementation plan for the South Coastal Plan including oversight, timeframes and resources. Appendix A provides a compilation of all of the maps describing the South Coastal planning areas referred to throughout the document.