



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

December 17, 2018

Town of Portsmouth  
c/o Mr. Richard Rainer, Town Administrator  
2200 East Main Road  
Portsmouth, RI 02871

**RE: Water Quality Certificate – Town of Portsmouth Harbor Management Plan (HMP)  
WQC File No.: 17-081**

Dear Mr. Rainer:

The RIDEM-Office of Water Resources has reviewed the above referenced project for compliance with the State Water Quality Regulations.

We have reviewed the subject application and document entitled “Final Amendments to draft HMP and Draft Harbormaster Ordinance - August 28, 2018”, date stamped by the Department with final edits September 11, 2018, prepared by the Portsmouth Harbor Commission and Portsmouth Planning Department.

It is the determination of the Water Quality Certification Program that said management plan is compliant with the requirements of the State Water Quality regulations provided that the applicant complies with the above-referenced plans and the following conditions:

1. By September 30<sup>th</sup> of each year, the Town shall submit a report to RIDEM Shellfish Program providing the status of the Potter Cove Island Wedge and mooring areas BBC1 and BBC2. For the Potter Cove Wedge, the report shall include an inventory of the active mooring permits, the permit expiration dates, the length and type of vessel permitted, and the cumulative number of moorings eliminated to date (e.g. by forfeiture or reassignment to another mooring area). Regarding BBC1 and BBC2, the report shall include an inventory of the active mooring permits, length and type of vessel permitted, and a list of the vessels inspected by the Harbormaster or his designee and certified as equipped with a gray water collection system per Article VIII(i).
2. The management of all harbor activities under the Town of Portsmouth’s authority **shall** be managed in accordance with the regulations and ordinances contained in the above-referenced HMP.
3. This WQC does not relieve your obligation to obtain and adhere to any other applicable local, state, and federal permits.



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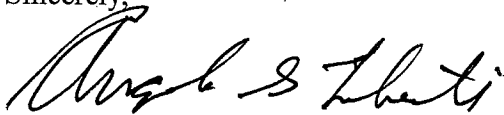
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Town of Portsmouth HMP  
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4. The Town **shall** submit a final version of the HMP to the WQC Program once all required permits have been obtained. Any changes made to the HMP document referenced above, prior to its final approval by all other applicable regulatory agencies, will require the Town to submit a Request for Modification to this WQC.
5. This permit shall expire on December 17, 2023. You shall be required to submit a request for a reauthorization of the WQC for the HMP at that time.

In addition to any necessary enforcement actions stemming from the violation of any of the terms or conditions of this Water Quality Certificate, issuance of this Water Quality Certificate does not bar the Department, or any of its various Divisions, from instituting any investigation and/or enforcement actions that it may deem necessary for violations of any and all applicable statutes, regulations and/or permits, including but not limited to violations of the terms or conditions of any previous Water Quality Certificate(s) issued to you as an applicant.

This is the State's Water Quality Certification, which shall have the full force and effect of a permit issued by the Director. Violation of the terms and conditions of this Certification may result in violation of the State's Water Quality Regulations and appropriate enforcement action.

Sincerely,



Angelo Liberti, P.E., Chief  
Surface Water Protection

ec: Kevin Cute, RI CRMC  
Cindy Hannus, RIDEM  
Gary Crosby, Portsmouth Town Planner