

Dear Sirs, In my 30 years of federal employment, I have had considerable experience in regulating harbors. I am concerned that absent some action on the part of the state in the near future, the ability of the common man to safely travel in small vessels on the navigable waters of the state will be extinguished. The problem is that the demand for moorings as a means of seasonally storing boats on the water is displacing anchoring. Municipalities which cater to their own constituencies are allowing seasonal moorings by residents to crowd out non residents wishing to anchor overnight within protected harbors. The state which is the arbiter of the public trust does not seem to have a policy or plan to protect the ability of its citizens to find protected anchorage. With the increase in wealth, leisure time and population within the coastal zone, a means of insuring that room for anchoring is preserved is important. If action isn't taken soon it may become impossible. The Coast Guard and the Corps have authority to establish anchorage areas and regulate moorings, but are hesitant to impose the requirement on localities and couldn't if it were considered inconsistent with the states costal zone management plan. This area is ripe for policy development and needed now.

I read in the paper not too long ago that the Harbormaster in Marblehead Harbor had announced that there was no anchoring allowed in that protected harbor and anchoring outside would be dangerous. There are a plethora of rental moorings in the harbor but no room to anchor? I was given to understand that the public trust doctrine meant that the public was to have the right of navigation free from interference from private parties. Private marinas holding vast fields of rental moorings, for their patrons, and preventing the anchoring of the general public, would seem to me to be a violation of the public trust doctrine. Yet many harbormasters in Massachusetts seem to allow this practice. Redbrook Harbor in Pocasset, Padanaram Harbor in South Dartmouth and Nantucket Harbor are examples where rental

moorings occupy considerable parts of the harbor. There are many others. The availability of rental moorings is a benefit to many but there needs to be a balance. With the concurrent jurisdiction of the local, state and Federal authorities there needs to be a coherent and consistent policy developed that will allow the competing uses of the states harbors to exist without exclusion of one group or another. I hope you will act soon to fill this policy void. Nature abhors a vacuum, the harbors are going to fill up. Who gets to use them depends on you.

Regards, Richard Roach

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