

## Regulatory Context

### Key Findings

- The rules that regulate harbor and waterfront development are complex and involve multiple federal, state and local agencies and departments ([See Table XXX, page YY](#))
- The Harbor Master is responsible for harbor and vessel care, harbor operations and safety (See [Section 2-702](#))
- The purpose of the Harbor Management Commission (HMC) is to...  
*...protect marine-historic resources and sensitive natural resource areas found along its harbor and in nearshore coastal waters; to provide growth in public opportunities for water-based recreational activities; to maintain and enhance navigational facilities for the benefit of all harbor users; and to allocate land and water resources in an economically and environmentally sound manner*
- HMC is responsible for
  - Annual review and recommending updates to the Harbor Management Plan
  - Recommending related ordinances for adoption by City Council
  - Review applications for consistency with the Harbor Management Plan
  - And other duties as outlined in [Section 2-703](#)
- The Planning Board and Code Enforcement Office review and approve applications for construction of land use activities within the shoreland zone

### Goals and Objectives

#### Goal:

- Clear and effective regulations that support waterfront development and harbor use consistent with City goals, harbor capacity (whether natural or human-made), and municipal legal authority

#### Objectives:

1. The City understands and exercises its authority to oversee harbor development and use for the benefit of the community and protection of the environment
2. Regulatory clarity and predictability for municipal regulation
3. All regulated structures and activities are properly authorized by the appropriate federal, state, and local authorities
4. A user-friendly and practical Harbor Management Plan that is reviewed annually and updated as needed

## Recommended Actions

### Abbreviation Key:

Harbor Master - HM

Parks & Rec Committee – P&RC

City Staff - S

Wastewater Treatment Plant – WWTP

Harbor Trail Committee – HTC

Harbor Management Commission – HMC

City Council – CC

Comprehensive Plan Commission - CCP

Regulatory Context			
Objective	Recommended Action	Responsibility	Timeline
1,2,3	Identify any gaps in current City regulation that are within municipal authority	HM, S, HMC	Short Term (1-2 years)
1,2,3	To better ensure City involvement in future development of the harbor and to fill any gaps in regulation, consider the recommended standards or incentives below and the following: <ul style="list-style-type: none"> <li>Enhancements to existing City standards</li> <li>A separate ordinance such as a Marine Construction Ordinance</li> <li>Or other options as appropriate</li> </ul>	HM, S, HMC	Short Term (1-2 years)
1,2,3	Develop a checklist of standards and approvals for applicants and applicable City departments, boards, and commissions to be used while issuing permits	S, HM	Short Term (1-2 years), Ongoing
4	Annual review of the harbor plan	HMC	Ongoing
1,3	Keep abreast of federal and state rules related to the harbor and foster a productive working relationship with federal and state agencies	HM	Ongoing
1,3	Seek coordination with Owls Head on harbor regulations	HMC	Ongoing
<b>Recommended standards or incentives that could be considered when updating City regulations:</b> <ul style="list-style-type: none"> <li>Provisions for integrating public access into waterfront projects</li> <li>Consideration of flooding and storm surge for new construction</li> <li>ADA accessibility, where feasible</li> <li>Provisions for incenting creation or maintenance of view corridors</li> <li>Dimensional standards for piers and wharfs</li> <li>Minimization of impacts to traditional fishing grounds</li> <li>Protection of harbor health</li> <li>Standards for that encourage a sufficient number of boat pump outs</li> <li>Encouragement of environmentally sustainable materials (e.g. alternatives to foam filled floats)</li> <li>Minimize hazards to navigation</li> </ul>			

# Harbor Health

## Key Findings

- Natural resources in and around the harbor provide for a variety of habitat that support fish and wildlife, and desired human uses (e.g. swimming, commercial and recreational fishing, etc.)
- Wading bird and waterfowl habitat is located throughout the harbor but is concentrated in the shallow area near Jameson Point
- Eel grass beds, which support a wide range of organisms and ecological functions, are located throughout the harbor; the largest area is in the shallow waters near Jameson Point
- Shellfish habitat has been identified in the shallow area near Jameson Point; however, the State has closed the harbor to commercial harvesting due to water quality
- The coastal bluff areas along the shoreline are more susceptible to erosion, particularly on the northern end
- Stormwater run-off, direct discharges, and other non-point sources of pollution (e.g. boats) are the main threat to water quality and sometimes lead to warnings or closures to swimming
- The harbor's environment includes water quality, air quality, marine life and habitat, noise pollution and light pollution which have limited capacities

## Goals and Objectives

Goal:

- The environmental quality of the harbor supports healthy natural resources, ecological functions, habitats, and sustainable human use

Objectives:

1. Preserve, protect, maintain and wherever feasible improve, the quality of the harbor's natural resources
2. Decision making that is informed by science-based information, collaboration, and best practices

### Abbreviation Key:

Harbor Master - HM

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## Recommended Actions

Harbor Health			
Objective	Recommended Action	Responsibility	Timeline
1,2	Identify potential partners (e.g. Mid-Coast School of Technology, Island Institute, adjacent communities) for collaboration with harbor health knowledge, opportunities, and threats	HMC, S	Ongoing

1,2	Working with partners, prepare and publish a “state of the harbor” report which can serve as a baseline for harbor health and help focus on areas that inform better decisions on municipal uses and regulation <ul style="list-style-type: none"> <li>Baseline data could include water quality, movement of water, soils, habitat, species, etc.</li> </ul>	HMC, S	Medium Term (3-5 years)
1,2	Prioritize projects that improves stormwater separation	WWTP	Ongoing
1,2	Monitor the municipal wastewater treatment in accordance with best available technology and the highest standards of operation and maintenance	WWTP	Ongoing
1,2	Explore tools to help monitor and protect, as needed, the environmental capacity of Rockland Harbor	HMC	Ongoing
1,2	Regularly request water quality and/or soils testing from Department of Marine Resources to determine whether shellfish harvesting and aquaculture can be allowed	HM	Ongoing
1,2	Explore regulatory limits or bans on pesticide use	S	Short Term (1-2 years)
1,2	Continue support of regulations limiting the use of plastic bags and extruded polystyrene food containers	CC	Ongoing
1,2	Improve harbor water quality through reasonably attainable reductions in nonpoint sources of pollution and enhanced protection from point sources of pollution	WWTP, HM, HMC	Ongoing
1,2	Create and maintain accurate mapping of harbor habitat using easily accessible data and, when available, locally focused data	HM, S	Ongoing