



**ATTORNEY GENERAL
PETER F. NERONHA**

Agreement reached to restore public shoreline access in Newport Harbor

Preliminary agreement to remove obstructions and initiate site improvements on Lee's Wharf will reestablish public shoreline access in downtown Newport

PROVIDENCE, R.I. – The Office of the Attorney General (RIAG), Coastal Resources Management Council (CRMC), the City of Newport (City), and Howard Wharf LP have reached a preliminary agreement to restore access to an obstructed public right of way on Lee's Wharf in downtown Newport. The preliminary agreement will reestablish public access to the Lee's Wharf right of way and provide site improvements for the public to enjoy.

As part of the plan, the City of Newport will relocate a large electrical panel that currently blocks the view of the water and clear overgrown vegetation. Together with Howard Wharf LP, the abutting property owner, the City will also provide aesthetic improvements including lighting, benches, and new landscaping. Howard Wharf LP will provide a five-foot public easement along the southerly side of the designated right of way to counteract obstructions that could not be relocated due to cost, including the water pump station owned by the City that services neighboring properties.

The proposal will undergo public comment and CRMC review in the coming months.

“This state is blessed with hundreds of miles of beautiful shoreline. Since the founding of Rhode Island, access to that shoreline has been guaranteed to the public, and yet over the years many legally designated rights of way have been unlawfully blocked by private or semi-private entities. This must change, and we are actively working with our governmental and non-governmental partners to restore shoreline access to the people of Rhode Island where it is guaranteed by law,” said Attorney General Peter F. Neronha. “From the end of Public Street in Providence to Lee's Wharf in Newport and everywhere in between, this Office will continue to fight for the right of *all* Rhode Islanders to access and enjoy one of the great natural resources of our state.”

“The CRMC is pleased the parties have come to a resolution on Lee's Wharf, and that public access will be restored at this CRMC ROW,” said CRMC Executive Director Jeffrey Willis. “This agreement is the culmination of many hours of work on the part of CRMC enforcement staff and the AG's Office staff as part of a larger concerted effort to resolve blocked CRMC-designated rights-of-way, and the result is that all Rhode Islanders will benefit from the public access that will be protected in perpetuity in this location.”

Background:

The RIAG and CRMC, in coordination with Save The Bay, have established a right of way initiative to clear obstructions within existing CRMC-designated right of ways across Rhode Island. The Lee's Wharf right of way in particular had been cited as a problem by multiple stakeholders, including Friends of the Waterfront (FOW), Clean Ocean Access, and Save The Bay.

During the summer of 2020, CRMC, in coordination with the RIAG, issued a Notice of Violation to the City after evaluating the obstructions. Around the same time, Friends of the Waterfront sent a letter to the City of Newport detailing concerns about the obstructions to the right of way, which was established in 1988, according to records.

“Balancing development with the need to maintain access to Newport Harbor has long been a keystone issue for the City, and we’re pleased to have been able to work not only with the State, but also with the private owners of the proposed Manchester House to ensure that the Lee’s Wharf right of way remains accessible to the public for years to come,” said City Manager Joseph J. Nicholson, Jr.

“The Manchester House is delighted to have had the opportunity to work collaboratively with all parties to achieve a common goal, which protects public access to the Newport Harbor and the long-term goal of a continuous harbor walk,” said Howard Cushing, a principal with Howard Wharf, LP, which is proposing the new hotel at Lee’s Wharf.

Following months of stakeholder engagement and coordination between parties, the plan to restore public access to the right of way was memorialized in a signed agreement in early October.

The timeline for implementation is contingent on Howard Wharf LP obtaining separate approval from CRMC and state and local regulators to construct a hotel on the parking lot abutting the Lee’s Wharf right of way, since the plan includes relocating the electrical panel onto the proposed hotel’s property. Should the hotel project not go forward, the City, CRMC, and the RIAG are required to create an alternate plan. As an interim measure, the City will remove overgrown vegetation by spring of 2022.

“FOW welcomes this agreement to revitalize and rehabilitate the long-neglected and much-abused Lee’s Wharf right-of-way,” said Johanna Vietry, FOW President. “The planned removal of the ugly electrical panel is to be celebrated. This is a link in the chain towards the eventual realization of a Newport Harbor Walk. FOW envisions a Harbor Walk stretching the length from Mary Ferrazzoli Park on Long Wharf all the way to King Park on Wellington Avenue that runs directly contiguous to the edge of the waterfront. Special Kudos to Attorney General Peter Neronha for spearheading this effort. We also thank CRMC, Save the Bay, and Clean Ocean Access.”

"We applaud the Attorney General and all the signatories to the MOU—the CRMC, the City of Newport and Howard’s Wharf—for coming to the table and working collaboratively to remove obstructions from a public ROW," said Save The Bay Executive Director Jonathan Stone. "This effort will ensure that this site is preserved and maintained for the public to enjoy. We thank the Attorney General for considering the input of Save The Bay and other interested parties in developing a resolution."

Under state law, the RIAG and CRMC have the authority to enforce public access to rights of way. Over the last year, the RIAG and CRMC have coordinated with various stakeholder groups, including Save The Bay, Friends of the Waterfront, and Clean Ocean Access to enforce shoreline access. In July, CRMC designated a shoreline right of way along a section of Public Street in Providence following an effort by the RIAG, City of Providence, and several local community organizations.

Special Assistant Attorney General Alison Hoffman is handling this matter on behalf of the Office of the Attorney General.

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