

**Part Three.**

**Activities  
under Council  
Jurisdiction**

**Section 300.  
In Tidal and Coastal Pond  
Waters, on Shoreline Features  
and Their Contiguous Areas**

**Section 300.1  
Category B Requirements**

All persons applying for a Category B Assent are required to:

- (1) demonstrate the need for the proposed activity or alteration;
- (2) demonstrate that all applicable local zoning ordinances, building codes, flood hazard standards, and all safety codes, fire codes, and environmental requirements have or will be met; local approvals are required for activities as specifically prescribed for nontidal portions of a project in Sections 300.2, 300.3, 300.6, 300.8, 300.9, 300.11, 300.13, 300.15 and 300.17; for projects on state land, the state building official, for the purposes of this section, is the building official,
- (3) describe the boundaries of the coastal waters and land area that are anticipated to be affected;
- (4) demonstrate that the alteration or activity will not result in significant impacts on erosion and/or deposition processes along the shore and in tidal waters.
- (5) demonstrate that the alteration or activity will not result in significant impacts on the abundance and diversity of plant and animal life.
- (6) demonstrate that the alteration will not unreasonably interfere with, impair, or significantly impact existing public access to, or use of, tidal waters and/or the shore;
- (7) demonstrate that the alteration will not result in significant impacts to water circulation, flushing, turbidity, and sedimentation;
- (8) demonstrate that there will be no significant deterioration in the quality of the water in the immediate vicinity as defined by DEM;
- (9) demonstrate that the alteration or activity will not result in significant impacts to areas of historic and archaeological significance;

(10) demonstrate that the alteration or activity will not result in significant conflicts with water-dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce, and;

(11) demonstrate that measures have been taken to minimize any adverse scenic impact (see Section 330).

Each topic shall be addressed in writing.

Additional requirements are listed for specific Category B activities and alterations in the sections that follow.