State of Rhode Island and Providence Plantations

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AGENDA

Semi-Monthly Meeting – Full Council
Tuesday, September 11, 2012; 6:00 p.m.
Conference Room A, Administration Building
One Capitol Hill, Providence, RI

Approval of the minutes of the previous meetings – August 28, 2012
Subcommittee Reports
Staff Reports

Coastal Education Series – Aquatic Invasive Species program update – Kevin Cute

Applications Which Have Been Out-to-Notice for 30 days and are Before the Full Council for Decision:

2012-03-069 RONALD FATULLI – Construct and maintain a commercial float array, approximately 170 linear feet total, (approx. 940 sq. ft. total), to support commercial fishing business, Newport Water Shuttle, taxi service, and "touch and go" recreational boat activity. Establish "Structural Perimeter Limit" for in-water facility. Located at plat 24, lots 246 and 351; Bowen's Wharf, Newport, RI.

Enforcement Action before the Full Council:

11-0100 & 11-0117 MICHAEL & LEIGH EDDY – Removal of an unpermitted dock and restoration of buffer zone. Located at Map 414, Block 01, Parcel 007; 47 Carousel Drive, East Providence, RI.

Public Hearing on Changes to the <u>Rhode Island Coastal Resources Management Program</u>:

<u>RI Coastal Resources Management Program - Redbook</u>

Revise Section 100 Water Type Matrices/Table 1 – add <u>new</u> activity in the matrix and <u>new</u> footnote in Table 1 as follows:

Footnotes for Table 1 (Water Type Matrices)

[1] *See definitions in Section 300.2(A) for differentiation between Category A and B reviews.*

[2] *Municipal sewer lines are reviewed as Category B.*

[3] *Utility lines are reviewed as Category B.*

[4] *See Section 210.3(C)6; the review categories shown here for Type 3, 4, 5, and 6 waters apply to wetlands designated for preservation.*

[5] *For residential docks, piers, floats see Section 300.4.C.4 for review procedures.*

[6] *See Section 200.2.C.2 for pre-existing marinas in Type 2 Waters.*

[7] *Category A review for pre-existing marinas in Type 2 waters (See Section 300.9.A.1); Category B review for residential boating facilities in Type 2 waters (See Section 300.9.E.7).*

[8] *Structural shoreline protection facilities may only be permitted to protect historic structures which are currently listed in the National Register of Historic Places. Additionally, the proposal must meet all applicable standards contained within in Section 300.7.*

[9] *See Section 300.4.D.6*

[10] *Where an activity substantially detracts from or interferes with the priority uses of Type 6 Waters, as specified in Section 200.6, the Council may prohibit such activity.*

[11] *Public boat launching ramps are permissible in Type 2 waters in accordance with Section 200.2.C. Private boat launching ramps may be permitted only when in conformance with Section 300.4.D.6.*

Type 1 Waters	Tidal Waters	Beaches and Dunes	Undeveloped Barriers	Moderately Developed Barriers	Developed Barriers	Coastal Wetlands	Headlands, Bluffs and Cliffs	Rocky Shores	Manmade Shorelines	Areas of Historic/Archaeological Significance
Filling, Removal, and Grading of Shoreline Features	n/a	P	P	A[1]	A[1]	P	P	P	A[1]	B
Residential Structures	P	P	P	P	A	P	P	P	P	B
Commercial/Industrial Structures	P	P	P	P	B	P	P	P	P	P
Recreational Structures	P	P	P	P	B	P	P	P	B	B
Recreational Mooring Areas	P	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Marinas	P	P	P	P	P	P	P	P	P	P
Launching Ramps*	P	P	P	P	P	P	P	P	P	P
Residential Docks,*Piers,*& Floats Limited Recreational Boating Facilities	P	P	P	P	P	P	P	P	P	P
Mooring of Houseboats	P	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Mooring of Floating Businesses	P	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Municipal Sewage Treatment Facilities	P	P	P	P[2]	B	P	P	P	P	B
Individual Sewage Disposal Systems	P	P	P	P	A	P	P	P	P	B
Point Discharges - Runoff	B	A	A	A	A	A	A	A	A	A
Point Discharges - Other	P	P	P	P	B	P	P	P	P	B
Non-Structural Shoreline Protection	A	A	A	A	A	A	A	A	A	A
Structural Shoreline Protection	P	P	P	P	P	P	P	P	B	B[8]
Energy-related Activities/Structures	P	P	P	P[3]	B	P	P	P	B	B
Dredging - Improvement	P	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Dredging - Maintenance	P	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Open-Water Dredged Material Disposal	P	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Upland Dredged Material Disposal	n/a	P	B	B	B	P	P	P	B	B
Beach Nourishment	B	B	B	B	B	P	n/a	n/a	n/a	B
Filling in Tidal Waters	P	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Aquaculture	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Mosquito Control Ditching	A	n/a	n/a	n/a	n/a	A	n/a	n/a	n/a	B
Mining	P	P	P	P	P	P	P	P	P	P
Construction of Public Roads, Bridges, Parking Lots, Railroad Lines, Airports	P	P	P	P	B	P	P	P	B	B

Type 2 Waters	Tidal Waters	Beaches and Dunes	Undeveloped Barriers	Moderately Developed Barriers	Developed Barriers	Coastal Wetlands	Headlands, Bluffs and Cliffs	Rocky Shores	Manmade Shorelines	Areas of Historic/Archaeological Significance
Filling, Removal, and Grading of Shoreline Features	n/a	P	P	A[1]	A[1]	P	P	P	A[1]	B
Residential Structures	P	P	P	P	A	P	P	P	A	B
Commercial/Industrial Structures	P	P	P	P	B	P	P	P	B	P
Recreational Structures	P	P	P	P	B	P	P	P	B	B
Recreational Mooring Areas	B	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Marinas	P[6]	P	P	P	P	P	P	P	P	P
Launching Ramps*	P/B[11]	P	P	P	P	P	P	P	B[9]	P
Residential Docks,*Piers,*& Floats Limited Recreational Boating Facilities	A/B[5]	B	P	P	B	B	B	B	B	B
Mooring of Houseboats	P	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Mooring of Floating Businesses	P	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Municipal Sewage Treatment Facilities	P	P	P	P[2]	B	P	P	B	B	B
Individual Sewage Disposal Systems	P	P	P	P	A	P	P	P	P	B
Point Discharges - Runoff	A	A	A	A	A	A	A	A	A	A
Point Discharges - Other	B	P	P	P	B	P	P	P	P	B
Non-Structural Shoreline Protection	A	A	A	A	A	A	A	A	A	A
Structural Shoreline Protection	B[6]	B	P	P	P	P	B	B	B	B
Energy-related Activities/Structures	B	P	P	P[3]	B	P	P	P	B	B
Dredging - Improvement	P	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Dredging - Maintenance	A/B[7]	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Open-Water Dredged Material Disposal	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Upland Dredged Material Disposal	n/a	P	B	B	B	P	P	B	B	B
Beach Nourishment	B	B	B	B	B	P	n/a	n/a	n/a	B
Filling in Tidal Waters	P[6]	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Aquaculture	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Mosquito Control Ditching	A	n/a	n/a	n/a	n/a	A	n/a	n/a	n/a	B
Mining	P	P	P	P	P	P	P	P	P	P
Construction of Public Roads, Bridges, Parking Lots, Railroad Lines, Airports	B	P	P	P	B	P	P	P	B	B

Type 3 Waters	Tidal Waters	Beaches and Dunes	Undeveloped Barriers	Moderately Developed Barriers	Developed Barriers	Coastal Wetlands	Headlands, Bluffs and Cliffs	Rocky Shores	Manmade Shorelines	Areas of Historic/Archaeological Significance
Filling, Removal, and Grading of Shoreline Features	n/a	B	P	A[1]	A[1]	P	P	B	A[1]	B
Residential Structures	P	P	P	P	A	P	P	P	A	B
Commercial/Industrial Structures	B	B	P	P	B	P	B	B	B	B
Recreational Structures	B	B	P	P	B	P	B	B	B	B
Recreational Mooring Areas	B	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Marinas	B	B	P	P	B	P	B	B	B	B
Launching Ramps*	B	B	P	B	B	P	B	B	B	B
Residential Docks,*Piers,*& Floats Limited Recreational Boating Facilities	A/B[5]	A	P	P	A	A	A	A	A	B
Mooring of Houseboats	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Mooring of Floating Businesses	P	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Municipal Sewage Treatment Facilities	P	P	P	P[2]	B	P	P	B	B	B
Individual Sewage Disposal Systems	P	P	P	P	A	P	P	P	B	B
Point Discharges - Runoff	A	A	A	A	A	A	A	A	A	A
Point Discharges - Other	B	B	P	B	B	P	P	P	B	B
Non-Structural Shoreline Protection	A	A	A	A	A	A	A	A	A	A
Structural Shoreline Protection	B	B	P	P	P	P	B	B	B	B
Energy-related Activities/Structures	B	P	P	P[3]	B	P	B	B	B	B
Dredging - Improvement	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Dredging - Maintenance	A	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Open-Water Dredged Material Disposal	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Upland Dredged Material Disposal	n/a	B	B	B	B	P	B	B	B	B
Beach Nourishment	B	B	B	B	B	P	n/a	n/a	n/a	B
Filling in Tidal Waters	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Aquaculture	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Mosquito Control Ditching	A	n/a	n/a	n/a	n/a	A	n/a	n/a	n/a	B
Mining	P	P	P	P	P	P	P	P	P	P
Construction of Public Roads, Bridges, Parking Lots, Railroad Lines, Airports	B	P	P	P	B	P	B	B	B	B

Type 4 Waters	Tidal Waters	Beaches and Dunes	Undeveloped Barriers	Moderately Developed Barriers	Developed Barriers	Coastal Wetlands	Headlands, Bluffs and Cliffs	Rocky Shores	Manmade Shorelines	Areas of Historic/Archaeological Significance
Filling, Removal, and Grading of Shoreline Features	n/a	B	P	A[1]	A[1]	P	B	B	A[1]	B
Residential Structures	P	P	P	P	A	P	P	P	A	B
Commercial/Industrial Structures	B	B	P	P	B	P	B	B	B	B
Recreational Structures	B	B	P	P	B	P	B	B	B	B
Recreational Mooring Areas	B	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Marinas	B	B	P	P	B	P	B	B	B	B
Launching Ramps*	B	B	P	B	B	P	B	B	B	B
Residential Docks,*Piers,*& Floats Limited Recreational Boating Facilities	A/B[5]	A	P	P	A	A	A	A	A	B
Mooring of Houseboats	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Mooring of Floating Businesses	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Municipal Sewage Treatment Facilities	B	B	P	P[2]	B	P	B	B	B	B
Individual Sewage Disposal Systems	P	P	P	P	A	P	P	P	A	B
Point Discharges - Runoff	A	A	A	A	A	A	A	A	A	A
Point Discharges - Other	B	B	P	B	B	P	B	B	B	B
Non-Structural Shoreline Protection	A	A	A	A	A	A	A	A	A	A
Structural Shoreline Protection	B	B	P	P	P	P	B	B	B	B
Energy-related Activities/Structures	B	B	P	P[3]	B	P	B	B	B	B
Dredging - Improvement	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Dredging - Maintenance	A	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Open-Water Dredged Material Disposal	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Upland Dredged Material Disposal	n/a	B	B	B	B	P	B	B	B	B
Beach Nourishment	B	B	B	B	B	P	n/a	n/a	n/a	B
Filling in Tidal Waters	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Aquaculture	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Mosquito Control Ditching	A	n/a	n/a	n/a	n/a	A	n/a	n/a	n/a	B
Mining	P	P	P	P	P	P	P	P	P	P
Construction of Public Roads, Bridges, Parking Lots, Railroad Lines, Airports	B	B	P	P	B	P	B	B	B	B

Type 5 Waters	Tidal Waters	Beaches and Dunes	Undeveloped Barriers	Moderately Developed Barriers	Developed Barriers	Coastal Wetlands	Headlands, Bluffs and Cliffs	Rocky Shores	Manmade Shorelines	Areas of Historic/Archaeological Significance
Filling, Removal, and Grading of Shoreline Features	n/a	B	P	A[1]	A[1]	P	B	B	A[1]	B
Residential Structures	P	P	P	P	A	P	B	B	A	B
Commercial/Industrial Structures	B	B	P	P	B	P	B	B	B	B
Recreational Structures	B	B	P	P	B	P	B	B	B	B
Recreational Mooring Areas	B	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Marinas	B	B	P	P	B	P	B	B	B	B
Launching Ramps*	B	B	P	B	B	P	B	B	B	B
Residential Docks,*Piers,*& Floats Limited Recreational Boating Facilities	A/B[5]	A	P	P	A	A	A	A	A	B
Mooring of Houseboats	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Mooring of Floating Businesses	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Municipal Sewage Treatment Facilities	P	B	P	P[2]	B	P	B	B	B	B
Individual Sewage Disposal Systems	P	P	P	P	A	P	B	B	A	B
Point Discharges - Runoff	A	A	A	A	A	A	A	A	A	A
Point Discharges - Other	B	B	P	B	B	P	B	B	B	B
Non-Structural Shoreline Protection	A	A	A	A	A	A	A	A	A	A
Structural Shoreline Protection	B	B	P	P	P	P	B	B	B	B
Energy-related Activities/Structures	B	B	P	P[3]	B	P	B	B	B	B
Dredging - Improvement	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Dredging - Maintenance	A	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Open-Water Dredged Material Disposal	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Upland Dredged Material Disposal	n/a	B	B	B	B	P	B	B	B	B
Beach Nourishment	B	B	B	B	B	P	n/a	n/a	n/a	B
Filling in Tidal Waters	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Aquaculture	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Mosquito Control Ditching	A	n/a	n/a	n/a	n/a	A	n/a	n/a	n/a	B
Mining	P	P	P	P	P	P	P	P	P	P
Construction of Public Roads, Bridges, Parking Lots, Railroad Lines, Airports	B	B	P	P	B	P	B	B	B	B

Type 6 Waters[10]	Tidal Waters	Beaches and Dunes	Undeveloped Barriers	Moderately Developed Barriers	Developed Barriers	Coastal Wetlands	Headlands, Bluffs and Cliffs	Rocky Shores	Manmade Shorelines	Areas of Historic/Archaeological Significance
Filling, Removal, and Grading of Shoreline Features	n/a	B	P	A[1]	A[1]	P	B	B	A[1]	B
Residential Structures	P	P	P	P	A	P	B	B	A	B
Commercial/Industrial Structures	B	B	P	P	B	P	B	B	B	B
Recreational Structures	B	B	P	P	B	P	B	B	B	B
Recreational Mooring Areas	B	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Marinas	B	B	P	P	B	P	B	B	B	B
Launching Ramps*	B	B	P	B	B	P	B	B	B	B
Residential Docks,*Piers,*& Floats Limited Recreational Boating Facilities	A/B[5]	B	P	P	B	B	B	B	B	B
Mooring of Houseboats	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Mooring of Floating Businesses	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Municipal Sewage Treatment Facilities	B	B	P	P[2]	B	P	B	B	B	B
Individual Sewage Disposal Systems	P	P	P	P	A	P	B	B	A	B
Point Discharges - Runoff	A	A	A	A	A	A	A	A	A	A
Point Discharges - Other	B	B	P	B	B	P	B	B	B	B
Non-Structural Shoreline Protection	A	A	A	A	A	A	A	A	A	A
Structural Shoreline Protection	B	B	P	P	P	P	B	B	B	B
Energy-related Activities/Structures	B	B	P	P[3]	B	P	B	B	B	B
Dredging - Improvement	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Dredging - Maintenance	A	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Open-Water Dredged Material Disposal	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Upland Dredged Material Disposal	n/a	B	B	B	B	P	B	B	B	B
Beach Nourishment	B	B	B	B	B	P	n/a	n/a	n/a	B
Filling in Tidal Waters	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Aquaculture	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Mosquito Control Ditching	A	n/a	n/a	n/a	n/a	A	n/a	n/a	n/a	B
Mining	P	P	P	P	P	P	P	P	P	P
Construction of Public Roads, Bridges, Parking Lots, Railroad Lines, Airports	B	B	P	P	B	P	B	B	B	B

***Purpose**: To add "limited recreational boating facilities" to the water type matrices and footnote 11 regarding boat launching ramps in Type 2 waters to reflect existing policy in Sections 210.2.C and 300.4.D.6.*

Section 210.2 – Barrier Islands and Spits – modify Sections 210.2.C.5 and 210.2.D, add new Section 210.2.E, and reformat (no change to content) existing Table 4 as follows:

210.2.C.5. The Council recognizes the highly dynamic nature of barriers and that storms may cause sudden and significant changes to the geomorphic form of these coastal features. Accordingly, large scale public infrastructure improvements and dense development is inappropriate. Therefore, except as provided for in ~~D.9~~D.4 below, the construction or expansion of new infrastructure or utilities shall be prohibited on all barriers including water, gas and sewer lines. It is not the intention of these policies to apply to individual, on-site water supply systems or individual sewage disposal systems, or gas lines. The use of plastic snow-fencing on all barriers is prohibited.

210.2.D. Prohibitions

1. The use of plastic snow-fencing is prohibited on **all barriers** due to the hazards presented to fish, marine mammals, and other wildlife in the aftermath of a storm event.

~~2. Vehicle access across a back barrier flat to access the Salt Ponds is prohibited. Access to the ponds shall be on foot only.~~ (Text added to D.2 below)

~~3~~2. Vehicles are prohibited in vegetated areas anywhere on the barriers and must stay on existing trails, roadways, driveways, and permitted parking areas. Access to the salt ponds shall be on existing or permitted trails and roadways only.

~~4~~3. Alterations to **undeveloped barriers** are prohibited except where the primary purpose of the project is protection, maintenance, restoration or improvement of the feature as a natural habitat for native plants and wildlife. In no case shall structural shoreline protection facilities be used to preserve or enhance these areas as a natural habitat or to protect the shoreline feature.

~~5~~4. The construction of new infrastructure or utilities or expansion of existing infrastructure or utilities shall be prohibited on **all barriers**. Such infrastructure or utilities shall include but not be limited to public or private water, electric, gas and sewer lines. This prohibition does not apply to individual, on-site water supply systems and onsite wastewater treatment systems, or onsite bottled gas supply. Additionally, this prohibition does not apply to such ancillary activities as the installation of cable and/or telephone lines that will service an existing individual structure. This prohibition does not apply to infrastructure which is intended to service the needs of the state such as transportation related projects, or transmission corridors or other infrastructure intended to meet a demonstrated state need that provides public benefit. (Existing language from D.9 below)

~~6~~5. New development is prohibited on **moderately developed barriers** except where the primary purpose of the project is restoration, protection, or improvement of the feature as a natural habitat for plants and wildlife or as allowed under Section 210.3.C.3 herein. In no case shall structural shoreline protection facilities be used to preserve or enhance these areas as a natural habitat or to protect the shoreline feature.

~~7. The construction of new buildings is prohibited on developed barriers on which only roads, utility lines, and other forms of public infrastructure were present as of 1985.~~

~~8~~6. All residential construction shall be setback a minimum of 50 feet. Residential construction is prohibited in the setback zone. A special exception shall be required for relief from the 50 foot setback requirement on barriers unless the activity proposed is a beach facility or walkover structure in which case a variance from the setback provisions shall be required. A variance shall be required for relief from the setback requirement on

barriers for the area that lies between the 50 foot minimum setback and any greater setback based on the annual erosion rate. No new Individual Sewage Disposal Systems shall be constructed within the 50 foot setback area (see Section 300.6.A.2 for definition of new ISDS). Walkover structures may be permitted over the dunes in order to gain access to the beach.

7. Walkover structures are prohibited on **undeveloped** barriers. Walkover structures are prohibited on **moderately-developed** barriers unless the purpose is to provide access to the general public.

~~9. This prohibition does not apply to infrastructure which is intended to service the needs of the state such as transportation related projects, or transmission corridors or other infrastructure intended to meet a demonstrated state need that provides public benefit.~~ (Existing text added to D.4 above)

E. Standards

1. Limited parking areas. The Council may permit new limited parking areas on all CRMC-designated barriers for the purpose of property owner access and use in accordance with the following provisions:

(a) Limited parking areas are restricted to a maximum disturbed area of no greater than 400 square feet.

(b) Only one limited parking area is permissible per lot of record as of (insert effective date of regulation).

(c) Limited parking areas must be located immediately adjacent to the existing roadway easement or as close as practicable to the roadway easement boundary line.

(d) Limited parking areas on undeveloped and moderately-developed barriers must be maintained as a sand or gravel surface. No other materials can be applied to the parking area.

(e) Restriction of access to the limited parking area by the property owner may be permitted only with the installation of a maximum of two (2) posts connected with a chain, cable or rope. The posts are not to exceed 6 inches in diameter or width and installed no more than four feet (4) above grade at base. Fencing, gates, or other means of restricting access, other than as allowed herein, are prohibited.

(f) The installation of snow fence or any other fence type around the perimeter of the limited parking area is prohibited.

(g) One storage bin per limited parking area is permissible provided it is located within the 400 square foot limited parking area and is in place only during the period of May 1 through October 31st of each year.

2. Rollout walkways are permissible on all barriers if they are installed temporarily on existing pathways and are removed seasonally. Rollout walkways are not to exceed four (4) feet in width. In the event of an imminent hurricane event these walkways are to be removed to a secure upland location.

~~**Table 4.** Undeveloped, Moderately Developed, and Developed Barriers~~

~~**Undeveloped**~~

~~Sandy Point Island, Westerly[1]~~
~~Napatree Beach, Westerly[1] (west of Watch Hill Beach Club)~~
~~Maschaug Beach, Westerly[1]~~
~~Quonochontaug Beach, Westerly/Charlestown[1] (west of Breachway)[1]~~
~~East Pond Beach, Charlestown~~
~~East Beach (Ninigret conservation area to Charlestown Breachway)[1]~~
~~Green Hill Beach, South Kingstown[1] (central portion)~~
~~Moonstone Beach, South Kingstown~~
~~Browning Beach, South Kingstown[1]~~
~~Long Pond Beach, Little Compton[1]~~
~~Round Pond Beach, Little Compton[1]~~

~~Briggs Beach, Little Compton~~[1]
~~Ship Pond Cove, Little Compton~~
~~Round Meadow Pond, Little Compton~~
~~Quicksand Pond Beach, Little Compton~~[1]
~~High Hill Marsh Barrier, Little Compton~~[1] ~~(eastern portion)~~
~~Sandy Point/West Beach, New Shoreham~~[1]
~~Casey Point, North Kingstown~~[1]
~~Greene Point, North Kingstown~~[1]
~~Bissel Cove Barrier, North Kingstown~~
~~Tibbit's Creek, North Kingstown~~
~~Baker's Creek, Warwick~~
~~Buttonwood Cove, Warwick~~
~~Gaspee Point, Warwick~~
~~Conimicut Point, Warwick~~
~~Nayatt Point Beach, Barrington~~
~~Mussachuk Creek, Barrington~~
~~Rumstick Point, Barrington~~
~~Hog Island, Portsmouth~~[1] ~~(2 separate areas)~~
~~Musselbed shoals, Portsmouth~~
~~Nag Pond/Jenny Pond, Portsmouth~~[1]

~~Table 4. (Con't)~~

~~Gull Point, Portsmouth~~
~~Sheep Pen Cove, Portsmouth~~
~~McCurry Point, Portsmouth~~
~~Fogland Point, Tiverton~~[1]
~~Sapowet Point, Tiverton~~
~~Fox Hill Pond, Jamestown~~

~~Moderately Developed~~

~~Napatree Beach, Westerly (easterly portion)~~
~~Michel Pond Beach, Charlestown~~
~~Garden Pond Beach, Charlestown~~
~~Charlestown Beach, Charlestown (east of breachway to developed portion)~~
~~Narragansett Beach, Narragansett~~
~~Bonnet Shores Beach, Narragansett~~
~~Mackerel Cove Beach, Jamestown~~
~~Hazards Beach, Newport~~
~~Bailey's Beach, Newport~~
~~First (Easton's) Beach, Newport (western portion)~~
~~Crescent Beach, New Shoreham~~[1]
~~Second Beach, Middletown~~
~~Third Beach, Middletown~~
~~Tunipus Pond Beach, Little Compton~~
~~Watch House Pond Beach, Little Compton~~[1]
~~Sakonnet Harbor Beach, Little Compton~~[1] ~~(eastern portion)~~

~~Developed~~

~~Atlantic Beach, Westerly~~
~~Quonochontaug Beach, Charlestown (east of breachway)~~
~~East Beach, Charlestown (west of Ninigret conservation area)~~
~~Charlestown Beach, Charlestown~~
~~Green Hill Beach, South Kingstown (westerly and easterly portions only)~~
~~East Matunuck/Jerusalem Beach, South Kingstown and Narragansett~~
~~Roger Wheeler Beach (Sand Hill Cove), Narragansett~~
~~Bonnet Shores Beach, Narragansett (easterly portion)~~

~~First (Easton's) Beach, Middletown (easterly portion)~~
~~Crescent Beach, New Shoreham (southerly portion)~~
~~Coast Guard Beach, New Shoreham~~
~~High Hill Marsh Barrier, Tiverton (western portion)~~

~~[1] Denotes those barriers or portions thereof where the Coastal Barrier Resources Act of 1982 (CoBRA) prohibits federal subsidies for most new development and federal flood insurance for all new development. For the most up-to-date maps showing CoBRA designations, contact the Division of Planning, Department of Administration.~~

~~*** Note**: This list denotes most of the major barriers in Rhode Island. However, there may be some small barrier systems not contained on this list, but are subject to the policies characterized by the barrier's level of development~~

Table 4. Undeveloped, Moderately Developed, and Developed Barriers

Undeveloped	Sandy Point Island, Westerly[1]
	Napatree Beach, Westerly[1] (west of Watch Hill Beach Club)
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	Tibbit's Creek, North Kingstown
	Baker's Creek, Warwick
	Buttonwood Cove, Warwick
	Gaspee Point, Warwick
	Conimicut Point, Warwick
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	Garden Pond Beach, Charlestown
	Charlestown Beach, Charlestown (east of breachway to developed portion)
	Narragansett Beach, Narragansett
	Bonnet Shores Beach, Narragansett
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Developed	Atlantic Beach, Westerly
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	East Beach, Charlestown (west of Ninigret conservation area)
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[1] Denotes those barriers or portions thereof where the Coastal Barrier Resources Act of 1982 (CoBRA) prohibits federal subsidies for most new development and federal flood insurance for all new development. For the most up-to-date maps showing CoBRA designations, contact the Division of Planning, Department of Administration.

*** Note**: This list denotes most of the major barriers in Rhode Island. However, there may be some small barrier systems not contained on this list, but are subject to the policies characterized by the barrier's level of development.

Purpose: *To modify prohibitions regarding vehicles and walkover structures on barriers, add standards for "limited parking areas," and reformat Table 4 - list of CRMC-designated barriers.*

Section 300.4 – Recreational Boating Facilities – modify Section 300.4.A, add new definition 300.4.A.4, modify Table 1, and modify Sections 300.4.B.2, 300.4.C, 300.4.D, 300.4.E.3 and 300.4.E.3.1 as follows:

A. Definitions

Recreational boating facilities include marinas, launching ramps, residential and limited recreational boating facilities, recreational wharves, piers and slips, floats or floating docks, and recreational mooring areas.

1. Marina: any dock, pier, wharf, float, floating business, or combination of such facilities that accommodate five or more recreational boats.

2. Launching Ramp: a manmade or natural facility used for the launching and retrieval of boats.

3. Residential Boating Facility: a dock, pier, wharf, or float, or combination of such facilities, contiguous to a private residence, condominium, cooperative or other home owners association properties that may accommodate up to four (4) boats.

(a) fixed terminal section: the seaward-most section of a residential boating facility which is configured as a T-section or L-section that provides access between a fixed dock and a vessel.

4. Limited recreational boating facilities: a pier, dock ramp or float, or combination of such facilities constructed in accordance with the standards for residential boating facilities herein, which provide low intensity boating activities associated with land uses zoned by the local municipality as institutional or open space (or an appropriate sub-district of institutional or open space zoning) and may accommodate up to four (4) boats.

~~4~~5. Recreational Mooring Area: any designated area managed by a commercial enterprise, a club, city, or town where five (5) or more recreational craft are kept at moorings.

~~5~~6. Terminal Float: refers to the floating dock or docks that are typically at the seaward terminus of a residential boating facility to which the berthed vessels are typically affixed and from which the vessels are boarded or berthed. Terminal floats are typically accessed from a ramp leading from a fixed pier. Four foot wide floats that are used to provide perpendicular access to the berthing area in lieu of the utilization of a fixed pier are defined as access floats, not terminal floats. Additional floats, not at the seaward end and not used primarily for access, shall be considered a terminal float.

~~6~~7. Limited Marina: Any facility marina intended for use by recreational vessels with a boat count between five (5) and twenty five (25).

~~7~~8. Destination Harbor: A destination harbor is one in which the primary use is by people arriving by vessel. The following are considered destination harbors: Newport Harbor and Old / New Harbor in Block Island.

~~8~~9. Alteration: an alteration of a marina is any activity that results in changes to the existing or previously approved recreational boating facility design. Such activities include but are not limited to the removal, addition, or relocation of piles, floating docks or fixed piers and changes to the Marina Perimeter Limit.

~~9~~10. Significant Expansion: any expansion greater than 25 % of existing or previously authorized boat capacity, or an expansion of fifty (50) or more vessels.

~~10~~11. Property Line Extension (PLE): projections of property lines used to demarcate the sideways bounds of a tidal water area adjacent to property on which a marina or residential dock is proposed to be sited. The PLE's are used in the application process as a tool to assess dock siting and are not to be construed as conveying any rights or privileges to an applicant or property nor as a determination of riparian rights.

~~11~~12. Public Trust Resources (PTR): are defined as the tangible physical, biological matter substance or systems, habitat or ecosystem contained on, in or beneath the tidal waters of the state, and also include intangible rights to use, access, or traverse tidal waters for traditional and evolving uses including but not limited to recreation, commerce, navigation and fishing.

~~12~~13. Environmental Site Conditions: all elements, environmental, engineering and geologic that affect a particular location. These items shall primarily include, fetch, wave conditions, wind conditions, bathymetry,

currents, soil bearing capacity, ice impacts, tide range, flood elevation, velocity zone, littoral conditions, erosion/accretion characteristics, presence of wetlands, sub-aquatic vegetation, marine resources and associated habitats. Other site specific conditions may be required for review.

~~13~~14. Transient Berthing: Berthing for less than thirty days (30) by a vessel that is typically kept at another location. Transient vessels and slips for transient vessels shall be considered part of the overall boat count allowed. Touch and Go facilities shall limit berthing to a maximum of forty eight (48) hours.

~~14~~15. Outhaul: Defined as a non-single-point anchoring device, for the purpose of securing a boat in tidal waters and retrieving it from shore.

~~15~~16. Boat / Vessel Count: Any space where a vessel may be docked or stored by wet slip, float, mooring or other device. Dry Stack vessels will receive a separate boat count. Dinghies, canoes, kayaks and other small tenders (12' or less) to vessels shall not be included in the boat count.

~~16~~17. Swim Float: Any float that is 150 square feet or less, bottom anchored and approved by the CRMC and local harbormaster on a seasonal basis (May 15 – October 15) that does not have vessels attached.

~~17~~18. Marina Perimeter Limit (MPL): a defined perimeter based on in-water facilities which defines and limits the area for structures to be located.

~~18~~19. Functional Residential Boating Facility: A facility shall be considered functional if it has been in continuous uninterrupted use.

~~19~~20. Marine railways: sometimes referred to as slipways, marine railways are mechanical means for: the lifting of a vessel out of the water to an elevation above the highest tides; or, for the launching of a vessel into the water. It is a system of cradles or carriages that are lowered into or raised from the water along an inclined track on a system of rollers or wheels.

TABLE 1

Existing Residential and Limited Recreational Boating Facility
Modification Request for Permitted Structures

Dock Condition	Application Type
1) Functional Dock to be replaced in its entirety	Maintenance
2) Functional Dock to replaced in its entirety in Type 1 Waters	Maintenance
a) Functional Dock destroyed (>50%) by storm or natural Hazard in Type 1 Waters	Cannot be Replaced or Special Exception
3) Existing Dock field assessed by CRMC Staff as >50% destroyed in Type 1 Waters	Cannot be Replaced or Special Exception
4) Functional Dock, destroyed (>50%) in a storm/natural hazard	New
5) Dock, not functional, field assessed as >50% destroyed	New
6) Functional Dock, to be replaced in its entirety	Refer to Section 300.14
a) dock, not in compliance at time of permit	Refer to Section 300.14
7) Adding to existing Dock	
a) Existing dock does not need to be brought into compliance, proposed addition must meet current regulations	Modification
b) Addition is over 50% of length or width of dock	New

B.2 Residential and Limited Recreational Boating Facility Policies

(a) All residential and limited recreational boating facilities are required to be registered by and with the Council and have posted on them a registration plate and number issued by the Council. Applicants for residential boating facilities are referred to the Council's Pre-existing Residential Boating Facilities Program for additional detailed standards of this policy and program.

(b) In order to limit the cumulative impacts of multiple individual residential and limited recreational boating facilities, the Council encourages the construction of facilities that service a number of users. It is the policy of the Council to manage the siting and construction of recreational and limited recreational boating facilities within the public tidal waters of the state to prevent congestion, and with due regard for the capability of coastal areas to support boating and the degree of compatibility with other existing uses of the state's waters and ecological considerations.

(c) All recreational and limited recreational boating facilities shall be designed and constructed to adequately withstand appropriate environmental conditions present at the site and to minimize impacts to existing resources.

(d) All residential boating facilities (reference Section 300.4.A.3) shall be contiguous to a private residence, condominium, cooperative or other home owner's association property and shall not accommodate more than four (4) boats.

(e) All limited recreational boating facilities (reference Section 300.4.A.4) must be contiguous to property zoned by the local municipality as institutional or open space (or an appropriate sub-district of institutional or open space zoning) and shall not accommodate more than four (4) boats.

(f) It is the Council's policy to authorize only one (1) residential or limited recreational boating facility (reference Sections 300.4.A.3 and 300.4.A.4, respectively) per lot of record as of (effective date of rule) to minimize user conflicts and cumulative impacts in tidal waters.

(g) Assents for limited recreational boating facilities (reference Section 300.4.A.4) remain valid provided the local parcel zoning remains unchanged from the time of the Assent. Modification of the local zoning designation to a category other than open space or institutional or their appropriate sub-district categories automatically nullifies the CRMC Assent.

C. Prerequisites

1. All new or significantly expanded recreational and limited recreational boating facilities shall be within the property line extensions of the proposed facility or have a signed agreement with the adjacent land owner(s) whose property line extension area is impacted. All structures shall be a minimum of twenty five (25) feet from the property line extension. Otherwise the applicant shall have a letter of no objection from the adjacent property owner stating that the reduced setback is acceptable. This letter and variance request shall be provided with the application.

C.2 Residential and Limited Recreational Boating Facility Prerequisites

(a) All applications for residential and limited recreational boating facilities shall be initially reviewed by the Executive Director or the Deputy Director. The Executive Director or the Deputy Director may refer any such application to the Council for a hearing if based upon the application on its face a determination is made that the proposed activity warrants a Council hearing.

(b) The Executive Director or the Deputy Director shall, based upon the application and staff reports, make a determination that the application meets all the criteria as set out in Section 300.4.E.3 Standards for Residential Docks, Piers and Floats and any other applicable Council policy or procedures. If a determination is made that all the above criteria are met, the application shall be processed as a Category A application.

(c) If a determination is made that all of the above criteria are not met for a residential boating facility then the matter shall be referred to Council as a Category B application. All limited recreational boating facilities shall be reviewed and processed by the Council as a Category B application.

(d) The Executive Director or the Deputy Director shall have the authority to consider and act upon variance requests to certain standards of this section pertaining to residential boating facilities and shall utilize the criteria and requirements of Section 120 of this program in its evaluation of variance requests.

(e) Variance requests to other standards of this section or to other appropriate and relevant sections of the CRMP must be made to the full Council. Variances shall not be considered by the Executive Director or the Deputy Director if there is a substantive objection, in accordance with Section 110, to the application.

(f) Variances may be granted to all of the standards contained in Section 300.4.E.3 Standards for Residential Docks, Piers and Floats and Section 200.2.C.3 (Type 2 – Low Intensity Use) provided engineering, biological and other appropriate concerns have been addressed except for the following:

(1) the Executive Director or the Deputy Director may not grant a variance to Section 300.4.E.3.k;

(2) the Executive Director or the Deputy Director may only grant a variance to within eighteen (18) inches of the marsh grade standard (Section 300.4.E.3.g) provided engineering, biological, and other appropriate concerns are met; and

(3) the Executive Director or the Deputy Director may only grant a variance for the extension of a recreational boating facility out to 75 feet beyond MLW or up to a 50% increase beyond the fifty (50) foot standard (Section 300.4.E.3.l) provided engineering, biological, and other appropriate concerns are met.

D. Prohibitions

1. The building of new marinas in Type 1 and 2 waters is prohibited.

2. The building of residential and limited recreational boating facilities in Type 1 waters is prohibited. This prohibition shall not apply to functional structures previously assented by the Rhode Island Department of Harbors and Rivers, the Army Corps of Engineers, or the CRMC. Additionally, in those instances where an applicant cannot produce a previous assent but can demonstrate by clear and convincing evidence that a residential dock in Type 1 Waters pre-existed and has been continuously functional prior to the formation of the Council, the Council may grant a permit issued in accordance with the CRMC's Pre-existing Residential Boating Facilities Program. Any assent granted pursuant to this section shall be recorded in the land evidence records and is transferable to a subsequent owner or purchaser of the subject property, provided however, that all assent conditions are adhered to and the dock is removed at the termination of assent.

3. The unloading of catches by commercial fishing vessels at residential and limited recreational boating facilities is prohibited.

4. The building of structures in addition to the piles/ pile cap / stringer / deck / handrail on a residential or limited recreational boating facility, including but not limited to gazebos, launching ramps, wave fences, boat houses, and storage sheds, is prohibited. However, the construction of boat lifts may be allowed in Type 3, 5, and 6 waters, and in Type 2 waters in accordance with the provisions of Section 300.16 - Boat Lift and Float Lift Systems.

5. Rhode Island is an EPA designated a No Discharge State; all vessel discharges within State Waters are prohibited.

6. In Type 2 waters, the building of private launching ramps that propose to alter a coastal feature are prohibited, except along manmade shorelines. Where a coastal wetland fronts a manmade shoreline, the building of private

launching ramps shall be prohibited. This prohibition does not apply to marinas with Council-approved marina perimeters (MPL).

7. New residential or limited recreational boating facilities are prohibited from having both a fixed T section or L-section, and a float.

8. Terminal Floats at residential and limited recreational docks in excess of 200 square feet are prohibited.

9. Marine railway systems are prohibited except in association with: a marina; or, a commercial or industrial water dependent activity in type 3, 5 and 6 waters.

10. The installation or use of more than one (1) residential or limited recreational boating facility (reference Sections 300.4.A.3 and 300.4.A.4, respectively) per lot of record as of (effective date of rule) is prohibited.

E.3. Residential and Limited Recreational Docks, Piers, and Floats standards

(a) All residential and limited recreational dock designs shall be in accordance with Table 3 - Minimum Design Criteria, but in no case shall any structural member be designed to withstand less than 50 year storm frequency, including breaking wave conditions in accordance with ASCE 7 (current edition) and FEMA Manual 55. All design elements including the bathymetry shall be stamped by a Rhode Island registered Rhode Island Professional Engineer.

(b) Applications for all residential and limited recreational boating facilities shall indicate all work associated with these structures including at a minimum: a bottom survey showing water-depth contour lines and sediment types along the length of the proposed structure the seaward and landward extent of any SAV or coastal wetland vegetation present at the site, the permitted/authorized dimensions of any CRMC buffer zone and/or access way, as well as all associated work involved in accessing the proposed facility. All pathways, boardwalks, and cutting or filling of coastal features shall be specified. All such work shall be in accordance with applicable standards for "Filling, Removing, or Grading" (Section 300.2) and "Residential, Commercial, Industrial, and Public Recreational Structures" (Section 300.3). All of the above work shall be certified by a Professional Engineer licensed in the State of Rhode Island.

(c) Fixed structures which are for pedestrian access only shall be capable of supporting forty (40) pounds per square foot live load as well as their own dead weight; floating structures shall be capable of supporting a uniform twenty (20) pounds per square foot live load, or a concentrated load of four hundred (400) pounds. A written certification by the designer that the structure is designed to support the above design loads shall be included with the application.

(d) No creosote shall be applied to any portion of the structure.

(e) A residential or limited recreational boating facility shall be a maximum of four (4) feet wide, whether accessed by a fixed pier or float. The terminal float size shall not exceed one hundred fifty (150) square feet to be reviewed as a Category A application. A variance may be granted up to 200 square feet in excessive fetch areas, however this shall be reviewed as a Category B application at the full Council. In the absence of a terminal float, a residential boating facility may include a fixed terminal T or L section, no greater than four (4) by twenty (20) feet in size.

(f) All new or replacement floats shall utilize floatation that was specifically fabricated for marine use and warranted by its manufacturer for such use. Foam billets or foam bead shall not be utilized unless they are completely encapsulated within impact resistant plastic.

(g) Where possible, residential boating facilities shall avoid crossing coastal wetlands. In accordance with Section 300.17, those structures that propose to extend beyond the limit of emergent vegetative wetlands are considered residential boating facilities. Facilities shall be located along the shoreline so as to span the minimal amount of wetland possible. Facilities spanning wetlands shall be elevated a minimum of four (4) feet above the

marsh substrate to the bottom of the stringers, or constructed at a 1:1 height to width ratio. Construction in a coastal wetland shall be accomplished by working out from completed sections. When pilings are placed within coastal wetlands, only the immediate area of piling penetration may be disturbed. Pilings should be spaced so as to minimize the amount of wetland disturbance. No construction equipment shall traverse the wetland while the facility is being built.

(h) Owners are required to maintain their facilities in good working condition. Facilities may not be abandoned. The owner shall remove from tidal waters and coastal features any structure or portions of structures which are destroyed in any natural or man-induced manner.

(i) Float ramps and other marine appurtenances or equipment shall not be stored on a coastal feature or any area designated as a CRMC buffer zone.

(j) The use of cribs for structural support shall be avoided. The use of cribs as support in tidal waters may be permitted given certain environmental design considerations. However, in these instances the size and square footage shall be minimized and the structure cannot pose a hazard to navigation. When cribs are permitted for structural support, they must be removed when the useful life of the structure has ceased (e.g. the structure is no longer used as a means of accessing tidal waters).

(k) Residential and limited recreational boating facilities shall not intrude into the area within twenty five (25) feet of an extension of abutting property lines unless (1) it is to be common structure for two or more adjoining owners, concurrently applying or (2) a letter or letters of no objection from the affected owner or owners are forwarded to the CRMC with the application. In the event that the applicant must seek a variance to this standard, the variance request must include a plan prepared by a RI registered Land Surveyor which depicts the relationship of the proposed facility to the effected property line(s) and their extensions.

(l) Residential and limited recreational boating facilities shall not extend beyond that point which is (1) 25% of the distance to the opposite shore (measured from mean low water), or (2) fifty (50) feet seaward of mean low water, whichever is the lesser.

(m) All residential and limited recreational docks, piers, and floats shall meet the setback policies and standards contained in municipal harbor management plans and/or harbor ordinances approved by the Council. However, in all cases, residential docks, piers, and floats shall be setback at least fifty (50) feet from approved mooring fields and three-times the U.S. Army Corps or Engineers authorized project depth from federal navigation projects (e.g., navigation channels and anchorage areas).

(n) No sewage, refuse, or waste of any kind may be discharged from the facility or from any vessel utilizing it.

(o) A Council Assent for a residential or limited recreational boating facility permits the owner to undertake minor repairs of approved facilities without further review, where such repairs will not alter the assented and/or permitted design, capacity, purpose or use of the facility. For the purposes of this section, minor repairs shall include the repair or replacement of dock decking or planks, hand railings and support, and other activities of a similar and non-substantial nature. Minor repairs do not include alterations to the approved design of the facility, expansion of the facility, or work requiring the use of heavy machinery (such as a pile driver); these activities require that a Certification of Maintenance be obtained from the Council in accordance with Section 300.14. Residential boating facilities shall be in continuous and uninterrupted use to meet this standard, in accordance with permit conditions.

(p) Materials used for the construction of residential and limited recreational boating facilities shall not include steel or concrete piles.

(q) The surface of the dock, pier and float shall be designed in a manner which provides safe traction and allows for the appropriate drainage of water.

(r) Geologic site conditions shall exist which are appropriate for driven pile structural support.

(s) As part of a residential or limited recreational boating facility, the terminal float may be designed such that it facilitates the access of small vessels such as kayaks, dinghies, personal water craft, etc., onto the float, provided that all other programmatic requirements are met. Mechanical apparatus to accomplish this shall not exceed twenty four (24) inches in height from the top of the float.

(t) All residential and limited recreational docks shall have the centerline of the structure between its most seaward and most landward portion designated on the plans with State Plane Coordinates (NAD83). A WAAS enabled GPS system with an accuracy of +/- 3 meters shall be considered acceptable. The Executive Director shall have the discretion to require greater accuracy.

(u) Recreational boating facilities other than marinas and those facilities associated with residential development, where applicable, shall follow the design standards contained within this Section, including those described in Table 3.

(v) Lateral Access shall be provided under, around or over as appropriate for the site conditions at all new residential docks.

(w) In order to minimize impacts to existing areas of Submerged Aquatic Vegetation (SAV) habitat, new residential boating facilities or modifications to existing residential boating facilities shall be designed in accordance with the guidelines and standards contained within Section 300.18, as most recently revised. Facilities shall be located along the shoreline so as to impact the minimal amount of habitat possible.

(x) The long-term docking of vessels at a recreational boating facility shall be prohibited over SAV. Such facilities shall be used for touch and go only.

(y) All residential and limited recreational docks shall be certified by the Design Engineer that it was constructed according to the approved plans within typical marine construction standards. The Executive Director shall have the discretion to require AS-BUILT survey plans of residential and limited recreational docks that includes property lines.

E.3.1 Residential and Limited Recreational Docks with Excessive Fetch Standards

(a) A location shall be considered to have excessive fetch if there is a 20º sector over four miles in any direction in which wind can blow over the water to generate waves.

(a) Boat lifts, suitably designed and installed, are encouraged for docks with excessive fetch.

(b) Residential and limited recreational docks with excessive fetch shall provide uplift calculations as part of the required calculation package.

(c) All structural elements, including the boat lift, shall be designed to withstand the 100 year storm frequency, including breaking wave conditions in accordance with ASCE 7 (current edition) and FEMA Manual 55.

(d) All residential and limited recreational docks with excessive fetch shall have an As-built plan on file with the CRMC within thirty (30) days of construction that certifies conformance with the approved plans.

(e) All residential and limited recreational docks with excessive fetch shall be inspected and certified by a Registered Professional Engineer licensed in Rhode Island that all elements of the dock and lift system meet the requirements of ASCE 7 (current edition) or FEMA Manual 55 every five (5) years.

TABLE 3 - MINIMUM DESIGN CRITERIA			
Min. Pile Tip diameter	10”	Min / Max Float freeboard	8” / 30”
Min. Pile But diameter	12”	Maximum Fetch for residential docks	4 miles
Marina Minimum Pile embedment	15 feet	Minimum Stringer/Joist	3”x10”
Residential Minimum Pile embedment	10 feet	Minimum through bolt Hardware Diameter – hot dipped galvanized	¾”
Minimum Marina Deck and Float load	60 psf LL 500 lb concentrated	Minimum Cross bracing	3”x10”
Residential Deck load	40 PSF LL 400 LB concentrated	Minimum lag bolt diameter	½”
Min Float Freeboard *including LL and DL	12”	Minimum Water depth at the terminus of recreational boating facilities	18” MLW
Design Wind Loads	wind gust based on 50 year return and natural period of 60 seconds	Required Datum	MLW
Wave Conditions (min)	All fixed and floating structure shall be designed for a 3’ minimum		
Min Pile Cut Off	V zone elevation + float freeboard + 1’		
Steel or cast steel	490 pcf		
Cast iron	450 pcf		
Aluminum alloys	175 pcf		
Timber (untreated)	40 - 50 pcf		
Timber (treated)	45 – 60 pcf		
Concrete, reinforced (normal weight)	145 – 155 pcf		
Concrete, reinforced (lightweight)	90-120 pcf		
Asphalt paving	150 pcf		
Granite Block	165 pcf		

***Purpose**: To provide for a new category of recreational boating facility within Section 300.4 to be known as “limited recreational boating facilities” on parcels zoned as open space or institutional by a local municipality.*

Enforcement Report for August 2012

Category “A” List

/lat