



State of Rhode Island and Providence Plantations
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

APPLICATION FOR STATE ASSENT

To perform work regulated by the provisions of Chapter 279 of the Public Laws of 1971 Amended.

Project Location (WEST WIND MARINA) 1 & 25 WAITES WHARF, NEWPORT No. Street City/Town		File No. (CRMC USE ONLY) 2024-12-052
Owner's Name HARBOUR REALTY LLC		Plat: 32 + Lot(s): 155 & 268 +
Mailing Address 39 AGAR STREET, YONKERS, NEW YORK 10701 Address City/Town, State Zip Code		Owner's Contact: Number: 914-714-4257 + Email Address: agaroffice@aol.com +
Contractor RI Reg. # TBD + Address		Email address: Tel. No. TBD +
Designer NARRAGANSETT ENGINEERING INC. 3102 East Main Rd. Portsmouth RI + Address		Tel. No. 401-683-6630 +
Name of Waterway NEWPORT HARBOR - TYPE 5 WATERS		Estimated Project Cost (EPC): \$1,115,000 + Application Fee: \$5,825 +
Provide Below a Description of Work As Proposed (required). Please see the West Wind Marina Reconfiguration narrative outlining existing and proposed conditions. Narrative Prepared by NEI & RMA.		

Have you or any previous owner filed an application for and/or received an assent for any activity on this property?
(If so please provide the file and/or assent numbers): 1987-11-39 +

Is this site within a designated historic district? ☒ YES ☐ NO

Is this application being submitted in response to a coastal violation? ☐ YES ☒ NO

If YES, you must indicate NOV or C&D Number: _____

Name/mailling addresses of adjacent property owners whose property adjoins the project site. Accurate mailing addresses will insure proper notification. AB Applicant must initial to certify accuracy of adjacent property owners and accuracy of mailing addresses.

See attached direct Abutter List & Map +

STORMTOOLS (<http://www.beachsamp.org/resources/stormtools/>) is a planning tool to help applicants evaluate the impacts of sea level rise and storm surge on their projects. The Council encourages applicants to use STORMTOOLS to help them understand the risk that may be present at their site and make appropriate adjustments to the project design.

NOTE: The applicant acknowledges by evidence of their signature that they have reviewed the Rhode Island Coastal Resources Management Program, and have, where possible, adhered to the policies and standards of the program. Where variances or special exceptions are requested by the applicant, the applicant will be prepared to meet and present testimony on the criteria and burdens of proof for each of these relief provisions. The applicant also acknowledges by evidence of their signature that to the best of their knowledge the information contained in the application is true and valid. If the information provided to the CRMC for this review is inaccurate or did not reveal all necessary information or data, then the permit granted under this application may be found to be null and void. Applicant requires that as a condition to the granting of this assent, members of the CRMC or its staff shall have access to the applicant's property to make on-site inspections to insure compliance with the assent. This application is made under oath and subject to the penalties of perjury.

08/04

HARBOR REALTY LLC BY THOMAS ABRUZESE

Owner Name (PRINT)

Owner's Signature (SIGN)

PLEASE REVIEW REVERSE SIDE OF APPLICATION FORM

RECEIVED

12/23/2024

COASTAL RESOURCES
MANAGEMENT COUNCIL

TO: **Coastal Resources Management Council**
 4808 Tower Hill Road Suite 3
 Wakefield, RI 02879
 Phone: (401) 783-3370



FROM: Building Official

DATE: 10.22.24

SUBJ: Application of: West Wind Marina (n/f: Harbour Realty LLC)

Location: 25 + 0 Waites Wharf - Newport RI AP 32-155 + 32-268

Address: 25 + 0 Plat No. 32 Lot No. 155 + 268

To Construct: Marina Reconfiguration as shown on attached plans entitled "West Wind Marina Alteration" including: New fixed pier, floats, and piles (27 Slips (23 Inside))

I hereby certify that I have reviewed _____ foundation plan(s).

_____ plan(s) for entire structure

X site plans

Titled: "West Wind Marina Alteration" by RMA GeoEnvironmental LLC + Narragansett Engineering Inc. Dated: 10.22.24

Date of Plan (last revision): 10/22/24

N/A and find that the issuance of a local building permit is not required as in accordance with Section _____ of the Rhode Island State Building Code.

X and find that the issuance of a local building permit is required. I hereby certify that this permit shall be issued once the applicant demonstrates that the proposed construction/activity fully conforms to the applicable requirements of the RISBC.

N/A and find that a Septic System Suitability Determination (SSD) must be obtained from the RI Dept. of Environmental Management.

N/A and find that a Septic System Suitability Determination (SSD) need not be obtained from the RI Dept. of Environmental Management.

✓ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final. The Zoning Board approval shall expire on _____.

[Signature]
 Building Official's Signature

11/22/24
 Date

✓ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final.

[Signature]
 Zoning Officer's Signature

11/22/2024
 Date




[Home](#)
[Search](#)
[Print](#)
[Previous](#)
[Next](#)

Disclaimer: This information is for tax assessing purposes and is not warranted

Parcel Identification

Map/Lot 32-155
 Account 5666
 State Code 06 - Comm II
 Card 1/1
 User Account R06040

Assessment

Land \$5,665,000
 Building \$1,278,800
 Card Total \$6,943,800
 Parcel Total \$6,943,800

Prior Assessments

Fiscal Year	Land Value	Building Value	Outbuilding Value	Total Value
2024	\$5,665,000	\$1,172,800	\$106,000	\$6,943,800
2023	\$5,058,000	\$978,000	\$86,300	\$6,122,300
2022	\$5,058,000	\$978,000	\$86,300	\$6,122,300
2021	\$5,058,000	\$978,000	\$86,300	\$6,122,300
2020	\$5,150,600	\$767,000	\$106,700	\$6,024,300

Location and Owner

Location 25 WAITES WHF
 Owner HARBOUR REALTY LLC
 Owner2 C/O THOMAS ABRUZESE
 Owner3
 Address 39 AGAR ST
 Address2
 Address3 YONKERS NY 10701

Building Information

Design Restaurant
 Year Built 1966
 Heat Hot Water
 Fireplaces 0
 Rooms 0
 Bedrooms 0
 Bathrooms 1 Half Bath
 Above Grade Living Area 5,658 SF

Sale Information

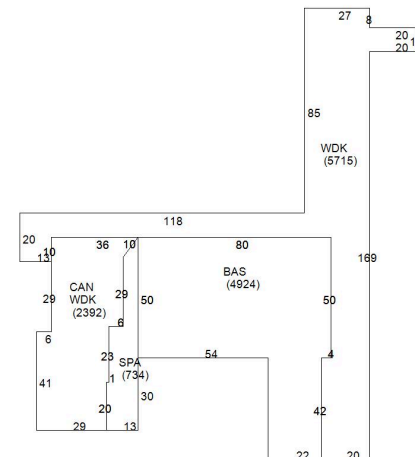
Sale Date	Sale Price	Legal Reference	Instrument
08/09/1995	\$0	692-155	
03/15/1995	\$950,000	676-149	

[Click To Open Google Maps](#)

Land Area 58,370.4 SF
 Zoning WB
 View -
 Neighborhood Y

Yard Item(s)

Description	Quantity	Size	Year
CABIN PROF USE	1	240	2001
COM TYPE	1	800	2001
MISC BLDG	1	304	2012
PAVING-ASPHALT	1	8816	2001
PUMPHOUSE	1	112	2009



Building Sub Areas

Sub Area	Net Area
Canopy	2,392 SF
Deck, Wood	8,107 SF
First Floor	4,924 SF
Service Production Area	734 SF

Land Information

RECEIVED

12/23/2024

COASTAL RESOURCES
MANAGEMENT COUNCIL


[Home](#)
[Search](#)
[Print](#)
[Previous](#)
[Next](#)
[Next Card](#)

Disclaimer: This information is for tax assessing purposes and is not warranted

Parcel Identification

Map/Lot 32-268
 Account 5791
 State Code 06 - Comm II
 Card 1/2
 User Account R06178

Assessment

Land \$3,433,300
 Building \$284,700
 Card Total \$3,718,000
 Parcel Total \$4,338,300

Prior Assessments

Fiscal Year	Land Value	Building Value	Outbuilding Value	Total Value
2024	\$3,433,300	\$569,300	\$335,700	\$4,338,300
2023	\$3,069,500	\$478,300	\$338,800	\$3,886,600
2022	\$3,069,500	\$478,300	\$338,800	\$3,886,600
2021	\$3,069,500	\$478,300	\$338,800	\$3,886,600
2020	\$3,033,200	\$421,500	\$302,800	\$3,757,500

Location and Owner

Location 0 WAITES WHF
 Owner HARBOUR REALTY LLC
 Owner2 C/O THOMAS ABRUZESE
 Owner3
 Address 39 AGAR ST
 Address2
 Address3 YONKERS NY 10701

Building Information

Design Restaurant
 Year Built 1913
 Heat Hot Water
 Fireplaces 0
 Rooms 0
 Bedrooms 0
 Bathrooms 1 Half Bath
 Above Grade Living Area 1,782 SF

Sale Information

Sale Date 03/15/1995
 Sale Price \$0
 Legal Reference 692-155
 Instrument

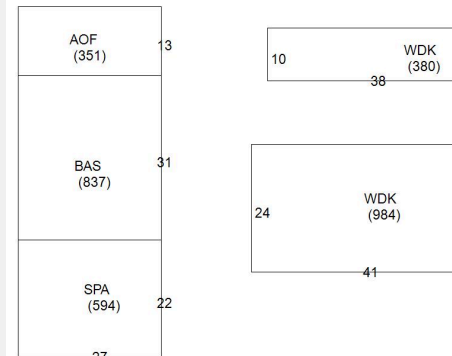
[Click To Open Google Maps](#)

Land Information

Land Area 31,900 SF
 Zoning WB
 View -
 Neighborhood Y

Yard Item(s)

Description	Quantity	Size	Year
MANUAL	1	480	1913
COMM MASNRY	1	768	2011



Building Sub Areas

Sub Area	Net Area
Deck, Wood	1,364 SF
First Floor	837 SF
Office, (Average)	351 SF
Service Production Area	594 SF

RECEIVED

12/23/2024

COASTAL RESOURCES
MANAGEMENT COUNCIL



December 17, 2024

Anthony Sawaia – Permitting Staff
RI Coastal Resources Management Council
4808 Tower Hill Road; Suite 3
Wakefield, RI 02879

**RE: CATEGORY B ASSENT APPLICATION | WEST WIND MARINA
RECONFIGURATION**

(RMA Job No 22255.00)

Project Location: 25 Waites Wharf
City | Town: Newport
Plat | Lot: Plat 32 | Lots 155, 268
Waterway: Newport Harbor

Dear Mr. Sawaia,

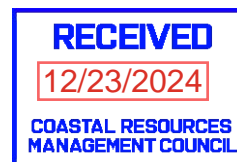
It is our pleasure to offer the enclosed Category B Assent Application on behalf of Harbour Realty LLC (Property Owner/ Applicant) who is seeking permission to permit and construct the enclosed marina reconfiguration (see included Project Plans). The existing boating hazards are a hardship to the owner/operator and have impacted water dependent operations and functional use of the Marina. The alteration to the fixed pier is aimed at improving boater safety and functional navigation of the marina and has been reviewed by the Newport Harbor Master and Waterfront Commission, whose recommendations have been included in the reconfiguration plans.

The improvements will alter the non-functional oblique fixed pier by removing and replacing it with a reconfigured new fixed timber pier (Same width, ~ 10 ft.) supported on new drilled Greenheart piles. In general, the maximum seaward extent will remain unchanged, and the proposed structure will be no closer to the navigation channel or the Newport Harbor mooring field. The existing floating docks will also be removed and replaced with high quality manufactured floats with new piles independent of the fixed pier. Existing piles associated with the reconfiguration will be removed. Specific proposed changes will be described in more detail in Attachment A; Project Discussion.

~~~

Each application package includes the required RICRMC assent application form along with the following attachments:

|               |                                 |
|---------------|---------------------------------|
| Attachment A: | Project Discussion              |
| Attachment B: | Representative Site Photographs |
| Attachment C: | Project Plans                   |
| Attachment D: | CRMC Standards                  |
| Attachment E: | Building Official Signoff       |
| Attachment F: | Property Owner Information      |
| Attachment G: | SAV Determination               |
| Attachment H: | Summary of Permit History       |
| Attachment I: | Technical Correspondence        |





**COVER LETTER: WEST WIND MARINA RECONFIGURATION**

**West Wind Marina | Waites Wharf Assent**  
Waites Wharf | Newport, RI  
December 17, 2024

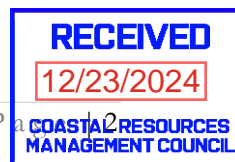
~~~

Feel free to contact the undersigned should you have any questions or require additional information to facilitate your review of the application | email at josh@rmahydro.com | by phone at 401.741.9667.

Sincerely,

RMA Environmental

Joshua E. Rosenberg, P.E.
Principal



ATTACHMENT A: PROJECT DISCUSSION

PROJECT SPECIFICS

Water Use Category:	Type 5; Recreational and Commercial Harbors
Shoreline Feature:	Manmade developed shoreline
Water Type Map:	Newport
Marina Size:	27 Slips Permitted
Buffer Setback:	NA
Alteration or Activity:	Marina Reconfiguration
Flood Zone:	VE13
Fill to be Deposited:	No
Variance Requested:	No

BACKGROUND AND CURRENT CONDITIONS

The property (or site) is in the downtown area of the City of Newport, on Aquidneck Island. The site is mapped on the Newport Assessor's Plat 32 Lots 155 and 268, lots are located at 25 and 0 Waites Wharf respectively and are approximately 2.07 acres in summation. The properties are split by the Waites Wharf Public Right of Way, CRMC designation Z-22 path to the shore. CRMC public access path Z-21 is located immediately northeast of the site parcels at the end of West Extension Street and leads to a public dinghy dock at the end of a channel running along the northern property boundary. This channel serves the subject property (West Wind Marina), Casey's Marina to the North, and per a judgement and associated plan filed April 11, 2000, a public fairway leading to the public Dinghy Dock.

The Marina proper is located at the coastal terminus of Waites Wharf, and within the property line extensions of AP 32 Lots 155 and 268. The properties are located along a developed manmade shoreline with approximately 240 feet of waterfront. The manmade shoreline and existing coastal feature are made up of a sheet pile bulkhead wall, the top of which is at elevation 5 to 6-feet Mean Low Water (MLW). The existing structure along the manmade shoreline is scheduled for replacement under CRMC Maintenance Permit 2022-06-041. The site is located within the developed commercial Waterfront Business (WB) zoning district. Historically, this area appears to have been developed and used for industrial purposes, in the 1990s the marina was constructed, and land use shifted towards a commercial tourist economy consistent with the greater Newport area. The site and surrounding neighborhood are part of the Lower Thames Historic District, are listed on the National Register of Historic Places, but are not zoned as a historic district. According to historic records, Waites Wharf was filled to its present condition in the late 1800s. Initial site use was for an oil terminal and review of aerial imagery provided by the State of Rhode Island indicates this use continued into the 1970s. Additional historic usage has included coal and lumber yards, and "The Pier" marketplace. Historic land uses have caused contamination in the upland areas, as such, both parcels (AP 32-155 and AP 32-268) have been through the Rhode Island Department of Environmental Management's (RIDEM) site remediation program and have a letter of compliance.

According to the Newport water type classification map, the coastal zone is defined as Type 5 – Recreational and Commercial Harbors. Based on FEMA Firm Panel 44005C0177J, revised September 4, 2013, the site is located within the special flood hazard area (SFHA), Zone VE – coastal flood zone with velocity hazard. The base flood elevation is determined to be 13 feet.

The surrounding environs include other commercial marinas, Residential apartments and condos, and other commercial businesses.

EXISTING MARINA

The coastal feature (sheet pile wall) is overhung by a series of timber piers that run in parallel with the bulkhead from the seaward terminus of Waites Wharf and extending north to the property line, this pier serves as a public access walkway and connects CRMC Public Access Paths Z-22 and Z-21. For public safety the pier is closed to the public between 12:00 am and 8:00 am from May 1st to September 15th. At the Northern and Southern extents of the property, fixed timber piers extend into Newport Harbor to form the exterior limits of the West Wind Marina Structure. The interior area bounded by the piers (the Basin) is lined with floating docks attached to the fixed piers and accessed via ramps. The existing marina structure has nine (9) finger floats extending from the floating docks into the Basin and 27 total boat slips (CRMC Permit #87-11-39). This permit requires a 30 foot setback be provided from the southern property line extension to provide sufficient access between the marina and Coddington's Condos to the South. To accommodate this, the owner designed and constructed the marina with only 23 slips; however, the permit issued by the CRMC did not reflect this reduction and 27 slips were granted in the assent. In a memo from the CRMC in 1996 (see Attachment I) this was acknowledged by CRMC

staff. The original marina plans included a dockmaster's shed near the terminus of Waites Wharf and were approved. It was later noted that this structure encroaches on the Waites Wharf ROW, which should be corrected if the structure is ever moved, undergoes reconstruction, or is heavily damaged.

The marina is composed of a 10 foot wide fixed timber pier, approximately 555 feet in length, with a 15'x24' roofed gazebo at the start and end of the pier. Five foot wide floats are provided on the interior edge of the fixed pier, and four foot wide finger floats extend into the interior basin. Gangway ramps are provided at three corner points of the facility, as well as two located at the channel side, to transition between the fixed pier and floats. Additionally, there is a 30'x90' fixed pier in the northeast corner of the marina. The fixed pier often hosts a tent during the summer months for gatherings and events.

The existing configuration is truncated by a historic riparian line imposed by the Federal Anchorage of Newport Harbor established by the United States Army Corps of Engineers (USACE), resulting in an oblique fixed pier on the northwest side (as seen in figure 1). The consequence is a layout that confuses boaters in the public fairway, and a significantly restricted Marina interior with poor to unsafe navigation. The existing boating hazards are a hardship to the owner/operator and have impacted water dependent operations and functional use of the Marina; both the Newport Harbor Master and the Newport Harbor Commission have reported hazardous conditions at/inside the marina during recent site visits; confirming the layout needs to be altered to improve navigation and boater safety. Recently, the Federal anchorage has been deauthorized and the area is now under City of Newport jurisdiction. A discussion was held on 9/9/2021 with a representative from the USACE wherein the removal of the anchorage from Federal jurisdiction was confirmed. The discussed area is now managed by the City of Newport Harbor Master, Harbor Commission, and their Harbor Management Plan. There is no current or proposed usage of the former anchorage in the vicinity of West Wind Marina. Allowing the poor boating condition to be addressed by partially altering the configuration without impacting navigation in the channel or the moorings in the Newport Harbor Anchorage.

Bathymetry generally slopes down from north to south, from El. -6 to El. -11, MLW. Larger vessels typically moor on the perimeter and smaller vessels in the interior basin and south / southeast area to account for this variability. Vessels up to 210 LOA (length overall) can be facilitated along the perimeter of the marina, the basin area is typically reserved for smaller vessels in the 20'-50' LOA range.

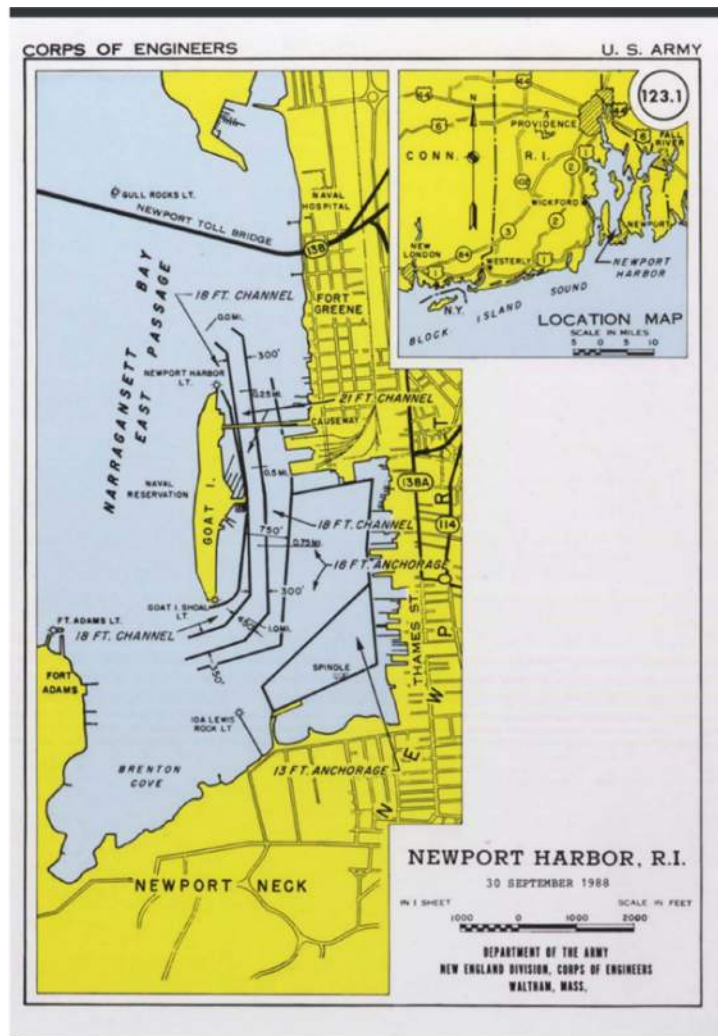


Figure 1: 1988 map of Newport Harbor showing federal anchorage abutting present location of West Wind Marina

RECEIVED

12/23/2024

Page 12
COASTAL RESOURCES
MANAGEMENT COUNCIL

A fixed pier continues down the channel line, with an associated float to the north, this transitions to a ramp and 5' float approximately a third of the way down the channel. This float terminates approximately 120' from the east end of the channel.

MARINA PERIMETER LIMIT

The existing marina was initially permitted in 1989, assent B87-11-39. An as built plan and request to modify the original assent were submitted February 1997 to alternate the float layout. Neither of these documents or plans define the words Marina Perimeter Limit (MPL). Explicit project boundaries are described with reference to the riparian line, harbor line, and project limits. In general these limits describe the following:

To the south, a 30 foot offset by design, 33 foot offset as built, along Coddington's.

To the west, 20 foot offset designed, 17 to 19 foot offset built, to "abutter access to Coddington's.

To the northwest, 23 foot design, 6 to 14 foot offset to the US Harbor Line (now owned by city of Newport).

The northernmost perimeter line was altered by the modifications to riparian control made by a 2000s consent judgement described below.

Historically, these limits have been used to define the limits of the marina facility and where maintenance/repair activities were permitted. Notably, the limits were utilized for the Dredging Limit Plan from 1989 (figure 2 below) to demonstrate a proposed dredging schedule was within the limits of the marina perimeter. Based on this historical precedent, these boundaries have been used to define the existing MPL for the purpose of this application. Where the proposed reconfiguration extends beyond the existing MPL (along the former Army Corps Riparian Line) a revised MPL has been proposed. Revised portions of the MPL have been located along a ten (10) foot offset from the proposed structure, consistent with the policies of the RICRMP.

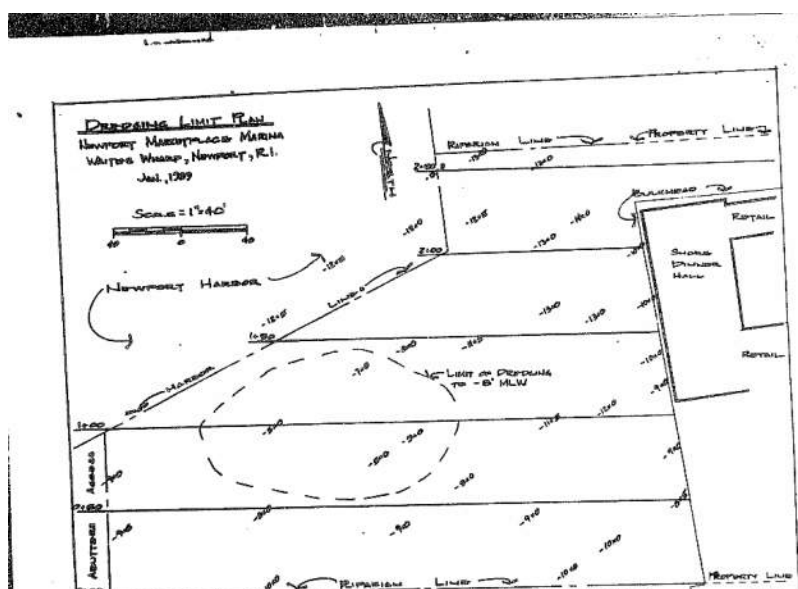


Figure 2: 1989 Dredging Limit Plan using surrounding riparian, harbor, and abutter access lines as limits of the marina structure in the absence of a formal MPL.

RECEIVED

12/23/2024

CONSENT JUDGEMENT – MAY 4TH 2000

Waites Wharf was the subject of a consent judgement in the early 2000s between the city of Newport, Harbour Realty LLC, Westwind Marina LLC, and Spring Wharf Marine Holdings LLC. Applicable determinations of this judgement have been summarized below.

- Limit of docking along the 30'x90' fixed pier – vessels may not extend more than 27' north of the northern side of the structure.
 - Limitation will be adhered to and is noted on plans.
- Removal of a 110'x8' section of the boardwalk
 - The boardwalk remains but is proposed to be removed as shown on the hotel redevelopment and attached Marina plan. This work will be completed with the bulkhead repairs, hotel construction and demolition of the existing buildings project phase (permitting submitted under separate cover). It should be noted that the judgement plan appears to be schematic, and there is not sufficient room to allow for the required public boardwalk on land, without demolishing parts of the building. The judgment fails to note this discrepancy. As such, the re-development aims to accomplish the goals set forth in the judgement, while not limiting public access.
 - The requirement to avoid impinging on the 27' width from the bulkhead remains.
- Secured area: Limiting of public access from 8:00 pm to 8:00 am due to public safety concerns.
 - The applicant is conforming to this requirement.
- Establishment of a Fairway Area and Littoral/Riparian Rights between Parties
 - The fairway is established and active.
- Installation of Dinghy Docks by and for the City of Newport (100'x8' Wide Public Dinghy Docks)
 - The installation is completed and active.
- Establishment of Fairway Area and Littoral/Riparian Rights Between Parties.
 - No obstruction to fairway or access has occurred or is proposed.
- Assignment of Certain littoral/Riparian Rights by Harbour Realty to the City (of Newport)
 - No obstruction to fairway or access has occurred or is proposed.
- Prohibit Uses of 12'x20' Jog (limiting fueling and mooring of vessels)
 - No mooring of vessels occurs on the north sides of the 12'x20' jog, in conformance with the judgement.

PROPOSED ACTIVITY

To prevent further hazards to boaters' and improve functional navigation, the application proposes to square the perimeter fixed pier to the property line extensions and properly convey docking vessel to essentially the same (existing) number of slips. This Alteration will mitigate confusing navigation hazards at the entrance and dangerous boating conditions inside the marina. The interior will accommodate fairways suitable for a functional marina and will not impact navigation in the channel, impact to the moorings in the anchorage, or impede the Newport Harbor Master. The proposed reconfiguration will occur within what are considered typical riparian rights between property line extensions typically granted to surrounding facilities (marina, harbors, etc.). To compensate for any perceived impacts to the public trust resource, the Applicant proposes construction of two (2) kayak racks at the channel located at the terminus of West Extension Street for use by the public, and is coordinating with the City to construct a kayak launch and swim ladder at the end of the existing Dinghy Dock in this area.

RECEIVED

12/23/2024

The area of the new proposed piers is located within the former USACE anchorage area, which is now managed by the Newport Harbor Commission. Multiple conversations were held with the Harbor Master, and two Harbor Commission meetings were attended to confirm the proposed changes will not impede on areas actively or planned for use by the City of Newport and that the project complies with the Harbor Management Plan. It is the Applicant's understanding that these requirements have been met. It is further understood that the proposed public kayak access improvements sufficiently compensate for any perceived intrusions by the Applicant's marina reconfiguration into the public trust resource. Following submission of this permit, a letter of no objection from the Harbor Commission is anticipated during the public comment period. Minutes from relevant correspondence have been included in Attachment I.

The Existing oblique fixed timber pier will be demolished, and a new fixed timber pier (Same width, ~ 10 ft.) will continue the western edge (current seaward extent) north to within 25 feet or further from the property line extensions. As such, the north side will now run parallel to the property line extension and clearly define the access to the Marina. In general, the maximum seaward extent will remain unchanged, and the proposed structure will be no closer to the navigation channel or mooring field. The existing floating docks will be removed and replaced with high quality manufactured floats with new piles independent of the fixed pier. In addition, the existing utilities will upgrade and meet current marina and building codes. Because the intent is to improve the functional use of the Marina, the capacity of the Marina will remain consistent with the previously approved 27 slips, and therefore, no expansion with regard to the number of boats is proposed (i.e. 25% rule).

The following list summarizes all the construction activities required to complete the proposed marina layout alterations. Included is the removal of existing structures scheduled to be replaced as well as the components that will be constructed for project completion.

- Remove and dispose existing fingers
- Remove and dispose existing floating docks and associated piles
- Demolish and remove oblique span of fixed pier, including the northernmost gazebo (relocated)
- Demolish and remove and dispose existing fixed piers along northern and western coast/shoreline
- Remove section of northern fixed pier per Par. 5 of judgement
- Remove approximately 115 timber piles supporting the above listed structures
- Dispose of materials removed in accordance with local, state, and federal requirements.
- Install 250 linear feet of 10' wide fixed timber piers consistent with the existing fixed pier.
- Install ~58 - 16" diameter greenheart piles to support the proposed fixed piers
- Install ~835 feet of new 8' wide floating docks
- Install ~48 18" diameter steel piles inside the marina to support new floating docks and ends of fingers
- Install 10, five foot wide, fingers with the following configurations:
 - Two 5'x30' fingers
 - One 5'x 32' finger
 - One 5'x 35' finger
 - One 5'x40' finger
 - Three 5'x45' fingers
 - One 5'x50' finger
- Install two timber gazebos atop proposed fixed piers with 10'x15' footprints.
- Install Kayak racks and launch as coordinated with the NWFC and permitted by the City of Newport (to be completed under a separate cover).

RECEIVED

12/23/2024

Marina alterations are consistent with the CRMC's local water type designation (Type 5 – Recreational and Commercial Harbors) by improving marina access and traffic by ship. Piers and floating docks are designed to meet or exceed the newest CRMC standards. Furthermore, storm and wave resiliency will be improved by making all floating docks and fingers structurally independent from fixed pier structures. No expansion of the marina capacity is proposed.

In addition to the described structural changes, water, electricity, and lighting improvements are proposed for the new marina layout. Both water and electric lines will be extended along the new and reconfigured fixed pier as shown schematically on the plan. In addition, utility pedestals will be added to service each relocated slip location. Lighting poles shall be added to the new structure in kind with the existing features present.

MARINA STANDARDS

The project is classified as a not significant (<25%) expansion of a destination harbor and is most applicable with a minor alteration; however, due to the perceived change to the MPL (never established) expansion criteria are discussed in the standards.

As a destination harbor, onshore boat storage is not provided or required. Some incidental boat storage occurs in the parking lot and is likely to continue until the inland parcels are further developed into a hotel campus (pending local approval). Following development, all inland boat storage is anticipated to cease. The total number of permitted slips will not change from 27. The following table summarizes the additional standards that are met or exceeded for existing and proposed conditions.

No change in bathrooms from the original assent is proposed and will continue to be included when the hotel/campus developments are completed. The existing site has 131 parking spaces serving the marina, the bar/restaurant, and night club located on site; 26 of these spaces were allocated towards the marina in the original assent and this is slated to continue until hotel development occurs at the site. The current hotel/campus design will provide 29 parking spaces for marina use in accordance with City of Newport zoning regulations. In both existing and future scenarios, the minimum standards of the CRMC and the City of Newport are met.

RECEIVED

12/23/2024

Page 16
**COASTAL RESOURCES
MANAGEMENT COUNCIL**



ATTACHMENT A: PROJECT DISCUSSION

West Wind Marina | Waite's Wharf Assent
Waite's Wharf | Newport, RI
December 17, 2024

WEST WIND MARINA- MARINA SPECIFICS

PROJECT LOCATION:	WEST WIND MARINA - 25 WAITE'S WHARF
CITY TOWN:	NEWPORT
PLAT LOT:	PLAT 32 LOTS 155, 268
WATERWAY:	NEWPORT HARBOR
WATER USE CATEGORY:	TYPE 5; RECREATIONAL AND COMMERCIAL HARBORS
SHORELINE FEATURE:	MANMADE DEVELOPED SHORELINE
FACILITY TYPE:	RECREATIONAL (DESTINATION HARBOR)
PERMITTED SLIPS	27 TOTAL (23 INSIDE)
ALTERATION OR ACTIVITY:	MARINA RECONFIGURATION
PROPOSED SLIPS	27 TOTAL (23 INSIDE) - NO CHANGE
PARKING STANDARD	PARKING SPACES PROVIDED PER DESTINATION HARBOR REGULATIONS
SANITATION STANDARD	THREE (3) TOILETS, ONE (1) URINAL DESIGNATED AT FACILITY ONSITE
FAIRWAY STANDARD	> 1.5 TIMES AVG. BOAT LENGTH

RECEIVED

12/23/2024

Page 17
COASTAL RESOURCES
MANAGEMENT COUNCIL



ATTACHMENT B: REPRESENTATIVE SITE PHOTOGRAPHS

West Wind Marina | Waites Wharf Assent

Waites Wharf | Newport, RI

December 17, 2024

ATTACHMENT B: REPRESENTATIVE SITE PHOTOGRAPHS





Photo 3. Typical framing under existing deck (to remain)



Photo 4. Seaward view from southern pier

RECEIVED

12/23/2024

Placed in
**COASTAL RESOURCES
MANAGEMENT COUNCIL**



Photo 5. Marina basin interior



Photo 6. Existing wave boards viewed from above



Photo 7. Existing wave boards viewed from back



Photo 8. Existing floats and fingers





Photo 9. Typical framing of fixed piers, battered piles face the northwesterly direction



Photo 10. Existing elbow in fixed piers, approximate location of where proposed piers to begin

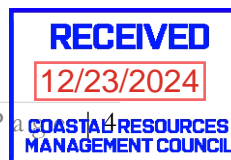




Photo 11. Spacing of existing pier piles, no wave boards along protected southern side.

RECEIVED

12/23/2024

Page 15
COASTAL RESOURCES
MANAGEMENT COUNCIL



Photo 12. Aerial view of marina and public dinghy dock (bottom right) looking seaward from eastern end of parcel 32-155



Photo 13. Aerial view of marina and public dinghy dock (top left) looking landward

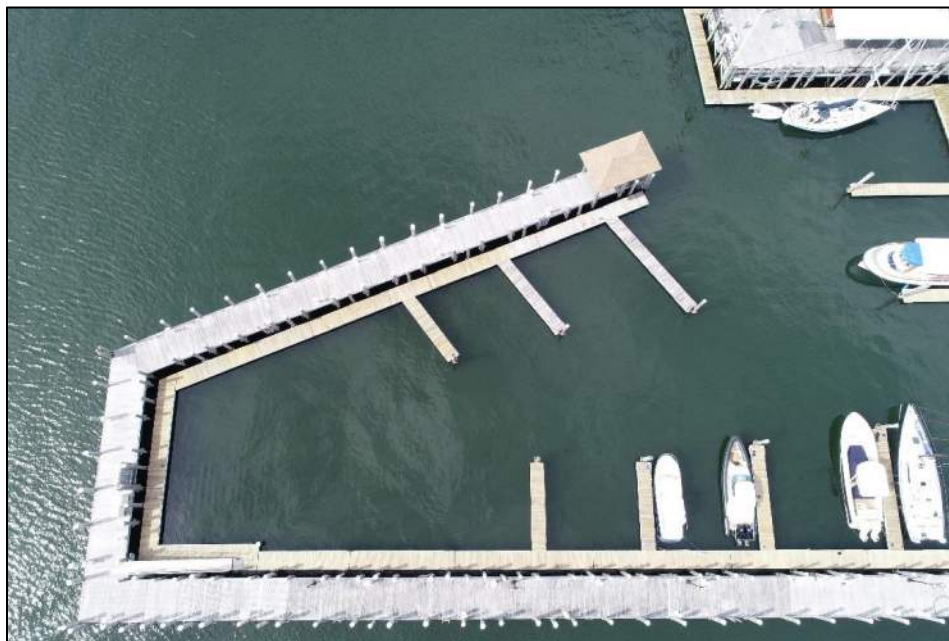


Photo 14. Marina and interior basin (landward and northern edge cut off)

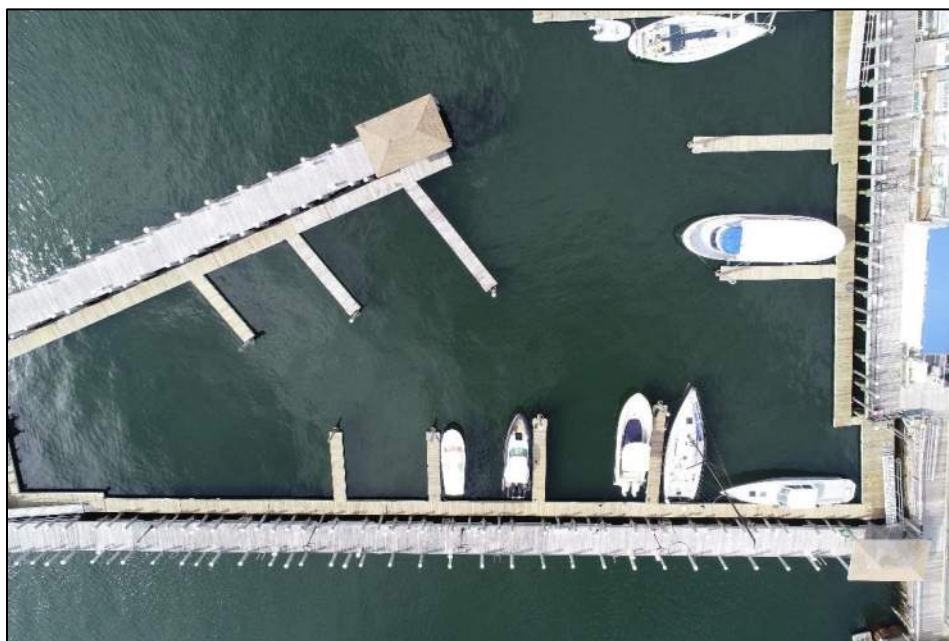


Photo 15. Marina and interior basin (seaward and northern edge cutoff)

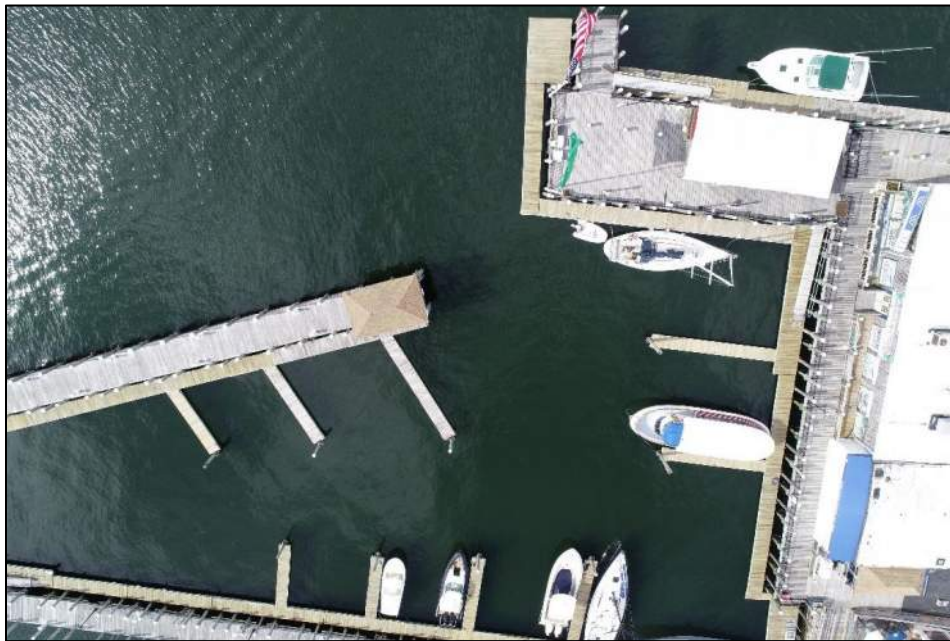


Photo 16. Marina and interior basin, including northern edge.

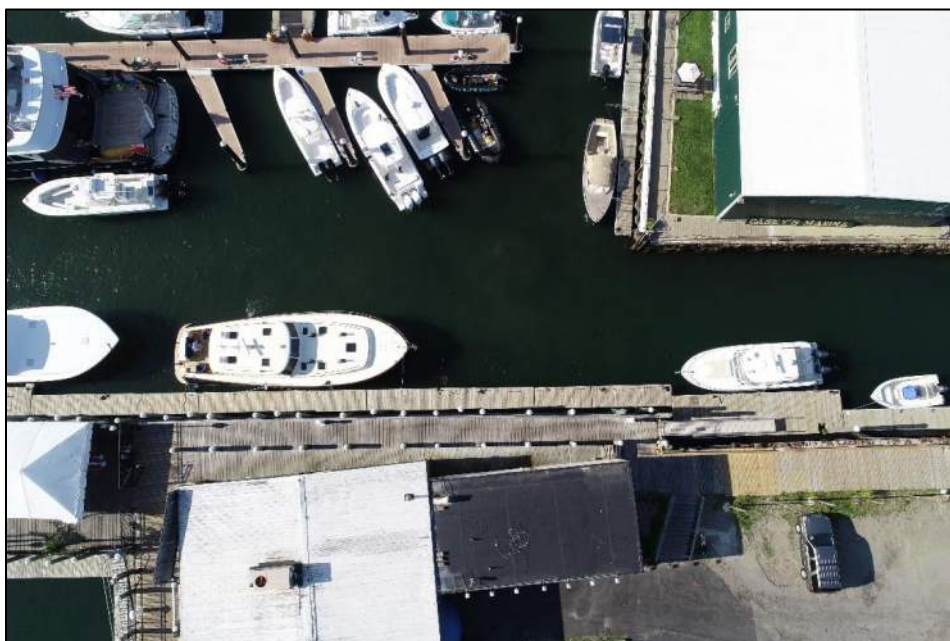


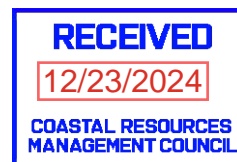
Photo 17. Pier and floats north of parcel 32-155. Fixed pier to be removed per judgement.



ATTACHMENT D: CRMC STANDARDS

West Wind Marina | Waites Wharf Assent
Waites Wharf | Newport, RI
December 17, 2024

ATTACHMENT D: CRMC STANDARDS



RI CRMC STANDARDS

§1.3.1 IN TIDAL AND COASTAL POND WATERS, ON SHORELINE FEATURES AND THEIR CONTIGUOUS AREAS

A. Category B Requirements

1. The requirements herein for a Category B Assent are necessary data and information for the purposes of federal consistency reviews. All persons applying for a Category B Assent are required to:

1. Demonstrate the need for the proposed activity or alteration.

The existing configuration is truncated by a historic riparian line established by the USACE, resulting in an oblique fixed pier on the northwest side. The consequence is a layout that confuses boaters in the public fairway, and a significantly restricted Marina interior with poor to unsafe navigation. Currently, the boating hazards are a hardship to the owner/operator and have impacted water dependent operations and functional use of the Marina; However, the riparian area is now under City of Newport jurisdiction, and both the Newport Harbor Master and the Newport Waterfront Commission reported hazardous conditions at/inside the marina during recent site visits; confirming the layout needs to be altered to improve navigation and boater safety. The poor boating condition can clearly be addressed by partially altering the configuration without impacting navigation in the channel or the moorings in the Newport Harbor Anchorage.

Additionally, the floating docks are redesigned to be structurally independent from the fixed piers. This will aid in structure resiliency during storm events and reduce degradation caused by cyclical movement of the docks from wave action.

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 §§ 1.3.1(B), (C), (F), (H), (I), (K), (M), (O) and (Q) of this Part; for projects on state land, the state building official, for the purposes of this section, is the building official;

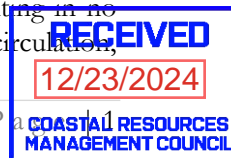
As specified on the attached plans, all work will comply with local, state and federal requirements. All marina elements will be installed by a RI licensed marine contractor with experience building marine structures in the state. Design and construction shall meet or exceed the minimum requirements outlined in RICRMC § 1.3(D). A building official signoff form is included in this application.

3. Describe the boundaries of the coastal waters and land area that is anticipated to be affected;

The site is located within Newport Harbor, a CRMC designated type 5, Recreational and Commercial Harbor, area. The coastline is manmade shoreline consisting of steel sheet pile walls within the project parcel boundaries. Additional types of engineered coastlines exist in the nearby environs. Additionally, this area is a designated destination harbor. All proposed work is within the harbor; landward redevelopments are beyond the scope of this assent and submitted under a separate cover.

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;

The proposed alterations are consistent with the existing land use on site and on the abutting coastal areas and as such will not change the local erosion and/or depositional processes. The design of the facility uses traditional marine construction methods and materials and is predominately open framed, resulting in no documented water quality deterioration and is conducive to allowing natural processes like water circulation;



flushing, turbidity, and sedimentation to continue. Provided wave boards terminate sufficiently above the mudline to allow natural sedimentation and water circulation processes to occur. Sufficient water depth is present on-site, and thus bottom chaffing and settling of the floats at low tide is not expected.

5. Demonstrate that the alteration or activity will not result in significant impacts on the abundance and diversity of plant and animal life;

The proposed alterations will not significantly change the habitats present at the site. During construction there may be some minor displacement of the plant and animal life. After construction is complete it is expected that all plants and animals will re-colonize. No submerged aquatic vegetation was observed during a Submerged Aquatic Vegetation Survey dated September 20 2024 (see attachment G). As such no impacts on the abundance or diversity of plant and animal life are anticipated.

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;

No impact to the Waites Wharf Public Access Right of Way is proposed (CRMC ROW #Z-22) with the work associated with this Assent application. As a part of the greater hotel development project planned for the parcels landward of the marina, the public access right of way will be expanded and lengthened. Improvements to the public accessway at the channel and West Extension St. (CRMC ROW #Z-21) will occur and include construction of public kayak racks and improved access to these structures. The improvements to the public accessway at the channel and terminus of West Extension St. will tie into more extensive enhancements scheduled to occur during the landside improvements and hotel development project (submitted under a separate cover, shown on plans for coordination). Additionally, water access is being improved via removal of a section of fixed piers along the northern shoreline and in the vicinity of the common public fairway.

7. Demonstrate that the alteration will not result in significant impacts to water circulation, flushing, turbidity, and sedimentation;

Use of piles to support the proposed structures will minimize the in-water footprint of the alterations. As a result, no significant impacts to water circulation, flushing, turbidity, and sedimentation are documented with this typical marine construction. In addition, the provided wave boards have been designed to terminate sufficiently above the mudline to allow natural sedimentation and water circulation processes to occur.

8. Demonstrate that there will be no significant deterioration in the quality of the water in the immediate vicinity as defined by DEM;

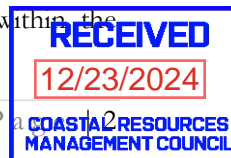
All construction materials are consistent with traditional marine construction methods and materials will conform to all State requirements, have been used in the past on similar projects; resulting in no documented deterioration of the water quality in the area.

9. Demonstrate that the alteration or activity will not result in significant impacts to areas of historic and archaeological significance;

There are no known areas of historic or archeological significance in the area of the project site.

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;

The proposed structures/features are consistent with the existing site/water type usage. Additionally, care has been taken to follow setbacks associated with public mooring areas and preserve the existing recreational boat access routes. The reconfiguration will improve navigation, public access, and safety within the surrounding waters.



11. Demonstrate that measures have been taken to minimize any adverse scenic impact (see § 1.3.5 of this Part).

The proposed project will be in conformance with the surrounding area. The water type in this area is type 5, where the council allows new construction and alteration of marinas. Marina structures exist both to the direct north and south of the project location. Construction methods are consistent with the surrounding structures.

D.2 MARINA POLICIES

- a. The Council encourages marinas to utilize techniques that make the most efficient use of space and increased demands for moorage, dockage, and storage space by primarily utilizing dry stack storage in addition to innovative slip and mooring configurations, etc.**

The proposed layout seeks to remedy the existing, hazardous layout and restricted vessel fairway. The proposed structure has been designed to better and more safely serve the public usage within a minimally increased footprint. No expansion of the structure's capacity is proposed, and as a destination harbor, permanent and dry stack storage is not proposed, or exists.

- b. All new and significantly expanded marinas shall first submit a preliminary determination (PD) application to the CRMC for a conceptual evaluation of the proposed project. The preliminary determination shall include an alternatives analysis to evaluate that the use of the public trust resources proposed are the most efficient and protective of the environment. The primary objective of the PD shall be to document all efforts to avoid adverse impacts and to minimize and offset unavoidable adverse impacts to aquatic and terrestrial resources. Such documentation shall be in the form of an objective analysis of alternatives that satisfies the above review criteria and provides an evaluation of practicable alternate sites and/or designs. The applicant shall be required to attend a meeting with the CRMC staff to review the results of the preliminary determination. In assessing a proposed marina facility, the Council shall require a preliminary determination/alternatives analysis that details the following:**

- 1) The appropriateness of the facility given the activities potential to impact Rhode Island's coastal resources;**

The proposed reconfiguration is located within type 5 waters and is surrounded by marinas to both the north and south. Extension of the fixed pier/marina footprint is limited to north of the existing oblique jog and no encroachment further seaward into Newport Harbor occurs. Reconfiguration seeks to construct a typical and safer marina layout following the removal of the former Army Corps of Engineers Riparian Line.

- 2) The appropriateness of the structure given environmental site conditions;**

The existing site conditions are a developed marina with no observed submerged aquatic vegetation. The proposed alterations are consistent with the existing land use on site and on the abutting coastal areas and as such will not change the local erosion and/or depositional processes. The design of the facility uses traditional marine construction methods and materials and is predominately open framed, resulting in no documented water quality deterioration and is conducive to allowing natural processes like water circulation, flushing, turbidity, and sedimentation to continue. Provided wave boards terminate sufficiently above the mudline to allow natural sedimentation and water circulation processes to occur. Sufficient water depth is present on-site, and thus bottom chaffing and settling of the floats at low tide is not expected.

- 3) The potential impacts of the structure and use of the facility on public trust resources (e.g., fin fish, shellfish, submerged aquatic vegetation, benthic habitat, commerce, navigation, recreation, natural resources, and other uses of the submerged lands, etc.);**

RECEIVED
12/23/2024

Site and adjacent environs have been used as developed marinas since the 1990s. A submerged aquatic vegetation survey did not observe the presence of SAV in the area. The structure has been designed to improve public recreational access to the water, both with the marina proper and the coordination with the City of Newport to provide kayak racks and a kayak launch at the West Extension Street / Sisson's Wharf public access path. Adjacent accessways and public fairways have been mapped on the provided plans and will not be encroached upon by the proposed reconfiguration.

4) The potential navigation impacts of the structure and associated use of the structure;

The reconfiguration is proposed to improve navigation with the existing marina basin. This will improve the access and usability of the structure. The new fixed piers proposed to accomplish these improvements will not extend into any nearby accessways or fairways or beyond the property line extensions of the applicant's properties. These elements are limited to the area formerly restricted by the Army Corps Riparian Line. No expansion of the facility's capacity is proposed and as such no increased boat traffic is anticipated.

5) The potential aesthetic and scenic impacts associated with the structure;

The proposed activities will match both the existing structure and the marinas in the surrounding area resulting in no negative scenic impact. The existing pier structure is being altered in kind with new timber piers and aging and weathered components replaced or restored in kind. The new floats will use steel piles and aluminum floats that have been successfully implemented elsewhere in Newport Harbor.

6) The cumulative impacts associated with the increased density of existing recreational boating facilities in the vicinity of the proposed project. In considering these factors, the Council shall weigh the benefits of the proposed activity against its potential impacts while ensuring that it does not cause an adverse impact on other existing uses of Rhode Island's public trust resources;

The proposed activities do not increase the density of recreational boating facilities in the vicinity as no expansion of the existing marina is proposed.

7) The potential impacts to other recreational or commercial uses of the affected resource;

The proposed reconfiguration does not extend into any accessways or public fairways in adjacent waters and no impacts of the affected resource are anticipated. The reconfiguration extends the structure into the area formerly restricted by the Army Corps riparian line. This line/area was oriented at an oblique angle to the main structure's layout and by extending into it, the maximum seaward extents of the structure have not increased.

8) The extent to which any disruption of the public use of such lands is temporary or permanent;

No new permanent disruption to the public trust lands are proposed. Construction activities shall be completed by barge and are likely to be performed in the winter season when little impact on recreational boating will occur.

9) The extent to which the public at large would benefit from the activity or project and the extent to which it would suffer detriment; and

The Applicant intends to improve the quality of services provided to the public patrons of the marina via improving the access to the marina basin. The public at large will benefit from the proposed kayak racks along the channel and from the coordination with the City to add a new kayak launch in this area. No activities will be to the detriment of the public.

10) The extent to which structures that extend over submerged lands are dependent upon water access for their primary purpose.

RECEIVED

12/23/2024

The proposed piers and floating docks are intended to provide land access and limited protection to berthed vessels. They are fully dependent on water access to accomplish this purpose.

- c. It is the policy of the Council that the applicant demonstrates through measurable standards referred to herein that the marina expansion cannot be accomplished within the existing Marina Perimeter Limit through utilization of more efficient configurations.**

No expansion of the marina's capacity is proposed, rather the structural footprint is being reconfigured to fix the navigation issues within the existing structure. The Applicant's experience has indicated that the existing layout creates a hazardous and challenging accessway into the marina basin with multiple boat collisions occurring yearly. This reconfiguration will remediate this problem. A new MPL is proposed/re-established to encompass the changes to the layout.

- d. The Council shall require persons proposing to construct new marina facilities or proposing to expand existing marina facilities to undertake measures that mitigate the adverse impacts to water quality associated with the proposed activity. Applicants shall apply for a Water Quality Certificate from the RI Department of Environmental Management and Army Corps of Engineers Permit, concurrent with their application to CRMC.**

The Applicant is coordinating with the departments referenced above to meet this requirement.

- e. The construction of marinas, docks, piers, floats and other recreational boating facilities located on tidal lands or waters constitutes a use of Rhode Island's public trust resources. Due to the CRMC's legislative mandate to manage Rhode Island's public trust resources for this and subsequent generations, the Council must assess all proposed uses of public trust lands or waters on a case-by-case basis, examine reasonable alternatives to the proposed activity, and ensure that the public's interests in the public trust resources are protected.**

The Applicant has managed the existing structure for multiple decades during which time the existing layout has created numerous hazardous boat accidents. With the removal of the Army Corps Riparian Line, the Applicant seeks to reconfigure the structure, improving navigation, safety, and public access. Coordination with the City of Newport has been performed to ensure no negative impacts to the surrounding resources will occur, and to improve public access via the proposed kayak racks following project completion.

- f. It is the Council's policy that new or significant marina expansions must demonstrate:**
1) There is no alternative within the current in-water perimeter that would accommodate the expansion;

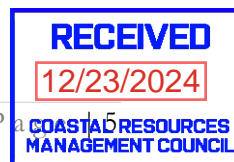
The fixed pier layout is the source of the marina's unsafe fairway access. Extension of the fixed piers and the in-water perimeter is the only way to solve this issue while maintaining the marina's capacity.

- 2) The area requested is the minimum necessary; and**

Multiple layout options were explored during the planning process, the proposed option was chosen as the most effective at reducing navigational issues with the minimum necessary expansion (by area) of the structure.

- 3) The request avoids or minimizes impact to the aquatic environment and traditional uses in the area.**

The proposed reconfiguration does not extend into any accessways or public fairways in adjacent waters and no impacts to the affected resources are anticipated.



- g. The Council encourages all recreational boating facilities to provide an opportunity for a variety of boat sizes and types so as to provide access for the widest segment of the public to the Public Trust Resources.

The proposed reconfiguration of the marina accommodates vessels typically between 20 and 50 feet however has accommodation for vessels up to 210 feet (LOA). Additionally, as a part of this project, the Applicant is working with the City of Newport to provide a public kayak launch in the channel by the terminus of West Extension St. at the existing Dinghy Dock and kayak racks on the Applicant's property in the vicinity of the channel. These activities will improve public access to Newport Harbor both to boat owners and the public at large.

- h. It is the Council's policy to require a public access plan or an enhancement to existing access, in accordance with § 1.3.6 of this Part (Protection & Enhancement of Public Access to the Shore), as part of any application for a new marina, or for a significant expansion to any existing marina. In accordance with § 1.1.7 of this Part, a variance from this policy may be granted if an applicant can demonstrate that no significant adverse public access impacts will occur as a result of the project. The public access plan must detail the vehicle parking that will be provided to support the proposed public access. All boating facilities shall be designed and constructed in a manner which does not impede or detract from and whenever practicable promote public access along and to the shore.

A public access plan is present at the site, and public access shall be maintained following completion of the proposed activities. Improvements to the public accessways will occur at the channel by West Extension St. near the proposed kayak racks to create access to these structures. The improvements at the kayak racks will tie into more extensive enhancements scheduled to occur during the landside improvements and hotel development project (submitted under a separate cover, shown on plans for coordination).

D.9 MARINA STANDARDS

- a. All new or significantly expanded marina designs shall be in accordance with Table 8 in § 1.3.1(D) of this Part (Minimum Design Criteria), but in no case shall any structural member be designed to withstand less than one hundred (100) year storm frequency, including breaking wave conditions in accordance with ASCE 7 (Minimum Design Loads For Buildings and Other Structures, 2016) and FEMA Manual 55 (Coastal Construction Manual, 2011) incorporated by reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these regulations. All design elements including the bathymetry shall be stamped by a Rhode Island registered Rhode Island Professional Engineer. Any reconstruction of an existing marina destroyed by a catastrophic event shall have the piles and float restraint systems designed to meet the one hundred (100) year storm frequency, while other elements shall meet the requirements for a fifty (50) year storm at a minimum.

The proposed reconfiguration components have been designed to meet the standards listed here. Submitted plans have been stamped by a registered Rhode Island Professional Engineer.

- b. New marinas or any significant expansion of an existing marina shall first submit a Preliminary Determination request. The executive director may waive this requirement for limited marinas when there is minimal expected impact to the resources and no known use conflicts.

It is the Applicant's understanding that the proposed reconfigurations do not constitute a significant expansion and a Preliminary Determination request is not required.

RECEIVED

12/23/2024

- 1) In order to minimize the impact of the significant expansion within tidal waters, the preferred mode of expansion shall be dry-stack marina, on the applicant's property or in areas controlled by the applicant, when consistent with local ordinances.

As a marina within a destination harbor with no year-round boat storage, dry-stack storage is not practical. In consideration of the transient/short term intended usage of the marina and the high demand of the upland historic district, the applicant does not propose any dry-stack storage.

- 2) As part of the requirements under § 1.3.1(A) of this Part (Category B Requirements), the applicant shall state the basis for the number of wet slips requested.

The Applicant is not requesting any changes to the number of slips (27) permitted at their facility. The proposed activities are limited to reconfiguration of the fixed pier and float structures to create a safer and more boat friendly traffic pattern.

- c. In evaluating the facility proposal, the applicant must demonstrate that:

- 1) Potential impacts have been or can be avoided to the maximum extent practicable when considering existing technology, infrastructure, logistics, and costs in light of approved project purposes; and
- 2) Impacts have been or can be minimized to an extent practicable and appropriate to the scope and degree of those environmental impacts; and
- 3) Any unavoidable impacts to aquatic and terrestrial resources have been or will be mitigated to an extent that is practicable and appropriate.

The proposed reconfiguration is limited to the alteration of the existing structure's geometry required to promote safer boat access. No expansion of the facility in terms of quantity or types of services provided are proposed. As such, it is the applicant's understanding that impacts to the above factors have been avoided or minimized to the maximum extent practical.

- d. The density of in-water vessels shall be greater than thirty (30) vessels per acre (except in destination harbors) within the MPL. If vessel density is less than the limit, reduction of the MPL will be required.

The density of in-water vessels are not required to reach the 30 vessels per acre requirement as the structure is located within a destination harbor.

- e. Dockage for dry stack vessel loading and temporary storage shall be excluded from the marina density calculations, provided only dry stack vessels and vessels awaiting pump out utilize the area. There shall be no permanent or transient use of the docks used for dry stack vessels or pumpouts.

No dry-stack storage is provided or proposed at the site.

- f. Marina layout and geometry shall utilize existing bathymetry to the greatest extent possible. The layout shall provide for similar size vessels located such that fairway widths can be minimized in areas of smaller vessels. Fairways shall be a minimum of 1.5-times the length of the average vessel length utilizing the fairway.

The existing marina layout does not meet this standard, the effects of which have created unsafe boating conditions which this assent seeks to remedy. The proposed fairways meet the minimum width of 1.5-times the length of the utilizing vessel.

- g. The maximum length of any contiguous dock, both fixed and floating shall be one thousand (1,000) feet for all new or expanded marinas.

The proposed reconfiguration will result in a maximum dock length of approximately 630-feet.

RECEIVED

12/23/2024

- h. Sufficient sanitary facilities shall be provided to service the patrons of the marina, in accordance with Table 7 of § 1.3.1(D) of this Part (Minimum Required Sanitary Facilities). The maximum distance from sanitary facilities for any slip shall be within a one thousand (1,000) foot radius from the facilities. This may require more than one sanitary facility location. Portable toilets may be considered sufficient for limited marinas.

Sanitary facilities are provided equal to or in excess of the requirements presented in Table 7. All facilities are within a 1000-foot radius of the furthest slip. The entire site's parcels are within a 1000-foot radius of the furthest slip. With 27 permitted vessels, three toilets, one urinal, and one pump out location are required by the RICRMP. This standard has been met under the existing conditions and will be met under proposed conditions as well.

- i. Marinas with more than two hundred (200) vessels with an average length in excess of thirty-eight (38) feet may be eligible for a reduction in the minimum number of facilities at the discretion of the executive director with an acceptable pump out plan.

Not applicable

1) Table 7: Minimum required sanitary facilities

Number of Vessels	Toilets	Urinals	Pump Out locations
5 - 25	2	1	1
26-100	3	1	1
101-200	4	2	2
201-250	5	2	3
251-300	6	2	3

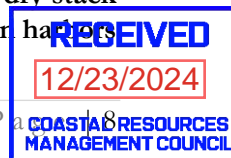
- j. Marina owners shall submit documentation of compliance with the State of Rhode Island's requirements of National Fire Protection Association (NFPA) 303 Standard for Marinas and Boatyards from the local or State Fire Official, where appropriate.

Marina reconfiguration has been designed in conformance with the State of Rhode Island's requirements of National Fire Protection Association (NFPA) 303 Standard for Marinas and Boatyards. The proposed design has been discussed with the local Fire Official and recommendations have been implemented.

- k. All electrical installations shall be designed and installed in accordance with the requirements of the NFPA, State building and electrical code. The operations & maintenance plan shall certify that all applicable codes have been met.

All new electrical installations, including proposed pedestals and lighting, will be designed and installed in accordance with the applicable codes and standards.

- l. Sufficient parking shall be provided for the patrons of the marina. A standard of three hundred (300) square feet is required for each parking space; the minimum requirements for the total number of parking spaces provided is one (1) space for each one and one half (1.5) vessel. If parking for dry stack vessels is in the rack space, no additional parking is required. On grade Parking for dry stack shall be at one space for five (5) vessels. Parking for new or expanded marinas in destination harbor shall be one (1) space for every twenty-five (25) vessels of new or expanded slips.



As a marina in a destination harbor, 2 parking spaces are required, otherwise 18 spaces would be required according to the RICRMP. Per the original assent, 26 parking spaces are required. In all cases the existing site has sufficient parking as 131 spaces are provided to serve both the marina and other landside developments. Following completion of the landside redevelopments, parking spaces allotted to the Marina will increase to 29 spaces in accordance with current City of Newport zoning regulations.

- m. A Council Assent for a marina permits the marina operator to undertake minor repairs and alterations of approved facilities without further review, where such repairs or activities will not alter the assented design, capacity, purpose or use of the marina. For the purposes of this section, the assented design, capacity, purpose or use of the marina shall be those characteristics associated with the physical configuration or construction, numbers and sizes of vessels accommodated at in-water facilities, and nature of operation as defined in the original Council Assent, respectively. Minor repairs and alterations to in-water facilities shall include repair or replacement of dock decking or planks, replacing pilings, extensions of slips and/or finger piers within the perimeter and capacity of the marina as defined within the original Assent, or as established in § 1.3.1(D)(9)(o) of this Part, and other activities of a similar and non-substantial nature. Minor repairs and alterations to upland facilities may take place upon Council approval of an operations and maintenance plan as identified below in § 1.3.1(D)(9)(q) of this Part and shall include grading of parking and launch ramp areas, grouting of seawalls, plumbing and electrical work, maintenance of sidewalks, fences and walkways, flagpole installations, landscaping, signage and other activities of a similar and non-substantial nature. Minor repairs and alterations shall not be construed to include maintenance dredging, alterations, repairs or expansion of shoreline protection facilities, bulkheads, or breakwaters or other activities subject to review under other relevant sections of this program. All minor repairs and alterations shall take place within the assented design of the marina, or marina perimeter as defined in the original Council Assent or as established in accordance with § 1.3.1(D)(9)(o) of this Part. Any repair or replacement of floats for existing marinas shall meet current float design standards.

The preceding standard has been incorporated into the submitted Operations and Maintenance Plan with regards to the permitting requirements, or lack thereof, for maintenance and operation procedures of the facility.

- n. In those instances where the minor repair or alteration would require the use of heavy machinery (such as a pile driver or grader), the Council shall be notified in writing at least ten (10) working days prior to undertaking the work. Notice of repair activities requiring the use of heavy machinery shall include the following:
- 1) A statement that the notice is given pursuant to § 1.3.1(D)(9)(n) of this Part;
 - 2) A description of the proposed repair or alteration to be performed including a statement as to the size and type of materials to be used;
 - 3) A copy of the original Council Assent or Division of Harbors and Rivers permit under which the proposed repair or alteration is to be performed;
 - 4) A copy of the site plan from the original Council Assent showing the location of the proposed repair or alteration;
 - 5) The name of the person on-site responsible for supervising the proposed repair or alteration; and
 - 6) The anticipated dates on which the proposed repair or alteration shall commence and be completed.

Notice shall be provided to the Council by the Applicant prior to commencement of any activities described above.



- o. All marinas and/or mooring areas shall have a defined perimeter for in-water facilities, which shall describe and limit that area in which the repair or alteration activities described in §§ 1.3.1(D)(9)(m), 1.3.1(D)(9)(n) and 1.3.1(D)(9)(p) of this Part may take place. Operators of marinas may apply to the Council for definition and establishment of this perimeter at any time. Perimeters shall be defined on the basis of in-water facilities in place as of September 30, 1971, or subsequently assented structures. All new or modified Marina Perimeter Limit lines shall be a maximum of ten (10) feet outside of the marina structures. The MPL shall be designated on all plans with the corners designated by their State Plane Coordinates.

The MPL has been delineated on the plans per the boundaries established during previous permits as discussed in Attachment A, Project Narrative. Changes to the MPL have been delineated in accordance with the limits listed, i.e. 10-feet outside of the new marina structures.

- p. It is permissible to have vessels berthed at a facility outside of the Marina Perimeter Limit if, in the opinion of the executive director, there are no conflicts with other users, or impacts to resources, or conflicts with the DEM Shellfish Program. All vessels shall be berthed parallel to piers and docks if outside of the MPL. Mediterranean style mooring (vessel perpendicular to the dock at the stern beyond the MPL) may be permissible in destination harbors if the executive director determines that there are no adverse impacts to existing navigation, fishing, commerce or recreational uses.

Berthing outside the MPL shall be limited to the areas allowed per the site's permit history. Notably, this restricts the berthing of vessels along the northernmost jog in the existing deck area abutting the common public fairway. No mediterranean style moorings are currently proposed at the site although allowable as a marina within a destination harbor.

- q. **Proposals for the alteration or reconfiguration of in-water facilities such as piers and/or mooring areas shall be reviewed in the following manner:**
- 1) Alterations to the layout or configuration of in-water facilities within a previously approved MPL which do not increase the number of boats accommodated shall obtain a Certification of Maintenance in accordance with the requirements of § 1.3.1(N) of this Part;

Not applicable

- 2) Alterations which propose to increase the number of boats that may be accommodated at the in-water facilities of the marina within twenty-five percent (25%) of the capacity of the marina as defined in the original Council Assent, and do not propose to extend the facility beyond the defined perimeters (established pursuant to the original Council Assent or § 1.3.1(D)(9)(o) of this Part shall be reviewed as Category A applications. The Council's review shall establish that the alterations and/or expansion meet the twenty-five percent (25%) standard, and that the Council's standards for parking and sanitary facilities are met. If the twenty-five percent (25%) increase changes the marina type, the expansion shall be treated as a Category B application and all standards for the new marina designation shall apply; and

Not applicable

- 3) Alterations which propose to increase the numbers of vessels accommodated at the in-water facilities beyond 25% of the capacity as defined in the original Council Assent, and/or extend the facility beyond the defined perimeters, or alter the purpose of the facility shall be reviewed as a Category B application. The executive director may allow a onetime expansion of the MPL for limited marinas in Type 2 waters up to twenty-five percent (25%) of the assented/original boat capacity.



The proposed activities are limited to extension of the facility beyond the defined perimeters. No increase in capacity is proposed (less than 25% expansion)

- 4) **Alterations to marinas in Type 2 waters shall have all in- water vessels and dry stack vessels count towards the twenty-five percent (25%) increase in vessel/boat capacity.**

Not Applicable

- r. **New marinas and significantly expanded existing marinas must submit a draft operations & maintenance plan with their marina permit application. Existing marinas must submit the plan within one (1) year of the effective date of this regulation. Whenever the marina ownership or leasehold changes, the O&M plan must be revised and resubmitted for approval. Plan approvals are valid for three (3) years without any change in ownership, expansion or major infrastructure work.**

An updated / new marina Operations and Maintenance plan has been submitted under this cover.

- s. **All O&M plans shall include the information outlined in the guidance document “Marina Operations and Maintenance Plans” by the CRMC.**

The submitted O&M plan has been prepared in accordance with the Marina Operations and Maintenance Plans document.

- t. **Any Marina that has a “Clean Marina” certification issued by the CRMC will only be required to submit the facility layout plan (plan requirements in guidance Document “Marina Operations and Maintenance Plans” by the CRMC and Clean Marina certification approval letter in lieu of an O&M plan.**

Not Applicable

- u. **Any alterations to mooring areas shall be consistent with any CRMC approved municipal harbor management rules, regulations or programs, as defined in § 1.3.1(O) of this Part.**

No alterations to mooring areas are proposed. The proposed marina layout has been reviewed by the local Harbor Master. Formal documentation of no objection from the Harbor Master is anticipated during the public review / comment period following application submission.

- v. **All new marina facilities shall be required to install a marine pumpout facility. Any significant expansion or alteration of an existing marina facility that results in greater than or equal to fifty (50) new slips or where adequate pumpout service is not currently available shall be required to install a marine pumpout facility. Any expansion or alteration of an existing marina facility which proposes to increase the number of vessels accommodated at the in-water facilities beyond twenty-five percent (25%) of the capacity as defined in the original Council Assent shall be required to undertake mitigative measures. If twenty-five percent (25%) of the capacity, as defined in the original Council Assent, is greater than or equal to fifty (50) slips, then a marine pumpout facility shall be required. If twenty-five percent (25%) of the capacity, as defined in the original Council Assent, is less than fifty (50) slips, then the Council shall require either the installation of a marine pumpout facility or other suitable mitigation measures. In no case shall the number of pump outs be less than those shown in Table 7 in § 1.3.1(D) of this Part (Minimum Required Sanitary Facilities).**

Per table 7, one marine pumpout facility is required at the marina under both the existing and proposed conditions. These capabilities are and will continue to be provided by the Newport Harbor Pump Out Boat. Additional pumpout facilities are available at the nearby Goat Island Marina, Newport Yacht Club, Bowen’s Wharf, and Fort Adams within Newport Harbor. As the proposed reconfiguration does not constitute a



significant expansion of the existing marina facility and adequate pumpout services are available at the site, it is the applicant's understanding that installation of a new marine pumpout facility is not required.

- w. If the applicant can demonstrate that there are already enough marine pumpout facilities to serve all of the recreational boating facilities found in the region, then the Council may waive the requirement for a marine pumpout facility and require alternative mitigative measures.**

Marina patrons can coordinate pumpout services on site via the Newport Harbor Pumpout Boats (VHF channel 09) or via the four (4) additional dockside pumpout facilities within the Harbor (Bowen's Wharf, Newport Yacht Club, Fort Adams, and Goat Island Marina)

- x. All marine pumpout facilities or pumpout stations shall be designed in a manner that serves the boating public. Pumpout facilities shall be located in an accessible location. The dock utilized for the pumpout shall not be available for dockage of any kind beyond the reasonable time for vessel pumpout. In addition, all marine pumpout facilities shall be open for the general public's use. However, marina operators may charge a fair and nondiscriminatory fee to cover the cost of constructing and operating these facilities. Portable pumpouts (including vessel mounted pumpouts) shall only be allowed after a facility has one (1) fixed pumpouts in place that meets all requirements. Portable pumpouts are not considered to satisfy the requirements for a pumpout except in the case of a Limited Marina.**

Not applicable.

- y. All new marina facilities 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 marina facilities shall be setback at least fifty (50) feet from approved mooring fields and three times the authorized project depth from federal navigation projects (e.g. navigation channels and anchorage areas).**

Marina facilities are set back in excess of 50-feet from the nearby mooring field. No federal navigation projects are within the nearby vicinity following removal of the Army Corps riparian line. The proposed marina layout has been reviewed by the local Harbor Master.

- z. 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 it is completely encapsulated within impact resistant plastic. All existing installations of non-encapsulated floatation shall be replaced at a rate of ten percent (10%) per year (minimum) during normal maintenance. This shall be detailed in the O&M plan. The start of mandatory replacement shall begin in October 2011.**

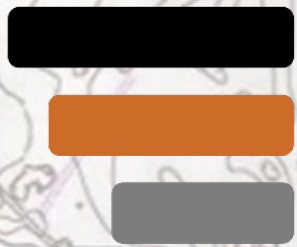
All new floats are to be supplied by a manufacturer that specifically fabricates for marine use and is warranted as such. No non-encapsulated floatation is present at the site.

- aa. All new marinas (including expansions) and water dependent facilities shall be designed in accordance with the latest Accessible Boating Facilities Guidelines by the United States Access Board promulgated under 36 C.F.R. Part 1191. The number of fully accessible slips shall be in accordance with the latest version of the guidelines, but in no case shall be less than 2% of the facility. Limited Marinas are not required to meet the accessibility guidelines, but are encouraged to do so.**

Not applicable; however, the marina reconfiguration as proposed accommodates the minimum accessible slips required per the Accessible Boating Facilities Guidelines.

- bb. The executive director, in his discretion, shall have the authority to determine which of the above standards shall be applied to Limited Marinas.**

RECEIVED
12/23/2024



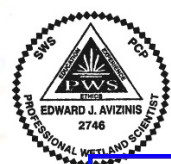
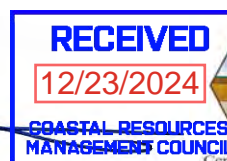
AVIZINIS
ENVIRONMENTAL
SERVICES INC

SUBMERGED AQUATIC VEGETATION SURVEY REPORT

SITE LOCATION:
A.P. 32, Lots 155, 268
25 Waite's Wharf
Newport, Rhode Island

PREPARED FOR:
Neal Hingorany, MS, PLS
Narragansett Engineering Inc.
nhingorany@nei-cds.com

PREPARED (September 20, 2024) BY:



Edward Avizinis, CPSS, PWS | President



INTRODUCTION

Avizinis Environmental Services, Inc., (AES), has completed the requested submerged aquatic vegetation survey at the 25 Waite's Wharf address in Newport, Rhode Island. This survey was performed on September 13, 2024.

Activities in coastal areas in Rhode Island are regulated under the jurisdiction of the Coastal Resources Management Council (CRMC). The State of Rhode Island has created predetermined maps that identify which properties are under which regulatory agency. These maps identify that the subject property is within CRMC jurisdiction. The CRMC administers the regulations of the Coastal Resources Management Program (CRMP) (Title 650-Rhode Island Code of Regulations-20-00-1). The CRMP administers regulations pertaining to the protection of submerged aquatic vegetation.

Submerged aquatic vegetation (SAV) include submerged rooted vascular plants that grow in tidally influenced waters of the state. Species of concern include eelgrass (*Zostera marina*) and widgeon grass (*Ruppia maritima*), however the most common species is eelgrass which is commonly found along the coast.

Section 1.3.1.(D.)(11)(w. and x.) of the CRMP state that "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 § 1.3.1(R) of this Part, as most recently revised. Facilities shall be located along the shoreline so as to impact the minimal amount of habitat possible. 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". As such, a survey is required to determine the presence of any SAV within the limits of any proposed project that may impact the species.



EXISTING CONDITIONS

The project area is located extending west from the terminus of Waite's Wharf into Newport Harbor in Newport, Rhode Island. The site currently has two docks present and is an active marina. The CRMC has classified the coastal waters of Newport Harbor here as Type 5 waters. Type 5 waters are adjacent to waterfront areas that support a variety of tourist, recreational, and commercial activities.

The DEM Environmental Resource Maps show that the marina has a DEM Remediation site called Waite's Wharf 2.

SURVEY PROTOCOL

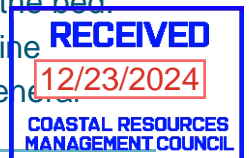
AES has prepared this survey to meet all standards of the CRMP Section 1.3.1.(R.). It is the policy of the Council that SAV surveys shall be completed during peak biomass. SAV surveys shall be completed in Narragansett Bay between July 1 and September 15. This survey was performed during the morning of **September 13, 2024**. Low tide was recorded at **9:21 am** that morning by US Harbors.

The CRMP section 1.3.1 (R)(3.)(d.)(2-5) states:

“(2) The SAV survey requires a series of transects located between the property line extensions associated with the proposed project site. A survey shall include transect lines (quantity dependent on the size of the project area) running perpendicular to the shoreline three (3) meters apart (10 feet). Along each transect line a 1m² quadrat sampling station shall be placed every three (3) meters (10 ft). It is important to go beyond the impacted area, especially to understand the impacts of the dock to SAV. In the case of fragmented beds, transect lines every two (2) meters may be necessary. For projects not adjacent to the shoreline (i.e., aquaculture projects), locate the transects relative to another reference, such as a channel boundary or depth gradient.

(3) Define a datum. The survey data for SAV shall be mean low water (MLW). MLW shall be set equal to zero.

(4) Quantify SAV along the transects. Establish in-water sampling stations along transects along the bottom or as otherwise necessary to accurately delineate the bed. Use a quadrat measuring 1 m on each side. At each sampling station, determine percent coverage for SAV. Record the following data for each station: (AA) General



sediment type (silt, mud, sand, shell, etc.) based on observation or shallow surface core only; (BB) Estimate of percent coverage for each quadrat; and (CC) Estimate the mean shoot length.

(5) Report data collected. Overlay the SAV percent coverage and water depth data onto the site plan for the dock. Show transects, sampling stations, water depth, date and time of survey, and fixed-point locations on the site plan. For each transect, areas of SAV and associated water depth shall be located on the plans, as well as the landward and seaward (where practicable) limits of SAV.”

Due to the nature of the project area, we did not establish specific transects as would be done with a traditional SAV survey.

For this project, AES utilized a submersible drone equipped with a high-quality camera to not just view quadrats but to provide a continuous visualization of the harbor bottom. Although this is not specifically congruent with the protocol in the CRMP, we believe it provides an even greater and higher quality characterization of the bottom than a traditional survey protocol would provide.

FINDING OF SURVEY

Thank you for giving AES the opportunity to provide this service. **No submerged aquatic vegetation was observed throughout the surveyed area.** AES surveyed the planned project area that proposes an extension to the extant pier and conducted surveys all along this pathway. This survey was performed by in-water personnel as well as submersible drone equipped with live-feed video camera (f/1.6, 4mm, 1920 x 1080) and 2-250 lumen lights. Visibility was estimated at 6 feet horizontal view. Video segments are available upon request.

In summary, the substrate throughout the survey area was a mucky fine sand and heavily degraded with agal coated organic debris primarily composed of clam, limpet, and scallop shells throughout the survey area with occasional piles of discarded mussel shells. The organic debris coverage ranged from 30% to 80%. The depth in the survey area ranged from approximately 8 feet shoreward to approximately 12 feet at the deepest.



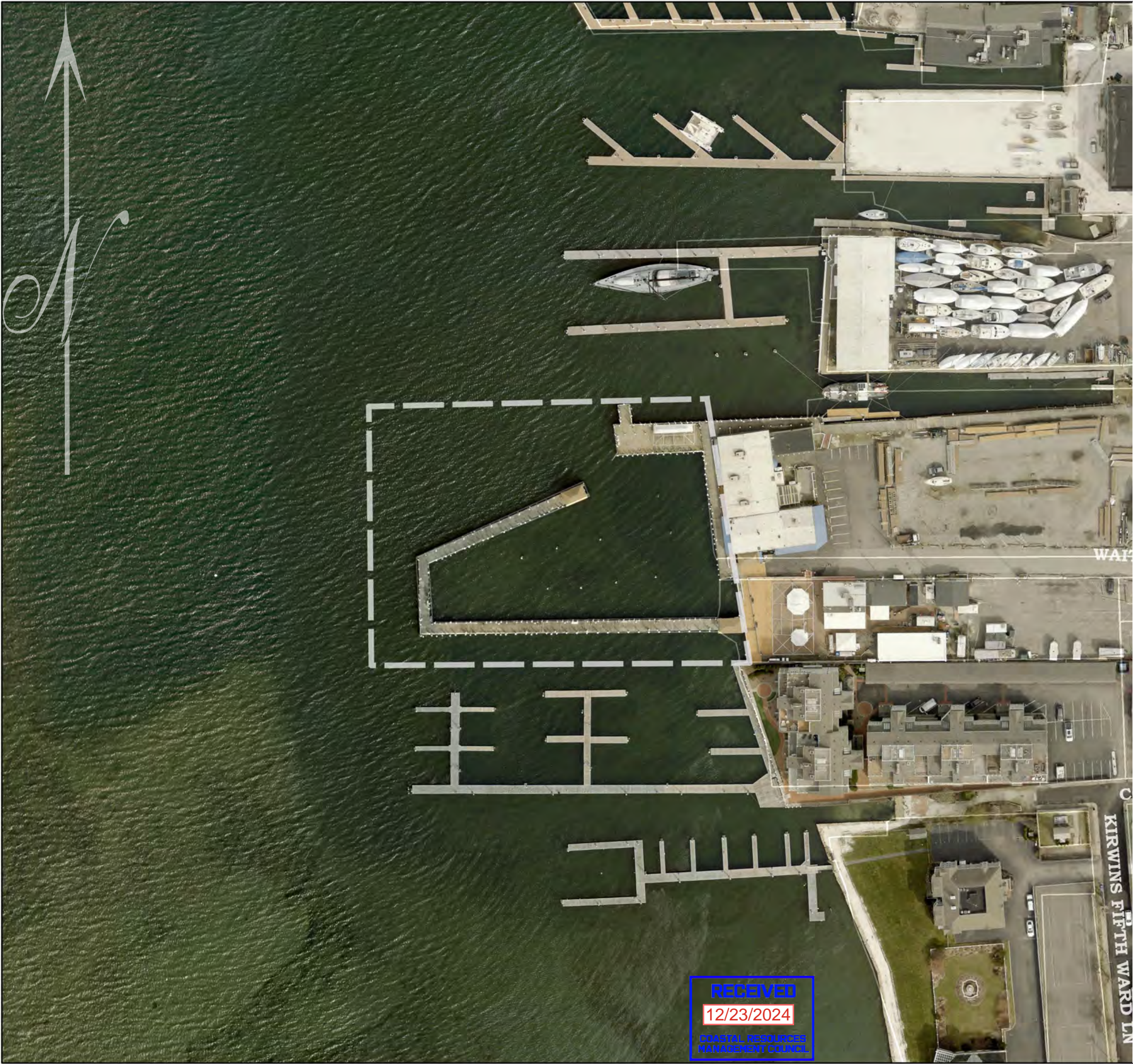


The images above are representative photographs of the harbor bottom during the September 16, 2024 SAV survey taken by the AES submersible drone.



SITE MAP

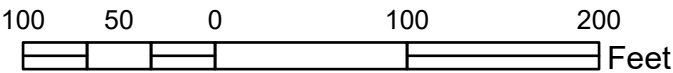
1. 2024 AERIAL MAP
2. USDA – NRCS SOIL SURVEY MAP
3. USGS TOPOGRAPHIC MAP
4. 2024 SUBMERGED AQUATIC VEGETATION MAP



2024 AERIAL MAP
A.P. 32, Lot 155, 268 | 25 Waite's Wharf
Newport, Rhode Island

LEGEND

 PROJECT AREA



- General Notes:
1. This map should not be interpreted as a survey quality graphic. It is designed for preliminary planning purposes only. AES recommends consultation with a Professional Land Surveyor for accurate site feature locations.
 2. Property lines as depicted on this map have been approximated from plat maps available from the town assessor's online database.
 3. Aerial photograph base map and other data layers acquired from the RI DEM and RIGIS database.

Map created by: 
Patrick J. Loveland, GIS Specialist

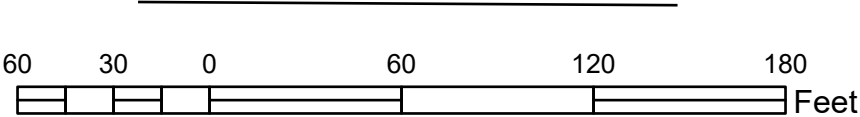
08/09/2024



USDA - NRCS SOIL SURVEY MAP
A.P. 32, Lot 155, 268 | 25 Waite's Wharf
Newport, Rhode Island

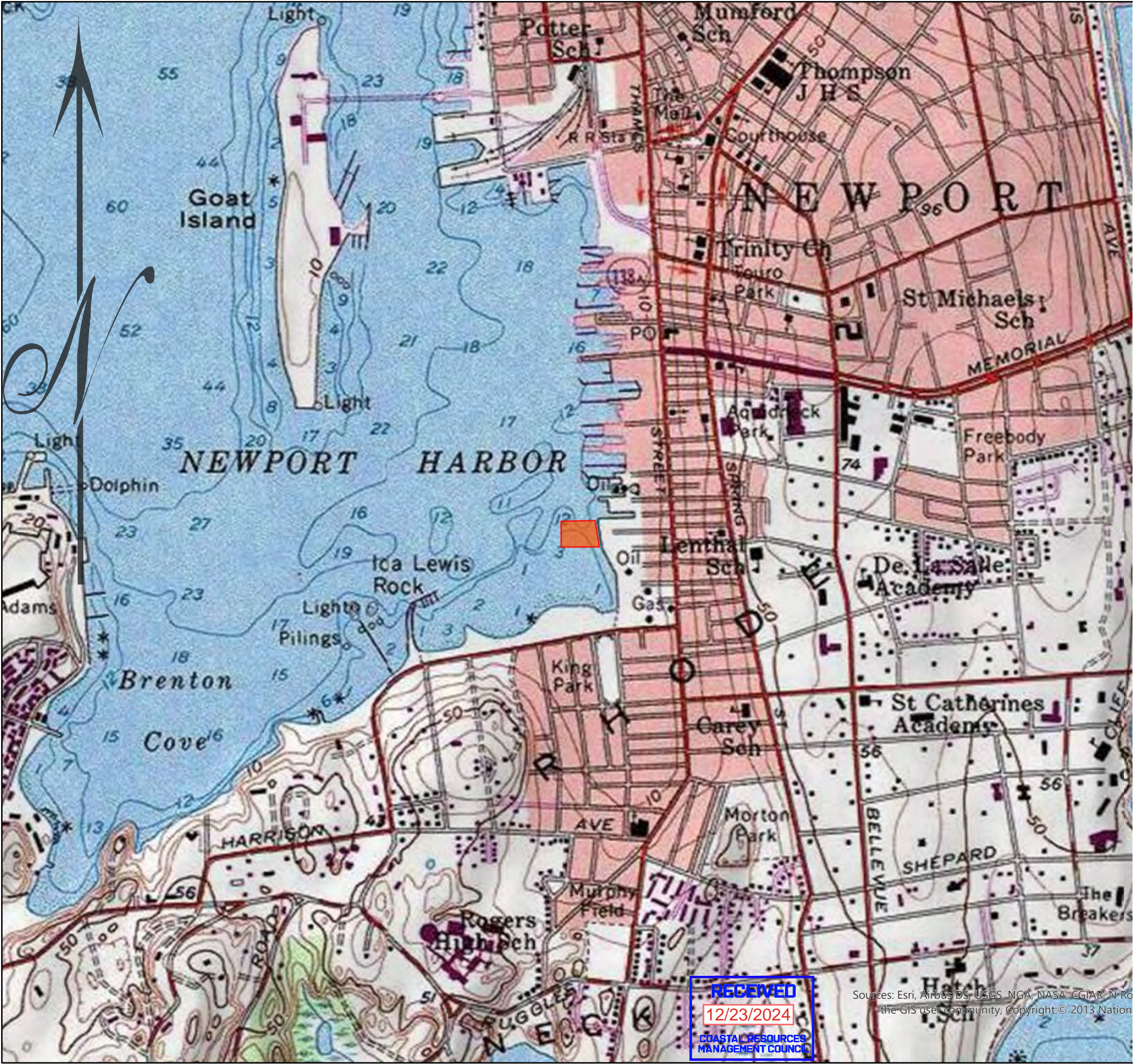
LEGEND

- Ur - Urban land
- UrS - Urban land, 0 to 3 percent slopes, sandy substratum



- General Notes:
1. This map should not be interpreted as a survey quality graphic. It is designed for preliminary planning purposes only. AES recommends consultation with a Professional Land Surveyor for accurate site feature locations.
 2. Property lines as depicted on this map have been approximated from plat maps available from the town assessor's online database.
 3. Aerial photograph base map and other data layers acquired from the RI DEM and RIGIS database.

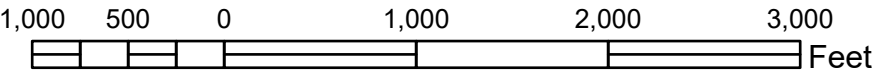
Map created by: 
Patrick J. Loveland, GIS Specialist 08/09/2024



USGS TOPOGRAPHIC MAP
A.P. 32, Lot 155, 268 | 25 Waite's Wharf
Newport, Rhode Island

LEGEND

PROJECT AREA



- General Notes:
1. This map should not be interpreted as a survey quality graphic. It is designed for preliminary planning purposes only. AES recommends consultation with a Professional Land Surveyor for accurate site feature locations.
 2. Property lines as depicted on this map have been approximated from plat maps available from the town assessor's online database.
 3. Aerial photograph base map and other data layers acquired from the RI DEM and RIGIS database.

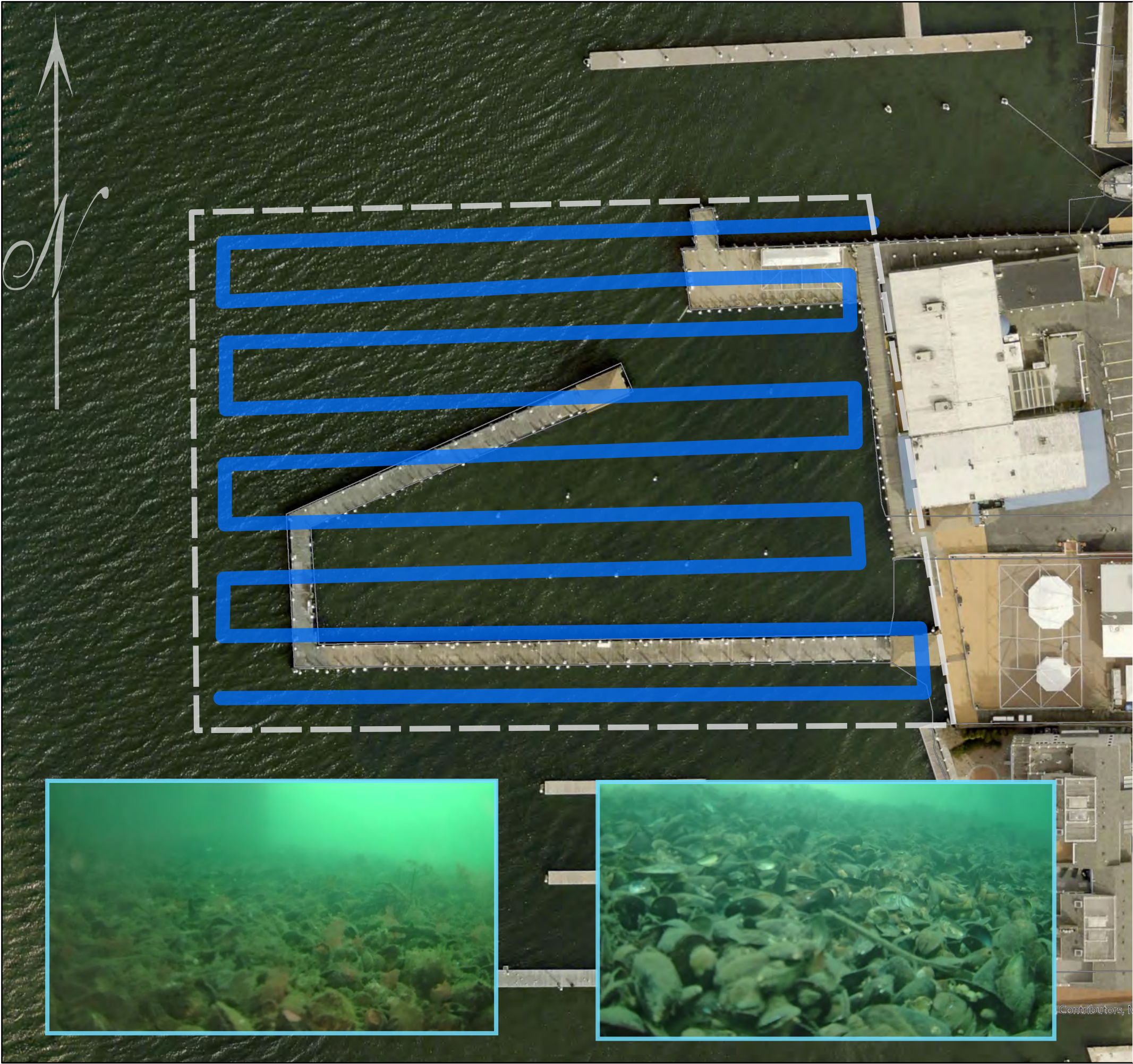


Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, NRO, the GIS user community, Copyright:© 2013 National Geographic Society

Map created by:

Patrick J. Loveland, GIS Specialist

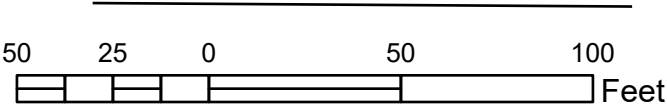
08/09/2024






2024 SUBMERGED AQUATIC VEGETATION MAP
A.P. 32, Lot 155, 268 | 25 Waite's Wharf
Newport, Rhode Island


LEGEND

- PROJECT AREA
- SURVEY PATH



- General Notes:
1. This map should not be interpreted as a survey quality graphic. It is designed for preliminary planning purposes only. AES recommends consultation with a Professional Land Surveyor for an accurate site plan.
 2. Property lines as depicted on this map have been approximated from plat maps available from the town assessor's online database.
 3. Aerial photograph base map and other data layers acquired from the RI DEM and RIGIS database.
 4. This survey was performed by in-water personnel as well as submersible drone equipped with live-feed video camera (f/1.6, 4mm, 1920 x 1080) and 2-250 lumen lights. Visibility was estimated at 6 feet horizontal view.

Delineation performed by: 
Edward J. Avizinis, CPSS, PWS   09/13/2024

Map created by: 
Patrick J. Loveland, GIS Specialist 09/20/2024

City of Newport

Waterfront Commission

Meeting Minutes- 13 June 2024

Membership Attendance: Dave Kane (C), Gary Lash (VC) Fred Roy (S) Mark Marosits, John Kokulis, John Greichen, Henry DiPietro, Bob Anton, Steve Land (HM)

Guests: Hew Thomas, Glenn Gardiner, Andrew and Kelly Salem, Tom Principe, (for 196 Washington), Linda Stevenson, Neil Hingornay, Joe Malt, Russel Jackson, Matt Gineo, Annette Bourbonniere, Harry Winthrop, Tom Gibson, David Slye, Tommy Abruzese, Mark Fontaine, Jerry Goldrick, Tammy Abruzese.

Open Meeting (Vote) 1831

Review and approve June 2024 meeting minutes. vote-unanimously approved.

Harbormasters Report:

- Opening ceremony- Friends of the Stone Pier. June 29th 7PM
- Elm Street Pier repairs are complete and the dock should be operational July 1st
- Enforcement of ordinance of liability insurance. Steve Land will add mandatory insurance requirement to all mooring contracts 2025.
- Cruise Ships this weekend
- Bermuda Race Start

Proposed new standards for cement/ concrete moorings from Steve Land:

- Steve presented new written standards for cement moorings to the commission. There was a motion to approve and seconded with unanimous vote to go ahead and try these new moorings in different areas of the harbor.

Houseboat Bill:

- Fred Roy reported no change in status with the bill and it will be moved to next year's agenda at the State House.
- Gary Lash report that working with short term rental officer in the city that Newport is ready to use the existing 2021 short term rental law which includes watercraft to tax them then the same way for on land structures. This would include Water Suites.

South Bay Racing:

- Due to the incident with the J22's with commercial traffic out of Sail Newport last summer a concerted educational effort transpired through the 3 clubs that run South Bay Racing. Thanks to our own David Kane we were able to meet, create in person zoom meeting with Conanicut YC, the biggest fleet in the area. New Rule was written to help prevent repeat offences in future with commercial traffic. I want to personally thank David for volunteering his time and expertise from his Navy background to communicate the importance of this part of RULES OF THE ROAD.

Stone pier naming:

- Fred Roy, proposed the new public dinghy dock be named the Kevin Sheekey dock in honor of a long-term Newport resident who frequently used the dock and area growing up as a young boy into his adulthood.
- Vote was taken by the commission, which was unanimous. Next steps Dave Carlin will propose a resolution to City Council to make it official.

Elm Street Pier:

- Elm Street Pier replacement dock is on schedule to be completed next year. Steve Land will keep us updated as progress develops.

Marine Insurance:

- All boats with moorings will be required to carry liability insurance next year 2025. This will enforce and already existing ordinance.



CRMC application for new residential dock at 96 Washington Street: at the bottom of Cherry Street in the Point Section:

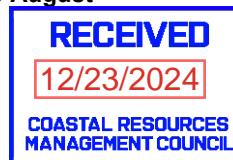
- Owners Kelly and Andrew Salem were present, represented by Mr. Principe, who explained all the details, of the application. The major ask was a variance to extend out into deeper waters to operate a 20-foot boat. Fred Roy wanted an explanation of the boat lift and was concerned if this lift did not clear the intended boat out of the water at least 3-4 feet the sea state in that area in storms over 38 knots could cause damage to the dock and possibly other neighboring docks. Mr. Principe stated that neighbor's docks have similar lifts, but said they could go higher. Fred asked for additional height. They agreed to go to the maximum height of clearance from the water.
- Fred also asked for access from the water to the land in emergency situations so no locked dock gates. In addition, the commission required a fixed ladder painted yellow, into the water from the top of the dock. The location of this ladder would be most the furthest end of the dock on the south side. Along with the ladder a mounted orange US Coast Guard approved throw ring with 60 feet of yellow poly propylene line.
- Dave Kane brought up the separate subject of public access which is under the commissions umbrella. He mentioned the bottom of that thoroughway which is the end of Cherry Street has been converted to a driveway. His point was in recommending the approval of the dock he would like to see that there is no unobstructed public use of that drift way which has been operation for over 250 years.
- Fred suggested a follow up meeting with the owners and a written statement to what was agreed to at this meeting so all parties are clear to what was said, before the recommendation goes to City Council.
Friends of the Waterfront made comments about the right of way and keeping that open to the public. The conversation was becoming lengthy between the lawyer for 96 Washington and FOW.
- Fred suggested that Friends of the Waterfront and the owners have a separate meeting with Friends of the Waterfront (Tom Gibson lawyer) to become educated to RI public trust access.
- Vote was taken to approve the application. 6 in favor and one abstain. The vote carried to recommend dock approval to City Council based on a list of written contingencies discussed and agreed to in this meeting.

Westwind Marina:

- The marina owner Mr. Abruzese wants to expand the marina perimeter essentially to square off the marina and make more accessible and safe use of the waterway to his facility. The major issue here is the expansion into public trust waters and what the owner can help the City of Newport in turn for giving up these waters for the expansion. There were several conversations on different subjects about depths of the channel and not narrowing the thoroughway for access by other marinas in the immediate area. The explanation by the marina manager that this would not be the case was answer satisfactorily.
- Fred Roy asked about the wave board construction vs cement docks. The cement docks as wave attenuators would be far more efficient and effective against seawall and land erosion. They have helped greatly in other areas of the harbor.
- Dave mentioned the harbor walk plan. Representative for Mr. Abruzese said the plan was to create and maintain that public harbor walk in that area. Dave referred the conversation to Tom Gibson and Linda Stevenson.
- Steve Land suggested the commission put their thinking caps on about this project. One they are creating a safer use for the dock making it symmetrical, two is what do we want in exchange for these public trust waters that is within reason.
- Vote on this project was tabled for future discussion.

Newport Paddle Fest:

- Mark Marosits is Directing Officer of Kayak Paddle Safety for the Harbor of Newport. He has created several paddle safety events and classes over the last four years. He responsible for over 600 members in the local area, has team with Better Bay Alliance to help instruct paddlers to better ways to operate, maneuver through crowded channels, harbors and around Narragansett Bay.
- Mark wanted to create a paddle festival to demonstrate different types of kayaks and how they operated so along with the help of his wife decided to have a Festival which will take place **August 17, 2024, 1000-1500 hours. King Park. Details to follow.**



Newport Harbor Island Resort and Hotel

- Linda Stevenson (FOW) worked with the new owners of the hotel to abide by an agreement written back in 2014 stating in kind for the new dock in that area on Goat Island there would be public access around the building, a touch and go dock for intermodal transportation, a public daytime dinghy dock and maintenance of channel markers on the East Side water way into the harbor. She replaced public walkway signs and confirmed with hotel management the written agreement they had agreed upon with the City. There were several issues the hotel was not abiding by and Linda made it very clear that the assent is a contract with the City regarding public access. There are also 3 public parking spots near the dock area that is also stated in the assent that were in her discussion with the hotel.

Stone Pier Taxi pickup and drop off:

- Oldport Marine would like to use the new Stone Pier as an intermodal stop for their taxi service. Representing Oldport Marine Matt Gineo encouraged several residents along the Wellington area to attend the meeting and express their approval of such a plan.
 - In addition, in attendance was Annette Bourbonniere who is disabled in a wheelchair and stated that her only access to the King Park activities would be by water on the Oldport water taxi built for the disabled population, which is Coast Guard approve and ADA compliant. In discussion she also stated that parking and navigation into the park was a challenge. Dave Kane stated that even though the new dock is ADA compliant the actual Stone Pier would present a challenge because most of the time the big gate is locked and access around that could present issues. Matt Gineo suggested that he knows a guy who could lay in some macadam making that area more accessible. MS Bourbonniere urge Mr. Kane to remedy these issues as she is not getting any younger and would like to enjoy the park more.
 - Mark Fountaine stated the two major issues is that we have a beach in the that area with class 1-2 waters and parking will be come a challenge along Wellington.
 - Fred Roy ask Matt to wait and see how we could accommodate an area but doubted it could be done this season.
- The discussion ended with MS Bourbonniere reiterating her comments to Dave Kane, stating that ADA is a federal law and she is being prevented from using King Park if she doesn't have intermodal transportation to the dock. She asked "can we fix that" and Dave said that we would work to resolve these issues.

Kayak Rack Point Section:

- Dave Kane tabled this discussion for next month.

Working Group update/progress reports:

- Harbor Management Plan- Waiting on DEM Water Quality section approval.

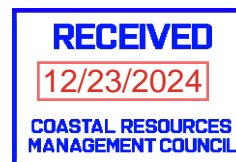
New Business/ discussion items:

- Renumbering the mooring field. Steve Land is working with Mike Critten to survey the mooring fields and come up with a new numbering program. He will up date the commission with ongoing information, as to the status of this project.

Meeting adjourned: 2004

Next Meeting: Newport Waterfront Commission, Thursday July 11, 2024 at 1830, at the Maritime Center, 365 Thames Street, Newport RI.

Respectfully submitted: Fred Roy, secretary



City of Newport

Waterfront Commission

Meeting Minutes- 11 July 2024

Membership Attendance: Dave Kane (C), Gary Lash (VC) Mark Marosits, Jerry Baum, John Kokulis, John Greichen, Henry DiPietro, Bob Anton, Steve Land (HM)

Absent: Fred Roy (S)

Guests: Josh Rosenberg (RMA), Linda Stevenson (FOW), Neil Hingornay (Narragansett Engineering), Tanner Jackson, Matt & Ann-Marie Roche, Drew Estabrook, John Shehan, Tommy Abruzese, Jerry Goldrick, Tammy Abruzese.

Open Meeting (Vote) 1831

Review and approved as amended June 2024 meeting minutes. Amended: Bob Anton was present. Vote-unanimously approved as amended.

Harbormasters Report:

- July 4th went well
- Finishing redline versions of ordinance amendments for 1) concrete blocks and 2) insurance for rental mooring
- Trying to get FEMA money on Elm St Pier - \$1.3M needed. Progress is being made and permit has gone in.
- Steve is planning a Workshop for the \$22M bond
- Harbormaster's office getting a lot of kudos for swim platform at the Elm Street Pier. Steve noted that he has ordered a "Swim At Your Own Risk" sign for the platform.
- Henry: Harbormaster should be commended for the handling of the Newport – Bermuda Race start.

Working Group update/progress reports:

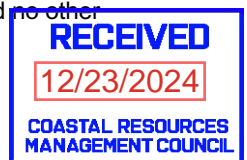
- Stone Pier Dedication & Wrap-Up was discussed
- ACTION ITEM: Dave will be sending of a letter to Dave Carlin indicating that the WFC endorses dedicating the new public dock: The Kevin Sheekey Dock.

West Wind Marina Expansion:

- GOAL: Square off corner of marina to increase operating area within marina. There are 23 docks currently in the marina and that will not change after expansion is done (note: marina is permitted for 27).
- Tanner and Neal confirmed that there will be a 165 ft distance from edge of newly expanded dock to the mooring field. Steve noted as a reference that in the busiest part of the marina there is a 150 ft distance between the Lobster Bar and the Water Dock.
- The applicant presented a drawing with the configuration and location of two 3x6 kayak racks. Bob noted that these racks would hold 18 kayaks, not the 24 on the drawing. Applicant concurred and noted they would also need an easement for the 2nd rack.
- Much discussion centered around the narrow access to the dinghy docks and the safety of loading and unloading of kayaks into the water.
- ACTION ITEM: Mark volunteered to work with the applicant to come up with potential solutions and then present them to the commission.

New Business/ discussion items:

- Kayak Racks at the Point for Boat Owners. Issue: Old Port does not have long hours and launches come only once an hour at best. Boat owners in the area would like to have preference at kayak racks where they can store their kayaks vs keeping them in the driftways where they are currently stored.
 - The commission felt that boat owners who have a mooring should not be guaranteed a spot on a kayak rack as this would adversely affect kayak owners who do not have a boat and no other



- access to the harbor. As Mark noted: "Kayak racks are our moorings." All felt there was adequate kayak storage space in the existing driftways.
- Steve floated an idea of building a dinghy dock at Storer Park. Would serve the public well as it could be year-round, near Gateway parking and would be handicap assessable.
 - Dave acknowledged that we heard the concerns of the residents but that no future actions would be taken.
 - Resident Matt Roche wanted to know if there was any possibility of getting Old Port to stop at the new dinghy dock. Dave noted there was no plans at this time.
 - Lynda Stevenson (FOW) also expressed her desire to see water taxis stop at the area
 - Both Dave and Steve noted that:
 - the dinghy dock was not built to accommodate a launch landing
 - the dinghy dock is already full and there is no room for a launch to stop
 - the area in question is too close to the swim area and where other people load and unload boats
 - Steve noted that he requested \$2M for improvement at Stone Pier but some of the funds might be needed for the Elm St Pier project.
 - Lynda noted that the FOW met with the owners of 96 Washington St, applicants for a residential dock at our June meeting, and noted that they are good path with the owners to ensure the public accessway is clear of any obstructions blocking public access.

Meeting adjourned: 2004

Next Meeting: Newport Waterfront Commission, Thursday August 8, 2024 at 1830, at the Maritime Center, 365 Thames Street, Newport RI.

Respectfully submitted: John Kokulis on behalf of Fred Roy, secretary





CIVIL & GEO-ENVIRONMENTAL ENGINEERING
ENGINEERS | SCIENTIST | GIS SPECIALIST



Civil • Survey • Structural • Environmental • Design
3102 East Main Road, Portsmouth RI 02871
Tel. 401.683.6630 www.nei-cds.com

Operations and Maintenance Program

West Wind Marina

Waites Wharf – Assessor's Plat 32 Lots 155, 268

Newport, RI

November 22, 2024

Submitted to:

Coastal Resources Management Council
Tower Hill Road
Wakefield, RI 02

Prepared By:

RMA Environmental, L.L.C.
20 Main Street
Wickford, Rhode Island 02852



Locus Map - USGS

RECEIVED

12/23/2024

**COASTAL RESOURCES
MANAGEMENT COUNCIL**

OPERATIONS AND MAINTENANCE PLAN

In accordance with CRMP §1.3.1 (D)(9)(r) and the Marina Operations and Maintenance Plans guidance document produced by the CRMC, this marina Operations and Maintenance Plan (OMP) is submitted to the Coastal Resources Management Council for the proposed marina facility reconfiguration at 25 Waites Wharf in Newport, RI. The marina's provided services and amenities are limited to those typical of resort style marina within a destination harbor.

IDENTIFIED ACTIVITIES

1. **LOCATION** - The marina is located within Newport Harbor along the shoreline between Waites Wharf and West Extension Street. The furthest seaward components of the marina are over 150-feet away from the City's established mooring area.
2. **MARINA PERIMETER** – The proposed Marina Perimeter bounds and area approximately 1.96 acres in size, as shown on sheet PR-1 in the project plans provided with the proposed reconfiguration application.
3. **BOAT CAPACITY** – The marina has an interior basin capacity for 23 vessels (27 permitted) ranging in size from 20- to 50-feet. Additional transient moorings are available along the outer fixed pier for vessels in the 50- to 200-foot range.
4. **STRUCTURES** – Marina reconfiguration expands and replaces portions of the existing fixed pier and replaces the existing floats. No landside building structures are proposed in support of the reconfiguration.
5. **PARKING AREAS** – The site has 131 parking spaces to serve the businesses, restaurants, and marina on the Owner's parcels. Parking is predominantly on paved surfaces with some unimproved parking areas. 26 of the parking spaces have been allocated for use by the marina per the original CRMC Assent. 29 parking spaces are proposed for the marina following full redevelopment of the upland area (project separate from the proposed marina reconfiguration). Existing catch basins on site are owned and maintained by the City of Newport. Proposed drainage systems associated with the upland hotel improvements will be undertaken as outlined in the Hotel O&M plan prepared by Narragansett Engineering Incorporated.
6. **SOLID WASTE** – Solid waste dumpsters are provided at the Owner's property adjacent to the marina at the southwest corner of the main parking area and at the end of the channel terminating at West Extension St. Solid waste dumpsters are emptied regularly
7. **PETROLEUM CONTROL** – No fuel dock is provided at the marina. Use of oil absorbent materials will be recommended to Marina patrons in the bilge areas of boats with inboard engines. Fueling is provided at nearby marine facilities or can be arranged on-site via a third party vendor.

8. **PUMPOUT** – The facility does not include pumpout capabilities. Pumpout can be arranged with the Newport Harbor Pump Out Boat at VHF Channel 09.

9. **IN-WATER BOAT CLEANING** – No boat cleaning services are provided by the marina. Patrons who wish to wash their boats at the facility will be recommended phosphate-free and biodegradable cleaning agents. Additionally, the use of ammonia, sodium hypochlorite, chlorinated solvent, petroleum distillate, or lye-based detergents will be discouraged.

10. **MISCELLANEOUS** – The marina facility, as a boutique facility within a destination harbor, does not provide any fueling, fish cleaning, or boat maintenance services (hauling, engine repair, hull repair, cleaning).

Please see the attached RICRMC forms and site plan for additional information on Operations and Maintenance at the proposed reconfigured facility.

1. Storm Water Runoff

Are hull maintenance areas* present on-site?

Yes
↓

No → Next Section

Why? No hull maintenance areas are present as marina is a limited facility serving tourist boating within a destination harbor.

These practices are:

Install and maintain adequate buffer areas between the coastal zone and upland facilities (section 100.3).
Explain:

Existing	Planned	Not Applicable
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Implement effective runoff control strategies such as surfacing area with crushed gravel, decreasing slope of facility towards coastal zone, or installing filters and wet ponds (section 100.3).
Explain:

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	-------------------------------------

Perform maintenance work inside buildings whenever possible (section 100.1).
Explain:

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	-------------------------------------

Perform maintenance over tarps to ease the cleanup process and prevent material from being carried into surface waters. Dispose of collected material properly (section 100.1).
Explain:

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	-------------------------------------

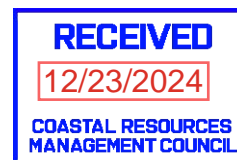
Use vacuum sanders to remove paint from hulls and collect paint dust (section 100.1).
Explain:

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	-------------------------------------

Other.
Explain:

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	-------------------------------------

* Hull maintenance areas are areas whose primary function is to provide a place for boats during the scraping, sanding, and painting of their bottoms. If boat bottom scraping, sanding, and/or painting is done in areas other than those designated as hull maintenance areas, this checklist applies to those areas as well. A hull maintenance area may indicate a need for a storm water permit. See Appendix B for additional details.



2. Fueling Stations

Yes
↓

No → Next Section

Why? No fueling stations present as Marina is a limited facility serving tourist boating within a destination harbor.

These practices are:

	Existing	Planned	Not Applicable
Have adequate spill response equipment (section 200.1). Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Maintain a spill prevention and recovery plan (section 200.1). Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Inform your local harbormaster and fire department about your spill protection and recovery plan and equipment (section 200.1). Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Properly dispose of used oil spill response equipment (section 200.2). Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other. Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3. Solid Waste

Are solid wastes (including trash, recyclables, hull-cleaning debris, waste generated from boat maintenance) produced by the operation, cleaning, maintenance and repair of boats that are stored on site?

Yes
↓

No → Next Section

Why?

These practices are:

	Existing	Planned	Not Applicable
Provide covered containers for solid waste that is generated within the facility (section 100.1). Explain: Covered trash receptacles are available on-site for non-hazardous waste (i.e., household waste) and are regularly emptied	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Provide proper disposal facilities to marina patrons (section 100.2). Explain: Proper disposal facilities are provided to the marina patrons. Dumpsters are located at the end of West Extension St. and the SW corner of the main parking lot	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Provide facilities for the eventual recycling of appropriate materials, such as glass, aluminum and plastic (section 100.2). Explain: Recycling bins are available on-site for typical "household waste" recyclable products (i.e., glass, aluminum, plastic, and paper products)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Support the use of environmentally compatible products (section 100.3). Explain: Limited cleaning, and no maintenance or repair facilities are present as Marina is a limited facility serving tourist boating within a destination harbor.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Use pamphlets, flyers, newsletters, inserts and meetings to convey the importance of any environmental precautions that have been instituted in the marina (section 100.3). Explain: Flyers will be posted explaining the importance of the environmental precautions taken by the facility.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Continued next page

Have adequate signs throughout facility identifying BMPs (section 100.5).

Explain:

dumpsters and waste receptacles will be identified with signs.



Perform abrasive blasting within spray booths or plastic tarp enclosures to prevent residue from being carried into surface waters. If tarps are used, blasting should be closely monitored on windy days (section 100.1).

Explain:

Abrasive blasting will not occur as Marina is a limited facility serving tourist boating within a destination harbor.



Provide and clearly mark designated work areas for boat repairs and maintenance. Do not permit work outside designated areas (section 100.1).

Explain:

no maintenance or repair areas are present as Marina is a limited facility serving tourist boating within a destination harbor.



Clean trash, sandings, paint chips, etc., immediately after any maintenance activity (section 100.1).

Explain:

no maintenance or repair areas are present as Marina is a limited facility serving tourist boating within a destination harbor.



Insert language into facility contract that requires tenants to use certain areas and techniques when conducting boat maintenance (section 100.6).

Explain:

no maintenance or repair areas are present as Marina is a limited facility serving tourist boating within a destination harbor.



Have a clearly written outside contractors agreement (section 100.6).

Explain:

no maintenance or repair areas are present as Marina is a limited facility serving tourist boating within a destination harbor.



Other.

Explain:



4. Fish Waste

Is fish waste, as determined by CRMC and DEM, a potential source of water pollution within the facility?

Yes
↓

No → Next Section

Why? No fish cleaning will be allowed on-site as marina is a limited facility serving tourist boating within a destination harbor.

These practices are:

Establish fish-cleaning areas (section 100.2).

Explain:

Existing Planned Not
Applicable

☐ ☐ ☒

Educate boaters regarding the importance of proper fish-cleaning practice (section 100.4).

Explain:

☐ ☐ ☒

Issue rules governing the conduct and location of fish-cleaning operations (section 100.6).

Explain:

☐ ☐ ☒

Other.

Explain:

☐ ☐ ☐

5. Liquid Material

Are liquid materials (including oil, harmful solvents, antifreeze, and paints) used in the maintenance, repair, or operation of boats stored on site?

Yes
↓

No

→ Next Section

Why? no maintenance or repair occurs and relevant liquids are not stored on at the marina as the facility is limited to serving tourist boating within a destination harbor.

These practices are:

Have separate containers for the disposal of liquid materials such as waste oil, waste gasoline, used antifreeze, waste diesel, kerosene, and mineral spirits available and clearly labeled (section 200.2 and 300.1) .

Existing Planned Not
Applicable

☐ ☐ ☒

Institute a recycling program for oil filters (section 200.2).
Explain:

☐ ☐ ☒

Build curbs, berms or other barriers around areas used for the storage of liquid material to contain spills. Store materials in areas impervious to the type of material stored (section 300.1) .
Explain:

☐ ☐ ☒

Maintain a spill prevention and recovery plan for hazardous material (section 300.2).
Explain:

Marina employees will be trained in the use of marine spill kits

☐ ☒ ☐

Have adequate spill response equipment for hazardous material (section 300.2).
Explain:

A marine spill kit will be available on site in case of spills during boat operation. No maintenance or repair occurs on site.

☐ ☒ ☐

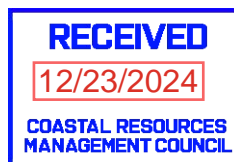
Place containment berms around fixed pieces of machinery within the facility that use oil and gas (section 200.3).
Explain:

☐ ☐ ☒

Recycle where possible, adhere to existing state regulations pertaining to disposal of hazardous material (section 300.3).
Explain:

☐ ☐ ☒

Continued next page



Enforce the prohibition on the use of TBT-based paint (section 300.4).

Explain:

☐☐☒

Use environmentally compatible antifreeze (section 300.4).

Explain:

☐☐☒

Keep to a minimum amounts of hazardous material stored and used (section 300.4).

Explain:

☐☐☒

Provide to marina tenants information on collection and recycling programs and source reduction (section 300.4).

Explain:

☐☒☐

Direct marina patrons as to the proper disposal of all liquid materials through the use of signs (section 300.4).

Explain:

☐☒☐

Insert language into facility contract that requires tenants to dispose of hazardous material in the proper containment facilities (section 300.4).

Explain:

☐☒☐

Other.

Explain:

☐☐☐

6. Petroleum Control

Do fuel and oil from boat bilges and tank air vents enter the marina and surface waters?

Yes

↓

No → Next Section

Why?

These practices are:

Promote the use of oil-absorbing materials in the bilge areas of all boats with inboard engines (section 200.3).

Explain:

Marina patrons will be recommended the use of oil-absorbing materials within the bilge areas of boats with inboard engines.

Use automatic shut-off nozzles and promote the use of fuel/air separators on air vents or tank stems of inboard fuel tanks to reduce the amount of fuel spilled into surface waters during fueling of boats (section 200.3).

Explain:

No fueling stations provided as marina is a limited facility serving the destination harbor.

Provide to marina tenants information on collection and recycling programs for oil and oil absorbing pads (section 200.4).

Explain:

Information will be provided to patrons on the collection and recycling programs for oil and oil absorbing pads.

Direct marina patrons to the proper disposal of all used hydrocarbon products through the use of signs, mailings and other means (section 200.4).

Explain:

Info will be posted at the marina directing patrons to the proper disposal of all used hydrocarbon products

Insert language into facility contract that recommends tenants use fuel/air separators and oil absorption materials (section 200.4).

Explain:

Dockage agreements will contain language recommending the use of fuel/air separators and oil absorbing materials.

Other.

Explain:

Existing Planned Not Applicable

☐ ☒ ☐

☐ ☐ ☒

☐ ☒ ☐

☐ ☒ ☐

☐ ☒ ☐

☐ ☐ ☐

RECEIVED

12/23/2024

COASTAL RESOURCES
MANAGEMENT COUNCIL

7. In-Water Boat Cleaning

Do the cleaning of boat topsides and hull scrubbing in the water occur on site?

Yes
↓

No → Next Section
Why?

These practices are:

	Existing	Planned	Not Applicable
Wash the boat hull above the waterline by hand (section 300.4). Explain: Recommendations to wash the boat hull above waterline by hand will be posted for patrons to view.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Where feasible, remove the boat from the water and perform cleaning where debris can be captured and properly disposed of (section 100.3). Explain: No boat hauling will be performed on-site.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Recommend and use phosphate-free and biodegradable detergents and cleaning compounds for washing boats (section 300.4). Explain: Recommendations on the usage of phosphate-free and biodegradable detergents and cleaning compounds will be posted at the marina.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discourage the use of detergents containing ammonia, sodium hypochlorite, chlorinated solvents, petroleum distillates, or lye (section 300.4). Explain: Recommendations to avoid the usage of detergents containing ammonia, sodium hypochlorite, chlorinated solvents, petroleum distillates, or lye will be posted at the marina.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other. Explain:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. Sewage Facility

Are sewage pumpout facilities or dump stations present on site?

<div style="border: 1px solid black; padding: 5px; text-align: center; width: fit-content; margin: 0 auto;">Yes</div> <div style="text-align: center; margin-top: 10px;">↓</div> <p>These practices are:</p>	<div style="border: 1px solid black; padding: 5px; text-align: center; width: fit-content; margin: 0 auto;">No</div> <div style="text-align: center; margin-top: 10px;">→ Next section</div> <p style="color: blue; font-size: small;">Sewage pumpout and dump facilities are not provided on site. pumpout is available via the Newport Harbor Pumpout Boat (VHF channel 09)</p> <p>Why?</p>			
	<table border="0" style="width: 100%;"> <tr> <th style="text-align: left; width: 33%;">Existing</th> <th style="text-align: left; width: 33%;">Planned</th> <th style="text-align: left; width: 33%;">Not Applicable</th> </tr> </table>	Existing	Planned	Not Applicable
Existing	Planned	Not Applicable		
Provide the service at convenient times and at a reasonable cost (section 400.2). Explain:	<table border="0" style="width: 100%;"> <tr> <td style="width: 33%; text-align: center;"><input type="checkbox"/></td> <td style="width: 33%; text-align: center;"><input type="checkbox"/></td> <td style="width: 33%; text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Make the pumpout station user friendly (section 400.2). Explain:	<table border="0" style="width: 100%;"> <tr> <td style="width: 33%; text-align: center;"><input type="checkbox"/></td> <td style="width: 33%; text-align: center;"><input type="checkbox"/></td> <td style="width: 33%; text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Develop and adhere to a regular inspection and maintenance schedule for the pumpout station (section 400.2). Explain:	<table border="0" style="width: 100%;"> <tr> <td style="width: 33%; text-align: center;"><input type="checkbox"/></td> <td style="width: 33%; text-align: center;"><input type="checkbox"/></td> <td style="width: 33%; text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Work with local and state governments to declare your harbor a no-discharge area once adequate pumpout facilities are installed (section 400.3). Explain:	<table border="0" style="width: 100%;"> <tr> <td style="width: 33%; text-align: center;"><input type="checkbox"/></td> <td style="width: 33%; text-align: center;"><input type="checkbox"/></td> <td style="width: 33%; text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Provide educational information about the pumpout service to customers (section 400.4). Explain:	<table border="0" style="width: 100%;"> <tr> <td style="width: 33%; text-align: center;"><input type="checkbox"/></td> <td style="width: 33%; text-align: center;"><input type="checkbox"/></td> <td style="width: 33%; text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Formally advise your municipality that you have a pumpout facility available and provide pertinent information, such as time of operation and fee (section 400.5). Explain:	<table border="0" style="width: 100%;"> <tr> <td style="width: 33%; text-align: center;"><input type="checkbox"/></td> <td style="width: 33%; text-align: center;"><input type="checkbox"/></td> <td style="width: 33%; text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Encourage the local harbormaster to enforce existing state and federal regulations pertaining to MSDs (section 400.5). Explain:	<table border="0" style="width: 100%;"> <tr> <td style="width: 33%; text-align: center;"><input type="checkbox"/></td> <td style="width: 33%; text-align: center;"><input type="checkbox"/></td> <td style="width: 33%; text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Install adequate signs to identify the pumpout station (section 400.6). Explain:	<table border="0" style="width: 100%;"> <tr> <td style="width: 33%; text-align: center;"><input type="checkbox"/></td> <td style="width: 33%; text-align: center;"><input type="checkbox"/></td> <td style="width: 33%; text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Other. Explain:	<table border="0" style="width: 100%;"> <tr> <td style="width: 33%; text-align: center;"><input type="checkbox"/></td> <td style="width: 33%; text-align: center;"><input type="checkbox"/></td> <td style="width: 33%; text-align: center;"><input type="checkbox"/></td> </tr> </table>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		



