

## Single family docks (Lakes, Ponds and Artificial Impoundments)

Maximum extension from the normal high waterline = 50 ft.

Feet of Shoreline Frontage	Sq ft of dock surface allowed	Sq ft of combined canopy and lifts allowed*	Slips allowed (abandon?)	<i>Maximum combined coverage allowed**</i>
Frontage < 75	96		None guaranteed	<b>96</b>
75 ≤ frontage < 150	300	600	2	<b>900</b>
150 ≤ frontage < 225	500	900	3	<b>1400</b>
225 ≤ frontage < 300	700	1200	4	<b>1900</b>
300 + ft. frontage	900	1200	5	<b>2000***</b>

\*Watercraft lifts installed beneath a canopy shall not be calculated separately. Watercraft lifts not located under a registered canopy shall be considered to cover an area equal to the area of a slip as defined by RSA 482-A:2 Definitions, VIII for boat lifts and 1/2 the area of a slip as defined by RSA 482-A:2 Definitions, VIII for personal watercraft lifts. Canopies shall seasonal structures. Permanent roofs with or without sides are by definition boathouses and their footprint shall be applied against the area of dock allowed whether dug-in or pre-existing within the lake or pond.

\*\*This number shall include the area occupied all structures installed or constructed over public waters (note the term is “public waters” and not “public submerged lands”) including pilings, ramps, walkways, stairs...

\*\*\*2000 sq. ft. is currently the area above which mitigation is required.

Minimum
Minor
Major

## **Community, Public, and Commercial Docking Structures Design Considerations**

### New For Consideration

(All numbers negotiable and put forward solely to initiate discussions)

- All community, public, or commercial docking structures may be designed as permanent piers;
- Docking structures may be perpendicular or parallel to the shoreline or extend at some other angle into a water body, depending on the needs of the landowners, factors related to safe navigation, and the difficulty of construction;
- The standard configuration for a docking structure in a river or stream shall be parallel to the shoreline. If the applicant wishes to have other than the standard configuration, the application shall include documentation of the need for the proposed alternative.
- The design and construction of docking-structures should incorporate space for navigation.
- All portions of any community, public, or commercial docking structure shall be located within 50 feet of the normal high waterline unless one of the following criteria are met. Where one of these following criteria are met, no portion of the docking facility shall extend more than 150 feet lakeward of the normal high waterline
- No portion of any community, public, or commercial docking structure on a river or stream shall extend more than 30 feet into the channel beyond the waterline; less if the dock will impact navigation;
- No portion of any wharf (parallel to and located at the shoreline) shall exceed 10 feet in width;
- No portion of any access pier shall exceed 8 feet in width;
- No portion of any finger pier shall exceed 3 feet in width;
- A public or commercial docking structure shall have 25 feet of contiguous shoreline per boat slip. This number may be reduced if there would be unreasonable hazards to navigation, safety, or the environment.
- A community docking structure, shall have 50 feet of contiguous shoreline frontage per boat slip. This number may be reduced if there would be unreasonable hazards to navigation, safety, or the environment.

*Handwritten:* 10/10/2017

### Existing Practices To Be Clearly Reaffirmed

- All docks designs shall comply with the minimum setbacks from property lines as outlined in RSA 482-A:3, XIII.
- All facilities shall be designed to minimize its visual impact on abutters and users of the surface water;
- All facilities shall be designed to contain any leakage or spills of fuels, lubricants, waste products, or other pollutants from all commercial operations;
- All marinas and other commercial operations servicing watercraft shall be designed to have designated areas for washing or other cleaning of watercraft associated with the commercial operations; and
- All marinas and other commercial operations servicing watercraft shall include at least one pump-out facility for the removal of wastes from on-board receptacles that receive and retain wastes from toilets, sinks, showers, and other on-board sources of sewage or graywater.

## ***PART Env-Wt 40X DOCKING STRUCTURES – COMMUNITY, PUBLIC, AND COMMERCIAL DOCKING FACILITIES***

### ***Env-Wt 40X.01 Applicability.***

(a) Subject to (b) and (c), below, the rules in this part shall apply to any person who wishes to construct, modify, repair, or replace a community, public, or commercial docking structure.

(b) The rules in this part shall not apply to:

(1) Maintenance and repairs undertaken pursuant to the statutory exemption as described in Env-Wt 307.01(a); or

(2) Temporary seasonal docks installed pursuant to the statutory permit by notification as described in Env-Wt 307.01(?).

(c) No structure shall be built over surface waters except for the purpose of providing docking for watercraft.

#### Env-Wt X08.02 Definition

(a) Access pier means...

(b) Finger pier means...

(c) Wharf means.... pull in existing definition

(d) Community docking structure means....

(e) Public docking structure means....

(f) Commercial docking structure means....

*Env-Wt X08.03 Criteria for the Approval of Community, Public, and Commercial Docking Structures. The application shall not be approved unless the following criteria are met:*

(a) The project is not listed as a prohibited activity in Part Env-Wt 306, Prohibited Activities

(b) The Applicant for the construction or modification of a docking structure under this Part shall show that:

(1) The docking structure shall not have an unreasonable adverse impact on the ability of abutting owners to enjoy and utilize their properties;

(2) The docking structure has been designed, located, and configured to avoid impacts to water quality, aquatic vegetation, and wildlife and finfish habitat;

(3) The docking facility construction will not adversely affect shoreline stability;

(4) The docking facility will not have an unreasonable impact on navigation, rights of public passage, and the rights of the general public to utilize the resource for commerce and recreation; and

(5) The type of construction proposed is the least intrusive upon the public trust necessary to provide safe docking on the frontage.

(6) Any public or commercial docking facility will have a public benefit.

#### Env-Wt X08.04 Design Requirements for Community, Public, and Commercial Docking Structures

(a) All permanent piers and breakwaters proposed in association with community, public, or commercial docking structures shall be designed, constructed and maintained in accordance with the requirements of Part Env-Wt X09 or Part Env-Wt X10.

*(b) Setback Requirements for Docking Structures shall be as follows:*

*(1) As authorized by RSA 482-A:3, XIII, and subject to (2) and (3), below, all community, public, and commercial docking structures shall be located at least 30 feet from an abutting property line, whether in non-tidal waters or in tidal waters. In cases where the property line is not perpendicular to the shoreline, the 30-foot set-back shall also apply to the imaginary extension of the property line over the surface water.*

*(2) As specified in RSA 482-A:3, XIII(c), if an applicant wishes to locate any new docking structure closer than 30 feet from an abutter's property line, the applicant shall:*

*a. Obtain the written consent of the abutting property owner; and*

*b. Submit the written consent that has been signed by all parties and notarized with the application;*

*c. understand that any boat secured to such a dock shall not extend beyond the extension of the abutter's property line.*

*(3) As specified in RSA 482-A:3, XIII(d), if abutters wish to apply for a common dock on or near their common property line, then:*

*a. The application for the common dock shall include a notarized written agreement signed by all property owners; and*

*b. If a permit is issued, the agreement submitted pursuant to (1), above, shall be recorded at the registry of deeds and attached to the deed of each property owner.*

*(c) Pursuant to RSA 482-A:3, XIII, and as clarified by (c), below:*

*(1) Docking structures may be perpendicular or parallel to the shoreline or extend at some other angle into a water body, depending on the needs of the landowners, factors related to safe navigation, and the difficulty of construction;*

*(d) The standard configuration for a docking structure in a river or stream shall be parallel to the shoreline. If the applicant wishes to have other than the standard configuration, the application shall include documentation of the need for the proposed alternative based on the factors listed in (b), (1), above.*

*(e) The design and construction of docking structures shall not incorporate more than 2 feet of navigation space between a boat slip and any other boat slip or structure.*

*(f) All portions of any community, public, or commercial docking structure shall be located within 50 feet of the normal high waterline unless one of the following criteria are met. Where one of these following criteria are met, no portion of the docking facility shall extend more than 150 feet lakeward of the normal high waterline. The criteria to qualify for the additional 100 feet of intrusion lakeward into public waters are:*

*(1) Conforming to the specified size would represent a safety hazard due to wind or other weather conditions;*

*(2) The property has a unique physical hardship that requires a greater length and that is not shared generally by nearby properties, such as insufficient water depth;*

(3) *The additional lakeward extension will allow the clustering or configuring of docking structures in a manner that would result in less environmental impact to the shoreline and water body than would otherwise occur.*

(g) *No portion of any community, public, or commercial docking structure on a river or stream shall extend more than 30 feet into the channel beyond the waterline; less if the dock will impact navigation;*

(h) *No portion of any wharf shall exceed 10 feet in width;*

(i) *No portion of any access pier shall exceed 8 feet in width;*

(j) *No portion of any finger pier shall exceed 3 feet in width;*

(k) *Frontage Requirements for Public or Commercial Docking Structure established in this section for public and commercial docking structures shall be for the purpose of minimizing congestion, improving public safety and navigation, protecting neighboring property values, providing sufficient area for construction of docking structures, providing adequate area for boat maneuvering, and protecting health, safety, and general welfare.*

(l) *Subject to (a) and (b), below, to support a public or commercial docking structure, the subject property shall have 25 feet of contiguous shoreline per boat slip.*

a. *If the applicant wishes to have more than one boat slip per 25 feet of frontage, the applicant shall request a waiver in accordance with Env-Wt 203. The waiver request shall include documentation that the additional slips will not be contrary to the purpose of the frontage requirement as specified in (a), above, and that allowing additional slips is in the public interest. High demand for boat slips shall be insufficient by itself to establish a public interest.*

b. *If the department determines that allowing one slip per 25 feet of contiguous frontage would pose a navigational hazard, based on the configuration of the shoreline or the proximity of other waterfront uses, or both, anything else? Environmental impacts, sensitive habitats? the department shall authorize fewer slips shall be permitted.*

(l) *The frontage standards established in this section for community docking structures shall be for the purpose of minimizing congestion, improving public safety and navigation, protecting neighboring property values, providing sufficient area for construction of docking structures, providing adequate area for boat maneuvering, and protecting health, safety, and general welfare.*

(l) *Subject to (a) below, to support a community docking structure, the subject property shall have 50 feet of contiguous shoreline per boat slip.*

a. *If the department determines that allowing one slip per 50 feet of contiguous frontage would pose a navigational hazard, based on the configuration of the shoreline or the proximity of other waterfront uses, or both, anything else? Environmental impacts, sensitive habitats? the department shall authorize fewer slips.*

(m) *The construction surface area standards established in this section shall be for the purpose of minimizing construction surface area, encouraging the clustering or merging of docking facilities, and minimizing impacts to the bank associated with docking facilities.*

(n) *If an applicant wants a docking structure having dimensions greater than those specified in Env-Wt 408.04 (m), the applicant shall provide information demonstrating that one or more of the following is true:*

- (1) *Conforming to the specified size would represent a safety hazard due to wind or other weather conditions;*
- (2) *The property has a unique physical hardship that requires a larger deck area and that is not shared generally by nearby properties, such as insufficient water depth;*
- (3) *The number of people or volume of cargo, or both, that is anticipated for the docking structure that would necessitate larger dimensions; or*
- (4) *Clustering or merging the docking structures in one location would result in less environmental impact to the shoreline and water body than would standard dimensions and installation.*

*(o) In addition to meeting all other applicable requirements, all commercial facilities shall be designed to:*

- (1) *Minimize its visual impact on abutters and users of the surface water;*
- (2) *Contain any leakage or spills of fuels, lubricants, waste products, or other pollutants from all commercial operations;*
- (3) *Not represent a hazard to navigation;*
- (4) *Have designated areas for washing or other cleaning of watercraft associated with the commercial operations;*
- (5) *Control and treat storm water;*
- (6) *Include at least one pump-out facility for the removal of wastes from on-board receptacles that receive and retain wastes from toilets, sinks, showers, and other on-board sources of sewage or graywater; and*
- (7) *Include at least one bulletin board or kiosk-type structure where public service announcements, such as information on milfoil or other invasive species, can be posted so as to be reasonably protected from weather and readily visible to users of the marina.*

*Env-Wt 408.05 Application Requirements for Community, Public, and Commercial Docking Structures*

*(a) The applicant for a community, public, or commercial docking structures shall provide the information specified in (b) through (d), below, with the application.*

*(b) The following information shall be shown on the plan required by Env-Wt 310.01 (b):*

- (1) *The normal high water line;*
- (2) *The top of bank;*
- (3) *Where topography is to be permanently altered, existing and proposed grades;*
- (4) *The amount of shoreline frontage for the subject property;*
- (5) *The general shape of the shoreline including the length of frontage and either:*
  - a. *The full water body elevation for lakes and ponds; or*

*b. The ordinary high water line for rivers and streams;*

*(6) The footprint of all existing and proposed structures on the property;*

*(7) The intended use of each proposed structure;*

*(8) The distance from existing and proposed work to abutting property lines;*

*(9) The locations and specifications of the items listed in Env-Wt 408.04(n), (4) through (7), above;*

*(10) The location and specifications of any abrasive blasting, painting or hull sanding operations; and*

*(11) The location and method for disposing of used oil and other waste products.*

*(c) A cross section showing the following information:*

*(1) The slope of the lakebed or river bed relative to:*

*a. The full water body elevation for lakes and ponds; or*

*b. The ordinary high water line for rivers and streams;*

*(2) The proposed dock including the type and dimensions of the dock support structures;*

*(3) The proposed height, width, and construction type of any proposed retaining wall associated with the docking structure construction; and*

*(4) Any stormwater diversion methods and drainage associated with proposed retaining walls.*

*(d) An application to construct a new community or commercial docking structure or to expand an existing legal community or commercial docking structure or shall include documentation demonstrating that the proposed new or expanded structure, as applicable, complies with all applicable local requirements.*

*(e) Subject to (1) and (2), below, the documentation required by (d), above, shall be:*

*(1) A copy of the local permit or approval; or*

*(2) A letter from the applicable local land use board or local governing body indicating that a permit or approval is not required under local regulations.*

*(f) If local approval is required but has not been issued at the time the application is filed with the department, the applicant shall certify that the local application has been filed but a decision has not yet been issued.*

*(g) Local regulations shall not restrict the sole and exclusive authority of the state to authorize construction over, or dredge and fill in, great ponds or public-owned water bodies. If a municipality denies the local application or does not act on the application in a timely manner, the applicant may request a public hearing to waive the requirement of (i), above.*

*Env-Wt X08.06 Construction and Maintenance Requirements for Community, Public, and Commercial Docking Structures*

*(a) All docking structures shall be constructed as shown in the approved plans and specifications;*

*(b) Dredged or excavated material associated with the construction of any docking structures or the access to docking structures; and*

*(c) Any seasonal docking structures shall be:*

*(1) Installed after ice-out and removed prior to ice-in if installed on a lake or pond;*

*(2) Installed after May 15 and removed prior to November 15 if installed on a river or stream;*

*(3) Removed from the water prior to applying any paint, stain, or other preservative coating, and not returned to the water until after such coating is dry.*

*(d) All docking structures shall be maintained so as to be safe and functional for their intended purpose and in a manner that will not present a hazard to others.*

*(e) All public docking facilities shall be maintained as public docking facilities. Any restriction on the use of a public facility may be cause for removal of portions of the facility as necessary to meet the requirements for a non-public docking structure.*

*(f) All commercial facilities shall be maintained in a manner that minimizes the risk of pollution or contamination to the surface waters that might result from the commercial operations on the property.*

*(g) Approved community docking structures shall be the only docking structures on the combined frontages of all properties which are members of the community. The withdrawal of any property having shoreline frontage from the community will require a subsequent reduction in the community docking facility.*

*Env-Wt 408.07 Community, Public, and Commercial Docking Structures Construction or modification  
Project Classification*

*(a) The construction or modification of a dock shall be a minimum impact project only if all of the following criteria are met:*

*(1) The proposed dock is a seasonal dock meeting all applicable criteria specified in Env-Wt 407.06;*

*(2) Any pre-existing dock is a legal structure; and*

*(3) No more than 2 slips, including previously existing slips, are proposed;*

*(b) The construction or modification of a docking structure shall be a major project if:*

*(1) The project does not meet the criteria for minimum impact projects specified in (a), above.*

*Env-Wt 408.08 Community, Public, and Commercial Docking Structures Construction Maintenance and Repair Project Classification*

*All should be minimum*



## Single Family Residential Docking Structure - Approval Criteria

### New For Consideration

- No portion of any docking facility for single family residential use on a lake or pond shall extend more than a standard maximum distance lakeward of the normal high waterline. *Input pertaining to an appropriate maximum distance is sought by the Department. 50 ft.?*
- No portion of any docking structure for single family residential use on a river or stream shall extend more than a standard maximum distance into the channel beyond the waterline; less if the dock will impact navigation. *Input pertaining to an appropriate maximum distance is sought by the Department. The lesser of 20 ft. or 1/5 of channel width?*

### Existing Practices To Be Clearly Reaffirmed

- The project is not listed as a prohibited activity.
- The docking structure shall not have an unreasonable adverse impact on the ability of abutting owners to enjoy and utilize their properties;
- The docking structure has been designed, located, and configured to avoid impacts to water quality, aquatic vegetation, and wildlife and finfish habitat;
- The docking facility construction will not adversely affect shoreline stability;
- The docking facility will not have an unreasonable impact on navigation, rights of public passage, and the rights of the general public to utilize the resource for commerce and recreation; and
- The type of construction proposed is the least intrusive upon the public trust necessary to provide safe docking on the frontage.

## Single Family Residential Docking Structures Design Considerations

### New For Consideration

- Docking structures on lakes or ponds may be perpendicular or parallel to the shoreline or extend at some other angle into a water body, depending on the needs of the landowners, factors related to safe navigation, and the difficulty of construction;
- The standard configuration for a docking structure in a river or stream should be parallel to the shoreline. If the applicant wishes to have other than the standard configuration, an evaluation of impacts to navigation and competing uses would be required.
- Properties should have at least 300 feet of contiguous shoreline frontage for a dug-in boathouse which would provide not more than 2 boat slips.
- Docking allowed to be quantified as sq. ft. /length of shoreline frontage rather than # of slips/length of shoreline frontage with a maximum area set. For example, the square foot area of dock surface, exclusive of accessory docking structures such as boat lifts or canopies, might be limited to not more than 300 square feet for the first 75 feet of contiguous shoreline frontage; and not more than an additional 200 square feet for each additional 75 linear feet of contiguous shoreline frontage.

### Existing Practices To Be Clearly Reaffirmed

- All single family residential docking structures shall be designed, constructed, and maintained as seasonal structures unless exception criteria are met.
- All docks designs shall comply with the minimum setbacks from property lines as outlined in RSA 482-

- A:3, XIII.
- The design and construction of docking structures shall not incorporate more than 2 feet of navigation space between a boat slip and any other boat slip or structure.
  - No portion of any dock shall exceed 6 feet in width;

***PART Env-Wt X07 DOCKING STRUCTURES - SINGLE FAMILY RESIDENTIAL PROPERTIES***

***Env-Wt X07.01 Applicability.***

- (a) *Subject to (b) and (c), below, the rules in this part shall apply to any person who wishes to construct, modify, repair, or replace a single family residential docking structure.*
- (b) *The rules in this part shall not apply to:*
- (1) *Maintenance and repairs undertaken pursuant to the statutory exemption as described in Env-Wt XXX.XX(a); or*
  - (2) *Temporary seasonal docks installed pursuant to the statutory permit by notification as described in Env-Wt XXX.XX(?).*
- (c) *No structure shall be built over surface waters except for the purpose of providing docking for watercraft.*

***Env-Wt X07.02 Criteria for the Approval of Docking Structures for Single Family Residential Properties. The application shall not be approved unless the following criteria are met:***

- (a) *The project is not listed as a prohibited activity in Part Env-Wt 306, Prohibited Activities*
- (b) *The Applicant for the construction or modification of a docking structure shall show that:*
- (1) *The docking structure shall not have an unreasonable adverse impact on the ability of abutting owners to enjoy and utilize their properties;*
  - (2) *The docking structure has been designed, located, and configured to avoid impacts to water quality, aquatic vegetation, and wildlife and finfish habitat;*
  - (3) *The docking facility construction will not adversely affect shoreline stability;*
  - (4) *The docking facility will not have an unreasonable impact on navigation, rights of public passage, and the rights of the general public to utilize the resource for commerce and recreation; and*
  - (5) *The type of construction proposed is the least intrusive upon the public trust necessary to provide safe docking on the frontage.*

***Env-Wt X07.03 Design Requirements for Single Family Residential Docking Structures***

- (a) *All single family residential docking structures shall be designed, constructed and maintained as seasonal structures unless the requirements of Part Env-Wt X09 or Part Env-Wt X10 are met.*
- (b) *Setbacks Requirements for Docking Structures.*
- (1) *As required by RSA 482-A:3, XIII, and subject to (2) and (3), below, all docking structures shall be located at least 20 feet from any abutting property line, whether in non-tidal waters or in tidal waters. In cases where the property line is not perpendicular to the shoreline, the 20-foot setback shall also apply to the imaginary extension of the property line over the surface water.*

(2) *As specified in RSA 482-A:3, XIII(c), if an applicant wishes to locate any new docking structure closer than 20 feet from an abutter's property line, the applicant shall:*

*a. Obtain the written consent of the abutting property owner; and*

*b. Submit the written consent that has been signed by all parties and notarized with the application;*

*c. Understand that any boat secured to such a dock shall not extend beyond the extension of the abutter's property line.*

(3) *As specified in RSA 482-A:3, XIII(d), if abutters wish to apply for a common dock on or near their common property line, then:*

*a. The application for the common dock shall include a notarized written agreement signed by all property owners; and*

*b. If a permit is issued, the agreement submitted pursuant to (1), above, shall be recorded at the registry of deeds and attached to the deed of each property owner.*

(c) *Pursuant to RSA 482-A:3, XIII, and as clarified by (c), below:*

*a. Docking structures may be perpendicular or parallel to the shoreline or extend at some other angle into a water body, depending on the needs of the landowners, factors related to safe navigation, and the difficulty of construction; and*

*(d) The standard configuration for a docking structure in a river or stream shall be parallel to the shoreline. If the applicant wishes to have other than the standard configuration, the application shall include documentation of the need for the proposed alternative and evidence that the alternative meet the criteria of Env-Wt X07.02, above.*

*(e) The design and construction of docking structures shall not incorporate more than 2 feet of navigation space between a boat slip and any other boat slip or structure.*

*(f) All portions of any docking structure for single family residential use on a lake or pond shall be located within 40 feet of the normal high waterline unless one of the following criteria are met. Where one of these following criteria are met, no portion of the docking facility shall extend more than 50 feet lakeward of the normal high waterline. The criteria to qualify for the additional 10 feet of intrusion lakeward into public waters are:*

*(1) Conforming to the specified size would represent a safety hazard due to wind or other weather conditions;*

*(2) The property has a unique physical hardship that requires a longer dock and that is not shared generally by nearby properties, such as insufficient water depth;*

*(3) The additional lakeward extension will allow the clustering or configuring of docking structures in a manner that would result in less environmental impact to the shoreline and water body than would otherwise occur.*

*(g) No portion of any docking structure for single family residential use on a river or stream shall extend more than 10 feet into the channel beyond the waterline; less if the dock will impact navigation;*

*(h) No portion of any dock shall be less than 4 feet or greater than 8 feet in width;*

*(i) The construction surface area standards established in this section shall be for the purpose of minimizing congestion, improving public safety and navigation, protecting neighboring property values, providing sufficient area for construction of docking structures, providing adequate area for boat maneuvering, and protecting health, safety, and general welfare by minimizing construction surface area, encouraging the clustering or merging of docking facilities, and minimizing impacts to the bank associated with docking facilities.*

*(1) Subject to (2) below, the square foot area of dock surface, exclusive of accessory docking structures such as boat lifts or canopies, shall be limited to:*

*a. Not more than 300 square feet for the first 75 feet of contiguous shoreline frontage;*

*b. For each additional 75 linear feet of contiguous shoreline frontage, not more than an additional 200 square feet;*

*c. Not more than 900 square feet on any frontage.*

*(2) If the subject property has less than 75 feet of contiguous shoreline frontage, not more than 150 square feet provided the requirements of RSA 482-A:3, XIII are met.*

*(j) Any concrete pad installed to anchor a seasonal pier shall:*

*(1) Not be more than 7 feet wide as measured along the shoreline;*

*(2) Be no longer than 3 feet as measured back from the shoreline;*

*(3) Not be constructed in or adjacent to prime wetlands; and*

*(4) Designed such that any adjacent bank stabilization, such as gravel or rip-rap, shall not cause the total impact of the pad to exceed 10 linear feet along the bank; and*

*(5) The pad shall be constructed landward of the normal high water line; or*

*(6) Installed completely landward of the ordinary highwater line if installed along a river or stream.*

*Env-Wt X07.04 Application Requirements for Single Family Residential Docking Structures*

*(a) The applicant for a single family residential docking structure shall provide the information specified in (b) below, with the application.*

*(b) The following information shall be shown on the plan required by Env-Wt 310.01 (b):*

*(1) The normal highwater line;*

*(2) The top of bank;*

*(3) Where topography is to be permanently altered, existing and proposed grades;*

*(4) The amount of shoreline frontage for the subject property;*

*(5) The general shape of the shoreline including the length of frontage and either:*

- a. *The full water body elevation for lakes and ponds; or*
- b. *The ordinary high water line for rivers and streams;*
- (6) *The footprint of all existing and proposed structures on the property;*
- (7) *The intended use of each proposed structure; and*
- (8) *The distance from existing and proposed work to abutting property lines.*
- (c) *A cross section showing the following information:*
  - (1) *The proposed height, width, and location of any concrete pad associated with the docking structure construction relative to either:*
    - a. *The full water body elevation for lakes and ponds; or*
    - b. *The ordinary high water line for rivers and streams.*

*Env-Wt X07.05 Construction and Maintenance Requirements for Single Family Residential Docking Structures*

- (a) *The docking structures shall be constructed as shown in the approved plans and specifications;*
- (b) *Dredged or excavated material associated with the construction of any concrete anchor pad or access stairs shall be placed outside of jurisdiction;*
- (c) *The bank disturbance associated with the installation of any concrete pad shall be fully stabilized upon completion of construction.*
- (d) *A seasonal dock shall be:*
  - (1) *Installed after ice-out and removed prior to ice-in if installed on a lake or pond;*
  - (2) *Installed after May 15 and removed prior to November 15 if installed on a river or stream;*
  - (3) *Placed in the water in a way that does not obstruct navigation; and*
  - (4) *Removed from the water prior to applying any paint, stain, or other preservative coating, and not returned to the water until after such coating is dry.*
- (e) *All docking structures shall be maintained so as to be safe and functional for their intended purpose and in a manner that will not present a hazard to others.*

*Env-Wt X07.06 Single Family Residential Docking Structures Construction, Modification, or Removal Project Classification.*

- (a) *The construction of a docking structure shall be a major project if:*
  - (1) *Any other impacts associated with the completion of the project would otherwise be classified as major;*
  - (2) *The project does not meet the criteria for minor impact projects specified in (b), below, or for minimum projects specified in (c), below;*

- (3) *Any pre-existing dock is a legal structure; and*
- (4) *The docking structure is a major docking system as defined in Env-Wt 102; or*
- (5) *The dock is proposed to be adjacent to or attached to a breakwater.*

*(b) The construction of docking structure shall be a minor project if the project does not meet the criteria specified in (c), below, for minimum impact projects and:*

- (1) *The total area of dock surface shall not exceed 700 square feet;*
- (2) *The proposed docking structure will impact no more than 100 feet of waterfront; and*
- (3) *Any pre-existing dock is a legal structure.*

*(c) The construction or modification of a dock shall be a minimum impact project only if all of the following criteria are met:*

- (1) *The proposed dock is a seasonal dock meeting all applicable criteria specified in Env-Wt X07.05;*
- (2) *Any pre-existing dock is a legal structure; and*
- (3) *The total area of dock surface shall not exceed 300 square feet;*

*Env-Wt X07.07 Single Family Residential Docking Structures Maintenance and Repair Project Classification*

- (a) All repairs in the dry are exempt.*
- (b) All in-kind repairs not in the dry are minimum.*