Residential Inland Marine Overwater Structures

Developing SMP Construction, Maintenance, & Modification Standards

ACOE Contacts

- Marcy Reed – Corps ESA Analyst
- 206-764-5529
- Marcy.r.reed@usace.army.mil

- Erin Legge – RGP Permit Staff
- 206-764-6695
- Erin.L.Legge@usace.army.mil

US Army Corps of Engineers
Seattle District

Department of the Army Regional General Permit

RGP 6
Maintenance, Modification, and Construction of Residential Overwater Structures in Inland Marine Waters Within the State of Washington

Effective Date: February 14, 2005 **Expiration Date:** February 14, 2010
Revised Date: July 9, 2007

Permit Number: RGP 6

Permit Title: Residential Inland Marine Overwater Structures

Authority: In accordance with 33 CFR 325.2(e)(2), the U.S. Army Corps of Engineers (Corps) is issuing this Regional General Permit 6 (RGP 6) that would authorize certain activities in or affecting waters of the United States, including navigable waters of the United States, upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

Issuing Office: U.S. Army Corps of Engineers, Seattle District
Regulatory Branch, CENWS-OD-RG
P.O. Box 3755
Seattle, Washington 98124-3755
Telephone: (206) 764-3495

US Army Corps of Engineers
Seattle District

Joint Public Notice

Proposal to Modify and Reissue a Regional General Permit with Washington Department of Ecology/Environmental Protection Agency or Tribal Water Quality Certification and Coastal Zone Management Consistency Concurrence

U.S. Army Corps of Engineers
Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-6695
Attn: Erin Legge, Project Manager

Washington Department of Ecology
Shorelands and Environmental Assistance Program
Post Office Box 47600
Olympia, Washington 98504-7600
Telephone (360) 407-6068
Attn: SEA Program, Federal Permit Coordinator

Public Notice Date: 23 September 2010
Expiration Date: 23 October 2010

Reference No.: CENWS-OD-RG-RGP-6
Name: Regional General Permit 6

Interested parties are hereby notified that, in accordance with 33 CFR 325.3(b), the Seattle District of the U.S. Army Corps of Engineers (Corps) is proposing to issue a regional general permit (RGP) that would authorize the work described herein, pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

The original RGP was issued on February 14, 2005, and revised on July 9, 2007.

PERMIT NUMBER – CENWS-OD-RG-RGP-6

PERMIT TITLE – The modified RGP is entitled: **Residential Inland Marine Overwater Structures**

Inland Marine Waters –variations

- **North Puget Sound**
  - Rocky, exposed habitats
  - Eelgrass
  - Macroalgae Beds
  - Pacific Herring Spawning
  - Lower density populations with larger lots and fewer dock applications
  - Many ESA-listed and candidate species dependent upon nearshore
- **South Puget Sound**
  - Low energy estuaries
  - Eelgrass
  - Macroalgae Beds
  - Pacific Herring Spawning
  - Higher density human populations with smaller lots with increased dock applications
  - Many ESA-listed and candidate species dependent on nearshore

Piers and Docks
WAC 17-26-231(3)(b)

- **New** piers and docks shall be allowed only for water dependent uses or public access.
- Shall be **minimum size necessary**
- Require **joint-use when feasible**
- Avoid, minimize, and mitigate for impacts to show **no net loss** of ecological function.

WAC 173-26-201(2) Scientific Information

- **Corps/NMFS Programmatic standards** meet the **guidelines** requirements
- **Ensure** that the development will be **protective of ecological functions** necessary to obtain
- **Corps standards** are the **appropriate starting point** for local jurisdictions with any deviation needing to be backed up by comparables science and policy.

ACOE/NMFS Programmatic

- Project applications using **Programmatic** Standards provide path to **60-90 day permit process**
- Applications using **standards outside** the **Programmatic** become Individual **1-2 yr ESA Consultations**
- Based on a Biological Evaluation – agreed upon by NMFS and ACOE

SMP Single Family Pier & Dock Standards

Pier width: 4 ft or 6 ft for ADA or with full grating (60% open area)

Float width: 6 ft with functional grating on 30% area or 8 ft w/functional grating on 50% area. Floats do not rest on substrate at any time.

Float length: 30 ft for single family or 60 ft for Joint Use
Overall Structure orientation to maximize light

Pier can have no Ell's & T's

Ramps width: 4 ft with full grating (60% open area)
Small 6 ft x 10 ft float allowed at base of ramp for tidal flux

New Docks require mitigation as they will have new impacts

Grating Standards

Grating must:

1) have 60% open area
2) not be covered (on surface or under)
3) kept clean of algae & debris to allow light
4) Grate openings oriented lengthwise and east – west to extent practicable

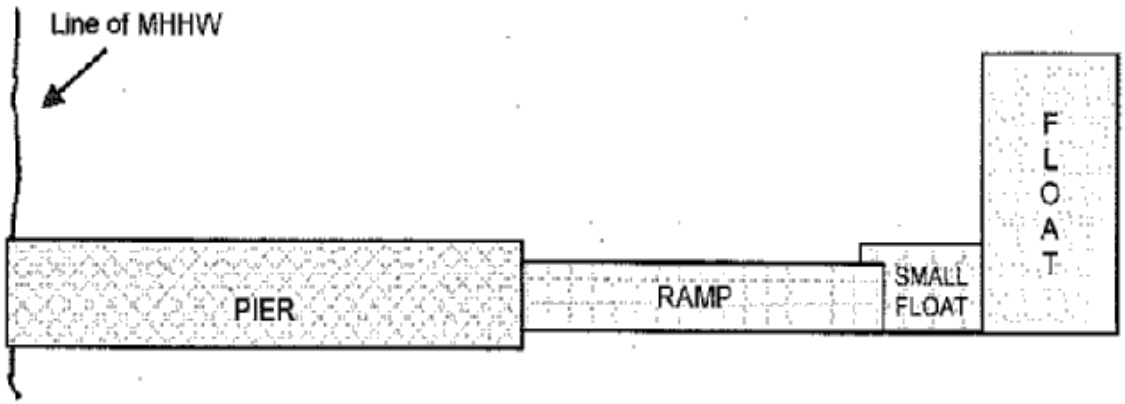
Piles

- **Spacing: Minimum 20 ft apart** (lengthwise along structure)
- **Diameter: Not exceed 12 inches**
- **Materials: steel, concrete, plastic or untreated wood.**

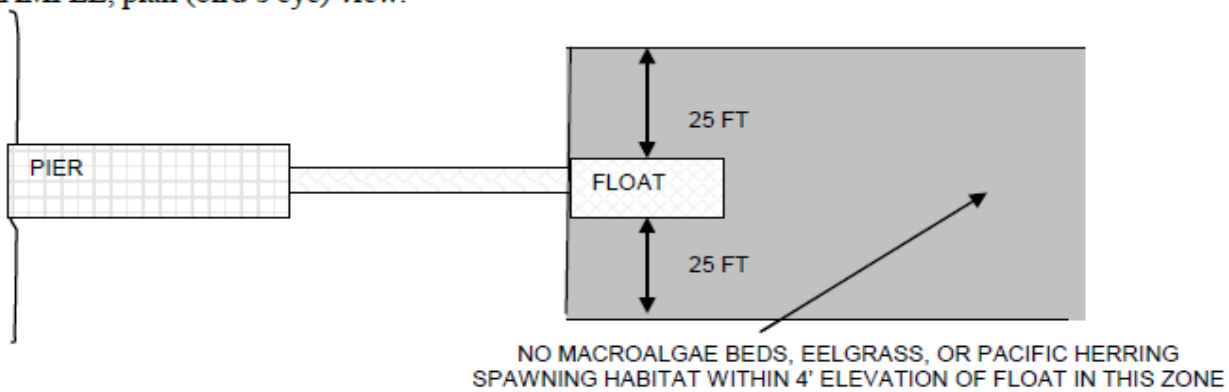
(No creosote, CCA pentachlorophenol. ACZA can be used per Western Wood Preserver's Institute BMPs)

ACOE
Dock–Pier – Float Configuration

EXAMPLE, plan view:



EXAMPLE, plan (bird's eye) view:



EXAMPLE, elevation view:

ACOE Dock Repair/Replacement Requirements

- No increase in footprint
- Replace decking with grating
- No changes in existing width & length

Pile Replacement

- Can be **replaced in same general location**
- Must **not extend beyond footprint** of existing structure
- **No increase in piles**
- **20-ft spacing change not required, if only replacing**

ACOE Website to Access RGPs

- http://www.nws.usace.army.mil/PublicMenu/Menu.cfm?sitename=REG&pagename=mainpage_RGPs

- Marcy Reed – Corps ESA Analyst
- 206-764-5529
- Marcy.r.reed@usace.army.mil

- Erin Legge – RGP 6 Permit Staff
- 206-764-6695
- Erin.L.Legge@usace.army.mil

US Army Corps of Engineers
Seattle District

Department of the Army Regional General Permit

RGP 6
Maintenance, Modification, and Construction of Residential Overwater Structures in Inland Marine Waters Within the State of Washington

Effective Date: February 14, 2005 **Expiration Date:** February 14, 2010
Revised Date: July 9, 2007

Permit Number: RGP 6

Permit Title: Residential Inland Marine Overwater Structures

Authority: In accordance with 33 CFR 325.2(e)(2), the U.S. Army Corps of Engineers (Corps) is issuing this Regional General Permit 6 (RGP 6) that would authorize certain activities in or affecting waters of the United States, including navigable waters of the United States, upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

Issuing Office: U.S. Army Corps of Engineers, Seattle District
Regulatory Branch, CENWS-OD-RG
P.O. Box 3755
Seattle, Washington 98124-3755
Telephone: (206) 764-3495

Purpose: The purpose of RGP 6 is to authorize the maintenance, modification, and construction of residential overwater structures in inland marine waters (see Appendix F for definition) of Washington State. Maintenance, modification, and construction of *commercial structures or marinas* are not authorized by this RGP.