



**RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT GUIDANCE AND  
CONSISTENCY CHECKLIST FOR DEVELOPMENT OF HARBOR MANAGEMENT PLANS AND  
ASSOCIATED WATER QUALITY CERTIFICATION PERMIT APPLICATIONS**

**January 2025 revision**

Municipalities must apply to the Rhode Island Department of Environmental Management (RIDEM or the Department) for a [State Water Quality Certificate \(WQC\)](#) for those elements of a Harbor Management Plan (HMP) which will likely affect water quality in municipal harbors (Section 1.15A.3.b.(3) and (5) [RI Water Quality Regulations](#), 250-RICR-150-05-1) and Waters of the State under the municipal jurisdiction of the Harbormaster. WQC's issued for Harbor Management Plans are valid for a five (5) year period, at which time the municipality must submit an updated HMP to obtain a new WQC.

From time to time, RIDEM may review and approve, through issuance of separate WQC's, proposals for new or expanded marinas, Marina Perimeter Limits (MPLs) and/or mooring areas (also referred to as mooring fields). To the extent possible, DEM strives to ensure that such projects are consistent with any current HMP. In seeking WQC approval for subsequent HMP's, municipalities will need to ensure that the updated HMP's take into account any approved or anticipated new or expanded marinas, MPL's or mooring areas that were either implemented during the effective time of a current HMP or are reasonably anticipated to occur over the next 5-year period.

The primary focus of RIDEM's review will be the delineation of marina and mooring area boundaries; assessing measures to address sewage from vessels; and assessing measures to minimize the discharge of pollutants and impacts to natural resources/aquatic habitat/spawning or shellfish harvesting areas.

Towards the goal of optimizing municipal staff time for development or updates to a HMP, RIDEM encourages applicants to address HMP elements required by either RIDEM and/or the Rhode Island Coastal Resources Management Council (CRMC), in one single HMP document to be submitted to both reviewing agencies simultaneously.

To this end, RIDEM has developed a consistency checklist guidance tool as an optional tool to ensure that HMP documents include everything needed for State WQC authorization and CRMC assent in a single HMP document. The checklist also has a format of organizing the required HMP elements, which may also be useful to municipal staff developing or updating City or Town HMPs. To be clear, completion and submittal of this checklist *is not* a required part of the HMP application package; it is provided as a guidance tool to ensure that all the minimum elements required by both agencies are addressed for a complete document.

Below is a blank copy of the consistency checklist guidance tool which lists the various HMP elements that may be required by RIDEM and/or CRMC. Elements with light green background are required by RIDEM, elements with light blue background may be required by CRMC, and elements without background color (or with grey color) are typically HMP requirements of RIDEM and CRMC. RIDEM advises HMP WQC applicants who may not already be in coordination with CRMC for HMP assent application, to reference CRMC's website for complete information about their jurisdictional requirements and guidance specific to application for HMP assent.

Again, this checklist is intended as an optional tool to potentially streamline your HMP document development and reduce the need for major revisions to complete your WQC application with RIDEM. If an applicant chooses to utilize the checklist guidance tool, they may also choose to include a copy of their completed checklist as an Appendix to their HMP- only if they wish to do so.

In the body of this guidance document following the checklist provided below, is narrative text detailing RIDEM recommendations on how to best provide the information in a HMP i.e., Maps, Tables, O&M Plans; and helpful specifics including 2023 regulatory updates potentially affecting management decisions pertaining to Shellfish Area Classifications, Marina and Mooring Area Boat Counts, Storm Preparedness and Emergency Response Plans, and other required elements of the HMP document.

**RIDEM Consistency Checklist – An Optional HMP Guidance Tool:**

Required Elements for Municipal Harbor Management Plan	Mentioned or fully described in HMP (note Section# w/ Page#)	Deficiencies needing representation or address in HMP	Deficiency addressed in subsequent, revised HMP submittal.
<b>I. OVERVIEW</b>			
<b>A. Statement of Purpose</b>			
<b>B. Background</b>			
<b>C. Jurisdiction and Authority</b>			
<b>D. Priority Goals and Objectives</b>			
<b>II. HARBOR WATER PARAMETERS: HARBOR DESCRIPTIONS AND RESOURCE INVENTORIES</b>			
<b>A. Physical Setting Narrative with Accompanying Overlay Maps</b>			
1. RIDEM Water Quality Classifications			
2. FEMA V-Zones			
3. CRMC Water Use Types			
4. Shoal/Dredged Areas			
5. Water Depths			
6. 303d listed waters			
<b>B. Current Uses Inventory with Accompanying Overlay Maps</b>			
<b>1. Harbor Structures</b>			
a. Marinas (indicate privately or municipally operated/maintained): Include designated ID or name, mooring counts, and capacities for Docks/Wharves/Quays/Slips/Piers/Jetties (current and total cap.), area (units=acres), & av. water depth (units=feet)			
b. Boatyards (municipal, public, private, commercial)			
c. Comm. Fish. facilities			
d. Boardwalks			
e. Launching Ramps			
f. Marine Pump-out Facilities, Shore-based (indicate privately or municipally operated/maintained), contact info (address & phone) for each facility,			

schedules of operation, and vol. capacities, calc. ratio of no. vessels in municipal waters (total # in all marinas and mooring areas) to pump-out facilities operating in municipal waters. Target is 300:1 maximum vessel-to-pump-out ratio.			
g. Marina Perimeter Limit (MPL) changes or new marinas added since last HMP-WQC			
<b>2. Federal Navigation Areas</b>			
a. Channels			
b. Dredging: WQC application coordination with RIDEM/USACE/CRMC			
c. Turning Basins			
d. Anchorages			
e. Special Anchorage Areas (if applicable)			
<b>3. Offshore Mooring Areas</b>			
a. Mooring areas: Include mooring counts (current & total capacity), designated ID or name of mooring area, area (units=acres), & av. water depth (units=feet).			
b. Marine Pump-out Vessels, Mobile (Indicate privately or municipally operated/maintained), contact info (address & phone) per facility, schedules of operation, and vol. capacities, calc. ratio of no. vessels in municipal waters (total # in all marinas and mooring areas) to pump-out facilities operating in municipal waters. Target is 300:1 maximum vessel-to-pump-out ratio.			
c. New mooring areas being considered/developed minding 300:1 ratio			
d.			
<b>4. Other Use Areas &amp;/or Recreational Facilities</b>			
a. Swimming			
b. Public beaches			
c. Windsurfing areas			
<b>5. Municipal Shoreline Zoning Districts</b>			
a. Coastal zoning			
b. Upland zoning			
<b>C. Natural Resource Areas with Accompanying Overlay Maps</b>			
<b>1. Wildlife or Conservation Areas</b>			
a. Reserves (public, private)			
b. Natural Heritage Areas			
c. Historical Preservation Sites			
d. Scientific Research Areas			

<b>2. Recreational/Commercial Fishing Areas</b>			
a. Anadromous fish runs			
b. Spawning areas			
c. Shellfish harvesting areas			
d. Aquaculture areas			
e. Traditional fishing grounds			
<b>3. Biological Habitats</b>			
a. Submerged aquatic vegetation (SAV)			
b. Intertidal flats			
c. Tidal wetlands			
<b>III. STATE &amp; FEDERALLY REGULATED ISSUE IDENTIFICATION ELEMENTS &amp; RESPECTIVE MUNICIPAL PROTOCOLS</b>			
<b>A. Public Access</b>			
1. Inventory Public Shoreline Access/ROWs			
2. Describe condition of existing ROWs			
3. Identify potential ROWs			
4. Describe City/Town plan to preserve, protect, enhance ROWs			
5. State parks and launching ramps/public portage			
6. Inventory of municipal paper streets			
7. Inventory of dedicated easements			
8. Inventory of drainage outfalls			
9. Inventory of buried cables			
<b>B. Water Quality Management Plans</b>			
1. Programs to minimize water pollution			
2. Organic waste disposal plan (sewage pump-out)			
3. Inorganic waste disposal plan (municipal) i.e., derelict vessels, debris from mooring areas & marinas			
4. Encourage marina operation & maintenance plan (OMP) measures			
5. Restrict boats at shallow water habitat (i.e., decrease turbidity and physical destruction of habitat)			
<b>C. Mooring Management</b>			
1. 3:1 res./non-res. allocation policy			
2. Federal "open to all" policy; i.e., no private moorings in Fed. Nav. areas			
3. Mooring areas in State Plane Coordinates			
4. Reference mooring area corners to landmarks			
5. Total mooring area (acre, sq.ft., sq.m.)			
6. Ensure all boats located w/in mooring			

area			
7. No uses restricted due to moor. area siting			
8. Ensure flushing at sig. moor expansion			
9. Ensure no adverse effects on H2O quality			
10. No swimming or water skiing in mooring area			
11. Ordinance for permit system/waiting list			
12. Mooring siting not to obstruct access to:			
a. Designated shellfish mgt. areas			
b. Traditional fishing grounds			
c. Public recreational areas			
d. Conservation areas			
13. Mooring siting not to adversely affect:			
a. Fish/shellfish resources			
b. Wetlands			
c. Submerged aquatic veg. (SAV)			
d. Other aquatic or biological habitat areas			
14. Operationally maintained pump-outs			
15. Mooring transfer ordinance			
16. Outhaul ordinance			
<b>D. Storm and Hazardous Spill Emergency Preparedness</b>			
1. Develop policies to address the following issues:			
a. Risk Assessment			
b. Strategies to prepare, respond, recover			
c. Identify long term mitigation projects			
d. Coordinate local &/or other jurisdictional implementation			
<b>IV. HARBOR MANAGEMENT ORDINANCE &amp; IMPLEMENTATION ELEMENTS OF PRIORITY</b>			
A. Houseboats- relevant municipal policies or regulations currently in effect? (yes/no)			
1. If yes: List City/Town policies/ordinances and/or regulations related to houseboats in City/Town waters.			
B. Short-term Live-aboard Rentals- relevant municipal policies or regulations currently in effect? (yes/no)			
1. If yes: List City/Town policies/ordinances and/or regulations related to Short-term Live-Aboard Rentals in City/Town waters.			
C. Harbormasters' enforcement			

<p>authority over Applicable State and Federal Laws/Regulations, i.e., no-discharge zones (NDZs), vessel counts in municipal mooring areas, etc.; MUST INCLUDE specific language re: Harbormasters duties and responsibilities: <i>“The Harbormaster will execute the specific enforcement capabilities relating to the discharge of sewage provided under applicable State law (i.e. RI General Law 46-12-39 through 41).”</i></p>			
<p>D. Other Implementation Elements of Priority, i.e., application for Clean Vessel Act Funding, designation of/delegation to municipal staff for marine pump-out issue communication (if not Harbormaster) with RIDEM, and for records of mooring area MSD-containing vessel counts, changes to mooring areas, etc.</p>			
<p>E.</p>			
<p><b>V. APPENDICES</b></p>			
<p>A. RIDEM Water Quality Classifications for City/Town</p>			
<p>B. Mooring Area Coordinates &amp; Boundary Descriptions</p>			
<p>C. Pump-out facilities: Installation and maintenance plan, including operational and corrective maintenance (shore-based/fixed facilities and mobile vessels)</p>			
<p>D. Shoreline Public Access Locations</p>			
<p>E. NOAA Nautical Charts</p>			
<p>F. Municipal Dock Policy and Harbor Ordinances</p>			
<p>G. Storm Preparedness Plan</p>			
<p>H. Oil/Gas Spill Response Plan</p>			
<p>I. FEMA FIRM Maps</p>			
<p>J. Zoning Ordinance Sections Related to Waterfront Uses</p>			

## **DETAILED GUIDANCE FOR REQUIRED ELEMENTS OF THE HMP**

HMP sections cited and italicized in parentheses below, reference specific sections in the consistency checklist above.

- ❖ **Mapping Harbor Water Parameters: Harbor Descriptions and Resource Inventories with Accompanying Overlay Maps (*HMP Section II. A-C*). All Mooring Areas, Municipal and Private Marinas *Must Be Properly Mapped*. The maps shall include:**
  - North Arrow
  - Scale
  - Appropriate backgrounds (aerial photos and/or marine maps)
  - (\*) Overlay of the Water Quality Classification(s) for the municipality
  - (\*) Overlay of any 303(d) listed waters in the municipality. The municipality must determine the existence of any 303(d) listed waters for pathogens within their jurisdiction. This listing is for those water bodies that do not meet their existing water quality goals and are therefore degraded water bodies. If this is the case with the harbor or sections of the harbor, further requirements will likely be imposed on any expansion of marinas or mooring areas. We recommend a meeting with RIDEM to discuss any details before you proceed with your planning efforts.
  - Privately or City/Town-operated marinas, anchorages, and mooring areas including the existing boat counts and maximum boat counts for each area. Boat counts for vessels of any size with Marine Sanitation Device (MSD) onboard, must be counted for all mooring areas.
  - Identification of all \*proposed mooring areas and/or \*proposed marinas, including any known proposed privately managed mooring areas or marinas. \*Note: ‘proposed’ mooring areas or marinas would be pending separately approved State WQC applications.
  - (\*) Overlay of natural resources within municipal harbors, including submerged aquatic vegetation (SAV), intertidal flats, and tidal wetlands.
  - Locations of existing and proposed sewage pump-out facilities (privately and publicly owned/operated).

(\*): Overlay maps may be obtained by contacting Paul Jordan with the Office of Planning and Development via email at [paul.jordan@dem.ri.gov](mailto:paul.jordan@dem.ri.gov), or by telephone at (401) 222-4700 x74315.

- ❖ **Sewage Pump-out Facilities: Assurance that Adequate Sewage Pump-out Facilities/Service Is Provided (*HMP Sections II.B.1.f., II.B.3.b, III.B.1-2, & Appendix C*)**

To maintain the State’s no-discharge zone (NDZ) status in all State Waters within three (3) miles of the coastline, adequate pump-out service must be provided. While the Department encourages partnerships to ensure this requirement is met, owners and operators of private marinas are responsible for providing adequate service to their customers berthed at slips, and municipalities are responsible for ensuring adequate service for all marinas and mooring areas regardless of whether the City or Town allows commercial entities to operate marinas or hold and sublet mooring permits.

The HMP must include sufficient information to document that adequate pump-out service is provided (e.g., locations of fixed and mobile pump-out facilities, schedules of operation and pump-out capacity volumes, discussion of overnight occupancy of vessels, etc.). The Department requires a ratio of **at least one (1) pump-out facility or pump-out boat for every 300 boats docked and/or moored** within the waters covered by the HMP. The ratio may be based upon Marine Sanitation Device (MSD)-equipped boats provided the HMP: describes the methodology used to identify MSD-equipped boats, includes a commitment to annually update the number of MSD-equipped boats and indicates that additional pump-out services will be provided if the MSD-equipped boats at moorings and municipal slips exceeds the

300:1 ratio. A lower ratio of boats to pump-out facilities or pump-out boats may be required, or a slightly higher ratio may be allowed based upon consideration of appropriate factors such as: accessibility of the pump-out facilities, the degree of overnight use, and/or multiple municipal jurisdictions within the water body.

A number of effective private/municipal partnerships and partnerships between municipalities have been established to ensure adequate pump-out service. The pennant system, where vessels fly a pennant to notify a pump-out boat that service is required is a very effective and convenient way to service moored vessels. Municipalities are strongly encouraged to adopt a pennant system for harbors with a significant number of moored vessels and for isolated mooring areas.

Funding wise, US Fish and Wildlife Service (USFWS) Clean Vessel Act (CVA) funding is available to add new pump-out facilities. RIDEM administers this federal grant program for RI, which can reimburse up to 75% of the expenses for installation and operation of the recommended pump-out facilities for compliance with the federal 300:1 boat to facility ratio. These funds are available for both privately and municipally operated pump-out facilities. RIDEM may also facilitate private or municipal engagement with the [Rhode Island Marine Trades Association](#) (RIMTA) in their new partnership with RIDEM to expedite access to USFWS CVA grants specifically geared for maintaining marine pump-out infrastructure. This new partnership with RIMTA could support long term maintenance of marine and land-based pump-out facilities that ensure the proper disposal of sewage from vessels containing MSDs.

❖ **Municipal Best Management Plans and Practices (*HMP Sections III.A-D and Appendices C, F, G, H, & J*)**

Documentation of all BMPs currently being implemented by municipal operators or commercial lessees, including the following:

- Comprehensive marina pump-out installation, operation, and maintenance plan that takes into account docked and moored vessels.
- Descriptions of programs that have been developed to provide for the proper disposal of mixed waste including but not limited to derelict vessels and debris, waste oil, plastics, trash, paint, varnish, and other inorganic materials at municipal facilities convenient to recreational boaters.
- Descriptions of operation and maintenance measures for marinas.
- Identification of areas of significant shallow water habitat and a description of how the City or Town restricts boating activities as necessary to decrease turbidity and physical destruction of such habitat.
- Details of how the municipality ensures that all existing and proposed efforts to minimize pollutants have been/will be addressed.
- Identification and recommendations on how to implement best management practices that are currently not being implemented.
- If a new municipal or private marina is desired, the municipality or private owner must apply separately for a WQC for the new marina. The HMP is designed as a mechanism for feasibility and planning for a municipal marina but does not constitute the WQC for that activity, nor does it imply that any proposed new marina will be able to obtain a WQC.

❖ **Applicable State and Federal Laws/Regulations/Harbormaster Authority (*HMP Section IV.C & D*)**

Prior to 2019, states could define mooring areas and there were no strict boat counts. In 2023, the National Shellfish Sanitation Program (NSSP), a cooperative program between the Federal Food and Drug Administration (FDA) and the Interstate Shellfish Sanitation Conference (ISSC), updated



national standards for mooring areas in NSSP's *Guide for the Control of Molluscan Shellfish- 2023 Revision* (hereafter referred to as '2023 Guide'). Previously, the 2019 guidance prohibited shellfish harvest in mooring areas having greater than twenty (20) vessels, regardless of the size or type of vessel or whether containing MSDs or not. In March 2023, RI along with other states, made proposals to the FDA to clarify the language and procedures regarding evaluation of mooring areas. Specifically, a proposed exclusion of small vessels that do not have MSDs from the twenty (20)-vessel count. The proposal passed at the ISSC conference in March 2023, and was approved by the FDA in spring of 2024 and incorporated into the 2023 Guide.

Please be aware that the 2023 Guide is available from the FDA at weblink <https://www.fda.gov/food/federalstate-food-programs/national-shellfish-sanitation-program-nssp>.

The 2023 Guide includes updates to the definition of 'mooring area' and the process for reevaluation of mooring areas in shellfish growing waters. For key definitions and revisions pertinent to your HMP, see the following Sections in the 2023 Guide:

- Section I. Purpose & Definitions, B (74): "Marina means any water area with a structure (docks, basin, floating docks, etc.) which is used for docking and constructed to provide temporary or permanent docking space for more than ten (10) boats".
- Section I. Purpose & Definitions, B (79): "Mooring Area means any water area that is used to provide temporary or permanent anchorage for more than twenty (20) boats with marine sanitation devices. Mooring areas do not include any structures for docking boats."
- Section II. Model Ordinance, Chapter IV, @.06 Mooring Areas, for description of State or local shellfish control authority to evaluate mooring areas in the current guidance.

Reference shall be made to all applicable State laws regarding no-discharge zones (NDZ), as well as reference to applicable State laws with regard to Harbormasters' enforcement authority over the discharge of sewage from vessels associated with mooring areas and municipal marinas.

#### ❖ **Review State and Federal Standards and Considerations Regarding Impacts to Shellfish Harvesting in Relation to Mooring Area Locations and Mooring Densities**

The Department will review the existing mooring and marina locations and density of vessels for compliance with State Water Quality (WQ) Regulations for Water Pollution Control and the Federal Model Ordinance of the NSSP. This includes, but is not limited to, evaluation of mooring areas and marinas for compliance with the water quality classifications and uses. The potential for discharges of gray water and sewage from marinas or mooring areas, represent a potential threat for shellfish contamination and the FDA requires that these areas be closed to shellfish harvesting. Mooring areas that require shellfish harvesting restrictions are those that have the greatest potential to support overnight use. These include destination type mooring areas such as: typical harbors and sheltered areas known to or likely to result in overnight use. Areas known or likely to result in overnight use may be associated with significant shoreline services (marinas, restaurants, etc.) or may be adjacent to underdeveloped areas (e.g., Potter Cove, Prudence Island). To simplify the review process, proposed new mooring areas or marinas should not be sited in SA waters.

Mooring areas with 20+ vessels having MSD onboard may be classified as 'Conditionally Approved', 'Conditionally Restricted', 'Restricted', or 'Prohibited'. In the past the FDA allowed states to evaluate mooring areas and classify them as 'Approved' if the theoretical fecal coliform loading resulted in a fecal coliform concentration of <14 most probable number (MPN) of colony forming units (CFU)/100 ml in the mooring area. The 'Approved' shellfish classification is no longer allowed for mooring

areas.

Under current FDA guidance, all mooring areas with greater than twenty (20) vessels having MSDs onboard, *regardless of vessel size or type*, must be classified with a highest classification of 'conditionally approved' and placed in the closed status while twenty (20) or more vessels with MSD onboard are in the mooring area. Such reclassification is independent of pollution assessments to calculate potential impact of these vessels on bacterial (fecal coliform) water quality. *This represents a potential loss in shellfish harvest opportunities that municipalities should be aware of.*

In addition, RIDEM reviews HMPs for consistency with the State's water quality classifications in the following manner:

- **SA** waters are designated for shellfish harvesting for direct human consumption, primary and secondary contact recreational activities, and fish and wildlife habitat. This is the highest water quality classification that can be assigned to marine waters. Shellfish harvesting restrictions would be required if certain marinas or destination type mooring areas were present in SA waters. Therefore: Except as noted below, establishment of a marina or destination type mooring area in SA waters requires that the water quality classification and designated uses are downgraded. In order to downgrade designated uses, a Use Attainability Analysis (UAA) must be conducted to demonstrate that attaining the designated use is not feasible for one (1) of six (6) specific reasons. The criteria and procedures for downgrading designated uses are found in Rule 1.21E.1 of the WQ Regulations (which mirror the Federal Clean Water Act).

Marinas may be established in SA waters where it is demonstrated that there is little potential for overnight use (e.g., open areas that are not conducive to overnight stays). To demonstrate such: the HMP must describe municipal protocol for analysis of the potential for overnight use; share a planning strategy to provide adequate pump-out services; and commit municipal staff to aid the State in assessing marinas in SA waters each year to confirm that the use of marinas is consistent with this requirement.

In 2006, Rule 19E (1)(b) (Reissued in 2018 as Rule 1.21E.1.c.) of the RI WQ Regulations were modified to list specific SA waters, where a marina or destination type mooring area may be proposed and will not require a downgrade nor a UAA, unless the Director determines it is necessary to comply with Rule 1.20 (Antidegradation of Water Quality Standards). This modification was made to address a long-standing inconsistency between CRMC regulations and RIDEM WQ regulations regarding allowable uses along these specific shorelines.

Additionally, the Department monitors water quality on a regular basis to ensure that waters are safe for shellfish harvesting and that any activity cannot degrade the existing water quality or restrict the use of shellfish harvesting. State evaluations of the bacterial (fecal coliform) dilution zones around mooring fields may result in the dilution zones of some mooring areas extending over the locations of existing aquaculture operations.

If the Department finds a problem that is related to the expansion of mooring areas, the Department has the authority to order the removal of the mooring areas.

- **SA{b}** waters are in the vicinity of marinas and/or mooring areas established prior to November 28, 1975. Shellfishing is restricted in the summer, but all Class SA criteria must be attained. Marinas and mooring areas are allowed in SA{b} waters provided that the pump-out facilities are

adequate to support the boating population. Additionally, the density of boats in SA{b} waters cannot degrade water quality in SA waters nearby.

- **SB** waters are designated for primary and secondary contact recreational activities; shellfish harvesting for controlled relay and depuration, and fish and wildlife habitat. The majority of existing marinas and mooring areas are located within SB waters.

❖ **Standards and Considerations for Reducing Impacts to Habitat and Water Quality (*HMP Sections II.C, III.B, & III.C*)**

The following physical, chemical, and biological criteria are parameters of minimum water quality necessary to support the surface water use classifications referenced above. The Department reviews all aspects of the HMP to ensure that at a minimum, all waters shall be free of pollutants in certain concentrations and/or combinations of anthropogenic activities subject to these regulations that:

- Adversely affect the composition of fish and wildlife.
- Adversely affect the physical, chemical, or biological integrity of the habitat.
- Interfere with the propagation of fish and wildlife.
- Adversely alter the life cycle functions, uses, processes and activities of fish and wildlife, or
- Adversely affect human health.

❖ **Annual Assessment & Management (*HMP Section IV.A-D, & Appendices C, F, G & H*)**

Any approved mooring area and marina must have adequate pump-out services, and the municipality must commit to assessing these mooring areas each year and confirm that the use of mooring areas and marinas is consistent with this policy. Any expansions of mooring areas must be approved as a Modification to the WQC (for the marina, not HMP) and any changes in Marina Perimeter Limits (MPL) or new marinas require a separate WQC to register the new MPL with RIDEM.

❖ **Additional Information & Implementation Elements (*HMP Section IV.C-D*)**

The complete HMP document must also demonstrate that the Harbormaster will execute the specific enforcement capabilities relating to the discharge of sewage provided under applicable State law (i.e., RI General Law 46-12-39 through 41). HMP implementation of adequate sewage pump-out facilities requires operation and maintenance funding, a responsibility that falls under municipal Planning Department duties for securing grants. This mechanism could be used to apply for USFWS CVA grants available with assistance by RIDEM and/or RIMTA for increasing, maintaining, or improving sewage pump-out for privately and/or municipally owned or operated pump-out facilities.