

NMC 14.03.120 Estuary Uses.

The following list sets forth the uses allowed within the estuary land use classification. Management units are a subclassification of the listed zones. Uses not identified herein are not allowed.

“P”= Permitted uses.

“C”= Conditional uses subject to the approval of a conditional use permit.

“X”= Not allowed.

		E-C	E-D	E-N
	Management Units	3, 6, and 8	1, 2, 4, 5, 7, and 12	1a, 9, and 10

1.	Active restoration of fish and wildlife habitat, water quality, or estuarine productivity.	C	P ³	C ¹
2.	Aquaculture requiring dredge, fill or other alteration of estuarine aquatic area.	C ¹	P ³	X
3.	Aquaculture that does not involve dredge or fill or other estuarine aquatic area alteration except that incidental dredging for harvest of benthic species or the use of removable structures such as stakes or racks may be permitted.	C	P ³	C ¹
4.	Boat ramps for public use not requiring dredge or fill.	C	P ⁴	C ¹
5.	Bridge crossing support structures and dredging necessary for their installation.	C	P ³	C ¹
6.	Bridge crossing spans that do not require the placement of support structures within an E-C or E-N zone.	P	P	P
7.	Commercial boat basins and similar moorage facilities.	X	C	X
8.	Communication facilities.	C	P ³	C ¹
9.	High intensity water dependent recreation, including, but not limited to, boat ramps and marinas, and including new and maintenance dredging for such uses.	C ¹	C	X
10.	Installation of tide gates in existing functional dikes.	C	P ³	C ¹
11.	In-water disposal of dredged material.	X	C	X
12.	Marine terminals.	X	C	X
13.	Mining and mineral extraction, including dredging necessary for such extraction.	C ¹	P ³	X

14.	Minor navigational improvements.	C ¹	P ³	X
15.	Navigation activities and improvements.	X	C	X
16.	Navigation aids such as beacons and buoys.	C	P ³	C
17.	On-site maintenance of existing functional tide gates and associated drainage channels, including, as necessary, dredging and bridge crossing support structures.	C	P ³	C
18.	Other water dependent uses requiring the occupation of estuarine surface area by means other than fill	C ¹	P ³	X
19.	Passive restoration activities.	P ²	P ³	P ²
20.	Pipelines, cables and utility crossings including incidental dredging necessary for their installation.	C	P ³	C ¹
21.	Projects for the protection of habitat, nutrient, fish, wildlife, and aesthetic resources.	P ²	P ³	P ²
22.	Research and educational observations.	P ²	P ³	P ²
23.	Riprap for the protection of uses existing as of October 7, 1977.	C	P ³	C
24.	Riprap for the protection of unique resources, historical and archeological values, and public facilities.	C	P ³	C
25.	Temporary alterations.	C ¹	P ³	C ¹
26.	Undeveloped low intensity recreation.	P ²	P ³	P ²
27.	Water dependent commercial uses.	X	P ⁴	X
28.	Water dependent industrial uses.	X	P ⁴	X
29.	Uses allowed conditionally in an adjacent water-dependent or water-related zone district	X	C	X
30.	Water storage of products used in industry, commerce, or recreation.	X	C	X

¹. Conditional use is subject to a resource capability test.

². Projects that require aquatic area alteration may be permitted as conditional uses.

³. Projects may, or may not, include aquatic area alteration and are subject to staff level review using a Type 1 decision making process.

⁴. Projects are subject to staff level review using a Type 1 decision making process unless they involve dredging or the placement of fill, in which case they are subject to conditional use review.