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## I. Introduction

This Application for State Assent is submitted pursuant to the Coastal Resources Management Program (CRMP), under Type 6 Tidal and Coastal Pond Waters; and jurisdiction of the United States Army Corps of Engineers (ACOE), including navigable Waters of the United States. On behalf of the Rhode Island Department of Environmental Management (RIDEM), the proposed project includes the Replacement of Pier F, located at 270 Great Island Road, Narragansett, RI within the Port of Galilee, and included within the Memorandum of Agreement between the RIDEM and RICRMC. The land and Pier at the project location is owned by the RIDEM, ground leased to Narragansett Crab Company (NCC), a subsidiary of Bethic Fishing Corp. NCC owns the building both landside and on the building previously located on the existing pier, identified as Pier F in the port. NCC owns and operates a year-round unloading and processing seafood facility at Pier F and landside buildings.

In response to a failing and unsafe condition, the demolition of the building on Pier F was conducted by NCC in February of 2022, and subsequent removal of Pier F by RIDEM commenced as an emergency action as it provided an unsafe condition at the existing pier facility. As preliminarily determined by CRMC the proposed replacement of Pier F will require a Category B submission. The intent of this project is to restore the functionality of Pier F to the leaseholders and the existing offloading and seafood processing facility. The impacts associated with the proposed construction are to be equal or less than the pre-existing conditions as the footprint of the pier is to be reduced as discussed herein.

Pier F located within the Port of Galilee in Narragansett, Rhode Island, is located within Block Island Sound and inside Point Judith Pond. The Port of Galilee serves as the largest fishing facility within the State of Rhode Island and one of the largest ports along the eastern coast of the United States; as such, it supports 428 total firms and a gross sale generation of over \$500 million per a 2016 URI study.

Because of the Port and the State's reliance on the productivity of the Port, RIDEM has begun an ongoing capital improvement project throughout the Port to bring structurally deficient assets, per ASCE Waterfront Facilities Inspections and Assessments, to a functional standard. It is also the initiative of the Port to prioritize piers and other assets based upon the state of the deteriorated condition, and as such, the need for the replacement of Pier F is being applied for herein.

The most recent project completed at or near the project location was the bulkhead improvements in 2013, under RICRMC Maintenance Certification to install a new steel sheet pile bulkhead seaward of the existing bulkhead, with a timber pile and lagging system under Pier F. As a result of the removal of Pier F, RIDEM has requested under a separate maintenance application that the bulkhead in the vicinity of Pier F be replaced to match the previously constructed adjacent bulkhead and similar to the current RICRMC Maintenance Certification, 2023-

Existing site conditions, proposed work, and conformance with the CRMP, including Type 6 Tidal and Coastal Pond Waters, and jurisdiction of the ACOE, including navigable Waters of the United States, are discussed herein.



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## II. Existing Conditions

The proposed Pier F replacement is located on Narragansett Assessor's Plat I-G, Lots 204-DS, 204-DSXM, 96 within the Port of Galilee. The Pier and adjoining properties are an active seafood fishing business operated by Narragansett Crab Company, NCC, on land and piers that are owned by RIDEM. Pier F is within the Port of Galilee, an active commercial fishing port, and the adjacent properties and structures include other commercial fishing industries as well as the United States Coast Guard Station.

The previously existing Pier F was a timber pile supported structure with Timber framing and decking, as shown on the attached plans and photos. The Pier also supported a single-story metal panel building used for seafood processing during the offloading process. The building was demolished by NCC in 2022 after storm damage occurred. The remaining timber pier structure was removed by RIDEM in November 2023, with the seven pile dolphin end clusters being left in place.

Before the building removal, a site verification of existing members was conducted due to a lack of existing As-Builts. Based on available aerial imagery, the pier predates 1995 based on the observed alignment of the structure when comparing images. The pier extended 100 feet seaward and had a main pier width of 30-feet wide. The pier consisted of eleven spans spaced at generally 9 feet on center, with each bent having five piles spaced roughly 7 feet on center. The fendering piles and chocks extended approximately 18 inches off the pier on either side. Based upon an As-Built rehabilitation plan, which did not have the framing configuration of Pier F, there were, on average, two fenders on each side of the pier per bent. There is a total of nine fender piles on the on the exterior of the last bent. Based upon the in-field observations, the chocks were 10" x 12" timber members. The interior stringers were 3" x 12" timber members at 2 feet on center spacing. The exterior stringers were 6" x 12" members. The stringers were orientated on top of two 6" by 12" timber split caps. Cross bracing was 3" by 10". The observed piles ranged from 10 inches to 14 inches in diameter. The observed timber callouts are the nominal dimensions, and the timber was southern yellow pine (SYP).

Prior to the storm damage and demolition, the building was a metal panel structure that covered the majority of the pier with a 3-foot buffer from the exterior limits of the pier.

### **Coastal Resources and Floodplain**

The entire project site is in Point Judith Pond, located between Point Judith Harbor of Refuge and Block Island Sound. Point Judith Pond in the vicinity of the site is classified as Type 6 Waters-Industrial Waterfronts and Commercial Navigation Channels under the CRMP.

Review of the most recent RIGIS data layers on the RIDEM Environmental Resource Map indicates the site is not located in any Natural Heritage Areas and there is no submerged aquatic vegetation in the vicinity of the project site. The shoreline feature in the vicinity of the site consists of a Manmade Shoreline comprised of steel sheet pile (SSP) bulkhead that runs along the length of the Port with isolated locations of timber lagging supported by steel H-Piles. These features are classified as Manmade Shoreline according to § 1.1.2 (A)(83) of the CRMP.

According to the FEMA Flood Insurance Rate Map for the Town of Narragansett (Community Panel 44009C0194J, effective date 10/16/2013), the seaward facing portion of the site is located in floodplain



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designated as Zone VE with a base flood elevation of 15 feet (NAVD 88). Landside of the bulkhead, the area is located in Zone AE with a base flood elevation of 13 feet.

### **Utilities**

The utilities of the building are the sole responsibility of the leaseholder as this Assent application's scope of work is limited to providing a functional pier and does not include the establishment of a building or utilities. That is to be handled by the leaseholder under a separate permit for scheduling purposes as the design has not been finalized.

### **Drainage**

Stormwater runoff generated along the project area ultimately flows off the roof and/or pier and into Point Judith Pond. The proposed pier will have a reduction in footprint size of 600 SF. The two current alternatives proposed to the owner are a timber deck that will allow for drainage between the decking members or the second alternative being a concrete deck that will slow for drainage by crowning at the center of the pier and sloping to the edges. No work is proposed landward of the bulkhead under this Assent and is work completed seaward of the bulkhead.

### **Historic Resources**

Due to the long history of industrialized buildings and piers and with the previous historical research on other permits within the port and the project limits are also limited to the existing footprint, therefore it is not anticipated that there will be a historical impact as a result of this scope of work.

### **Natural Heritage and Endangered Species**

A review of RIDEM Natural Heritage Data and USFWS Information for Planning and Consultation (IPaC) Species Lists were performed in 2023 to confirm this presumption. A copy of the updated IPaC Species List is provided in Section 6 of the Assent application documentation. According to the most recent RIGIS Natural Heritage layer (natHeritage19.shp) there are no Natural Heritage Areas mapped within the limits of work. Based upon consultation with the USFWS IPaC Tool accessed on January 2, 2023, no critical habitat or federally threatened, endangered, or candidate species were identified within the project limits. Two migratory birds listed under the USFWS Birds of Conservation Concern were identified as potentially occurring within the project site including: Roseate Tern (*Sterna dougalli dougallii*) and Rufa Red Knot (*Calidris canutus rufa*). One mammal was identified as potentially occurring within the project site including: Northern Long-eared Bat (*Myotis septentrionalis*).

Based upon the Essential Fish Habitat (EFH) Mapper Report within the Port of Galilee migratory species within the area were noted, but not limited to: Albacore Tuna (*Tunnus alalunga*), Atlantic Cod (*Gadus morhua*), Atlantic Herring (*Clupea harengus*), Bluefin Tuna (*Thunnus thynnus*), Longfin Inshore Squid (*Doryteuthis pealeii*), Pollock (*Pollachius*), Skipjack Tuna (*Katsuwonus pelamis*), Smoothhound Shark Complex (*Mustelus mustelus*), White Shark (*Carcharodon carcharias*), Windowpane Flounder (*Scophthalmus aquosus*), Winter Flounder (*Pseudopleuronectes americanus*), and Yellowfin Tuna (*Thunnus albacares*).



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### III. Proposed Project

As mentioned in the existing conditions, the pier was demolished as an emergency action due to the inoperable, unsafe, and deteriorated condition. Since the storm and removal, the functionality of the NCC operations at Pier F are unable to be met. The typical berthing and unloading activities have been rerouted to other berthing locations outside of the Port of Galilee, which has added time and expenses to the leaseholder and decreased in the fishing production within the Port of Galilee for the State. The project would include installing Pier F to a condition satisfactory to restore berthing operations for the leaseholder. The replaced pier is to be designed in accordance with applicable loads provided in the IBC, ASCE, and acceptable port designing criteria. Because of the further extent of design and building requirements to be met, the proposed project is to solely meet the needs of establishing a pier to support berthing operations. The building and utilities needed to meet the leaseholder's needs will be permitted and designed separately by the leaseholder.

The dimensions of the previously existing pier were 100 feet seaward of the bulkhead alignment and 30 feet total in width. Sacrificial fendering extended outside of the 30 feet in width +/- 16 inches on each side of the pier. The work being proposed would be a pier extending 100 feet seaward of the bulkhead with a reduction in the permanent pier width to 24 feet. Similarly, to the previously existing pier the sacrificial fendering system is to extend beyond the 24 feet width of the permanent structure. The sacrificial fendering but is not considered permanent by design nature. The delineation of the 24 feet permanent structure allows the pier to stay at the 24-foot threshold to be compliant with the fire code and not require an installed fire suppression system on the pier. The total reduction in permanent decking area is 600 square feet. The reduction in permanent pier size is also a result of discussions with the leaseholder as previous operations did not require the full size of the pier provided.

As a result of the reduction in the proposed pier size, the proposed Pier F is not anticipated to create a navigational or safety issue for vessels within the harbor or impact the operations of adjacent piers. It is also not anticipated to increase the environmental impacts, as show in the table later within this section, as the total number of timber piles at the mudline are being reduced.

As a result of the replacement nature of this project and previously performed work within the port, there are no anticipated historic or heritage site concerns. From a review of the USFWS Information for Planning and Consultation (IPaC) Species Lists and the EFH Mapper there are no anticipated endangered or migratory species impacted by the proposed scope of work.

The general pier configuration being proposed consists of a four-pile bent, with timber piles spaced roughly 8 feet on center and the pile bents are spaced 10-feet on center along the pier with batter piles and cross bracing at each bent. The superstructure consists of a 12"x12" pile cap with stringers and decking as shown on the attached drawings in order to support the intended design load of 250 pounds per square foot (PSF) Live Load. The fendering system outboard of the fixed timber pier will also be installed to absorb excess energy from berthing and is considered a wearing/sacrificial component of the pier. The bearing piles will be pressure treated southern yellow pile and the fender piles will be greenheart timber fender piles.



There is an alternative proposed, to the leaseholder, of a concrete decking which would require a more robust fendering system. Should the concrete alternative be selected a rubber fendering block is anticipated to offset the fender pile. The summary of the pile reduced impacts is summarized below:

<b>Previously Existing Pier F</b>			
	<b>Quantity</b>	<b>Size</b>	<b>Total Pile Area (ft<sup>2</sup>)</b>
Timber Support Piles	55	12"	43.2
Timber Batter Piles	22	12"	17.3
Sacrificial Timber Fender Piles	48	12"	37.6
<b>Proposed Pier F</b>			
Timber Support Piles	40	12"	31.4
Timber Batter Piles	20	12"	15.7
Sacrificial Timber Fender Piles	46	12"	36.1
Net Area			14.9

The site constraints to complete the construction of this pier will result in the use of a floating barge with a crane as the land side buildings and adjacent piers do not provide ample area for stockpiling material. Based on the barge dimensions a temporary limit of disturbance is required around the pier footprint of approximately 30 feet. The general limitation in the barge size will result in the need to utilize the available spacing in previously permitted stockpiling areas within the M2023-03-049 Maintenance certification.



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## IV. Alternatives Evaluation

Due to this work's replace in kind nature, a traditional alternative analysis has been limited to three alternatives: Replace the pier with a reduced footprint, replace the pier in kind, and do nothing. The selected approach fulfills the project goals while avoiding and minimizing impacts to coastal resources and public access restrictions.

**Alternative 1 – Replace the Timber Pier with a reduced footprint:** Alternative 1 includes the installation of a fixed 100 foot long by 24-foot-wide pier as described above in the proposed work. The pier will be extended landward to connect to the FFE of the leaseholder building, as was a preexisting condition. Within this preferred alternative there will be two decking options, and related fendering needs, that will be selected by the leaseholder. The first option being the 4 x 10 timber decking as the anticipated use of equipment may require thicker than typically used decking within the port. The second option would be a concrete deck, in a similar consideration to the thickness of decking, however this alternative would require a more robust fendering system as the concrete is more susceptible to cracking if movement were to occur during the lateral loads from boat impact.

Advantages of Alternative 1 Timber Decking are:

- Berthing operations would be restored to the lease holder.
- Greater berthing space between adjacent piers.
- Reduction of the width of the pier reduces impacts and also allows the pier to not require a fire protection system as more up to date codes do not allow a pier of 30 feet to be installed without one.
- Cost effective compared to the original construction as the total timber required is less than previously utilized.
- The operational needs of the leaseholders are anticipated to be met with the decking provided as it allows for more wear and tear than thinner deck boards.

Disadvantages of Alternative 1 Timber Decking are:

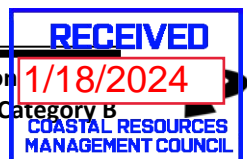
- A concrete system would have a lower anticipated maintenance need than the timber decking.

Advantages of Alternative 1 Concrete Decking are:

- Berthing operations would be restored to the lease holder.
- Reduction of the width of the pier reduces impacts and also allows the pier to not require a fire protection system as more up to date codes do not allow a pier of 30 feet to be installed without one.
- More robust and provides more moisture protection to the stringers than timber decking as drainage would be off the sides of the deck and not through the deck boards.
- The operational needs of the leaseholders are anticipated to be met with the decking provided as it allows for more wear and tear than timber decking.

Disadvantages of Alternative 1 Concrete Decking are:

- More expensive than traditional timber decking both in the decking footprint and the additional fendering required to protect the concrete decking.
- Should damage to decking occur it is not as easily repaired as timber decking.



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- Access to below deck framing from the top of the deck would no longer be possible for below deck framing damages.
  - Could result in more construction time than the timber decking alternative as the fendering system would need to be upgraded.

**Alternative 2 – Replace the Timber Pier in-kind:** Alternative 2 includes the installation of a fixed 100 foot long by 30-foot-wide pier as was previously constructed. The decking of this alternative would be 3 x 10 and the general configuration can be seen on the existing conditions plan set attached. The building would not be included in this alternative.

Advantages of Alternative 2 Timber Pier in-kind:

- Pier was observed to exceed its intended design life.
- Berthing operations would be restored to the lease holder.

Disadvantages of Alternative 2 Timber Pier in-kind:

- More expensive than alternative 1 from the increased pier with and required piles.
- As indicated by the leaseholder, the required operations are not anticipated to benefit of having a 30-foot pier over a 24-foot pier.
- Updated code standards would require fire protection and potentially other modifications from the in-kind conditions.

**Alternative 3 – Do Nothing:** The do nothing alternative is provided as an option, but is a recommended course of action as it does not meet the needs of the Port or lease holder.

Advantages of Alternative 3 Do Nothing:

- No funds are needed to replace the pier.
- Less environmental impact.

Disadvantages of Alternative 3 Do Nothing:

- Leaseholder operations unable to continue.
- Economic loss to the State of Rhode Island as the lease would need to be modified as no pier is being provided. The loss of pier may result in the loss of a tenant since berthing is no longer provided.
- Updated code standards would require fire protection and potentially other modifications from the in-kind conditions.





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## V. Consistency with Coastal Resources Management Program

This Assent application covers all activity associated with the Construction Phase of the replacement of the Pier “F” located in the Port of Galilee in Narragansett, Rhode Island. According to Table 1 and Table 2 of the CRMP, the following project elements are listed as Category B activities for Type 6 waters and Contiguous Area:

- Commercial/Industrial Structures;
- Filling, Removal, and Grading of Shoreline Features; and
- Filling in Tidal Waters; and

The remaining project elements including Point Discharges – Runoff appear to qualify as Category A activities. The following sections are intended to demonstrate that the project as proposed is consistent with the policies for Type 6 waters and complies with the other applicable standards of the Program.

### **Section 1.3.1(A)1 Category B Requirements**

**a. *Demonstrate the need for the proposed activity or alteration;***

As demonstrated in the Project Narrative and previously submitted correspondence on November 10, 2023 sent to CRMC noting the current deficient condition of Pier “F”, the Pier “F” was demolished in an emergency action due to the risk to the public safety of an in operable pier in a publicly traversed environment. Although the demolition and removal of this structure is not included in the current application, the necessary replacement is included. The pier provides the sole berthing and processing location for the Narragansett Crab Company within the Port of Galilee. The downtime of the pier has caused an economic loss to the stakeholder and the continued downtime may pose an economic loss to the State regarding the leasing agreements. The proposed work will remain within the existing footprint, reducing the pier from 30 feet to 24 feet, as the operational need as discussed with the stakeholders does not require a 30-foot-wide pier. The provided application is limited to the replacement of the pier to restore berthing opportunity to the Narragansett Crab Company, the restoration of the building is anticipated to be submitted by the lease holder at a later date due to the extended scheduling constraints of including the building.

**b. *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;***

The project will comply with all State and local building codes. Through other projects within the Port, an active line of communication has been kept with the local and state fire to implement needed updates to design based upon local needs and state requirements. The main permanent pier section will be 24 feet wide which has it exempt from the need of fire protection systems to be installed.





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It is understood the contractor will submit separately to the state building official concurrently with this submission. When a response from the State Building Official has been received the correspondence can be supplemented to this permit application.

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

The project area is more completely described in Section V of the Project Narrative and is depicted on the project plans.

The amount of Tidal Waters and Contiguous Area to be affected by construction of the replaced Pier "F" total permanent pier mudline impacts of 31.5 square feet and 240 square feet of shoreline impacts. These impacts are a reduction from the previously existing permanent pier mudline impacts of 47 square feet and 330 square feet of shoreline impacts.

The fendering systems are considered generally sacrificial, not permanent impacts, the current proposed mudline impact from the sacrificial fendering is approximately 31.5 square feet compared to the previously existing configuration of approximately 48.5 square feet. The general decking cover of the pier will be 2,400 square feet compared to the previous decking area of 3,000 square feet.

Construction activities will utilize a floating barge that will generally operate within a 5,400 square foot operational area defined by the LOD line on the attached Plan Set.

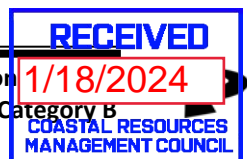
**d. *Demonstrate that the alteration or activity will not result in significant impacts on erosion and/or deposition processes along the shore and in tidal waters;***

In general, the proposed work will remain within the existing footprint and the anticipated mudline disturbance will be reduced from the previous conditions. A total of 80 piles, permanent and sacrificial, will be used comparatively to the previous total of 122 piles. The previously existing piles have been removed which will allow the sediment to return to a normal state and during installation the resulting changes to the mudline are anticipated to be less. The shoreline feature in this location is a steel sheet pile bulkhead, therefore erosion impacts are not anticipated.

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

As a result of the commercial and industrial use of the port, the anticipated vegetation life within the limits of the bulkhead and pier at the mudline depth is anticipated to be low. The proposed work is expected to have no significant impact on biodiversity or population as it is a reduction in disturbance compared to the previously existing pier. Avoidance, minimization, and mitigation measures include the use of turbidity barrier to protect water quality and sedimentation disturbance during pile driving activities.

**f. *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;***



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The facilities are utilized by the Narragansett Crab Company public access to the shoreline does not occur at this location. The replacement of the pier will not obstruct the public's access at other locations within the port.

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

The total number of piles utilized for the replaced pier will be less than the previously existing pier which will increase the water circulation conditions. During pile driving activities turbidity barriers will be used to lower the sedimentation disturbance. The Port of Galilee is a commercial fishing port, therefor the amount of boat traffic, under normal circumstances, has turbid conditions.

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

Potential construction phase water quality impacts will be avoided by isolating the work areas from the tidal waters using turbidity barriers. More traditional erosion and sedimentation controls, including silt socks and/or siltation fence, will also be utilized as appropriate.

Potential post construction water quality impacts are related to stormwater runoff are not anticipated as the pier replacement is reducing the footprint from the previous size. The limits of the proposed work is to only provide a functioning pier and not to provide the previously existing processing building. Concerns regarding the processing operations are to be addressed when the building is being provided in a separate permit application.

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

The current site has already seen development and contains no historic or archaeological significance. The site required no additional response from any regulatory body on the grounds of historic significance.

- j. 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 structure will remain within the original footprint of the existing structure and should pose no additional conflicts with water uses and activities. During construction activities adequate space will be provided such that it does not impede on neighboring berthing needs of adjacent piers. Substantial spacing existing within the channel that the replacement of this location does not require an alteration of boat travel further into the port.

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



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The proposed structure is a reduction in size compared to the existing structure, which in the previous deteriorated and destroyed condition provided an eye sore. The replaced structure will be in similar aesthetic to the other commercial fishing piers.

### **Section 1.3.1(B) Filling, Removing, or Grading Shoreline Features**

Filling, removal, and/or grading of the manmade Shoreline Feature is considered incidental to this work as the modification to the existing bulkhead cap will be required to accommodate the pier extending to the finished floor elevation of the existing building as shown in the attached Plan Set. An individual Erosion and Sedimentation Control Plan has not been prepared for the proposed work as the additional staging area at Pier "F" and the modification to the existing bulkhead will be approximately 1,000 square feet combined temporary and permanent disturbance. The amount of disturbance is within the 5,000 square feet threshold stated under § 1.3.1(B)1(c).

Other stockpile and laydown areas of timber that potentially will be utilized are already permitted under maintenance work on other projects within the port of Galilee and will be contained on work barges.

### **Section 1.3.1(C) Residential, Commercial, Industrial, and Recreational Structures**

***a. It shall be the policy of the Council to undertake all appropriate actions to prevent, minimize or mitigate the risks of storm damage to property and coastal resources, endangerment of lives and the public burden of post storm disaster assistance consistent with policies of the State of Rhode Island as contained in the Hazard Mitigation Plan element of the State Guide Plan when considering applications for the construction of residential, commercial, industrial and recreational structures, including utilities such as gas, water and sewer lines, in high hazard areas.***

The design of piers will be in accordance with the recommending design loadings provided in ASCE and the design of timber members provided in the most recent version of the National Design Specification (NDS) for timber construction.

***b. It is the Council's policy to require a public access plan, in accordance with § 1.3.6 of this Part, as part of any application for a commercial or industrial development or redevelopment project in or impacting coastal resources. 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 public access impacts will occur as result of the proposed project.***

The proposed project maintains the current public access as maintained throughout the Port of Galilee and will not adversely affect the public's access in the operating commercial fishing port.

***c. All commercial and industrial structures and operations located within tidal waters shall obtain a structural perimeter limit (SPL). Owners/operators of these facilities may apply to the Council for definition and establishment of this structural perimeter at any time. However, the Council shall establish a structural perimeter limit (SPL) when an application subject to this section is under review.***



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The proposed pier footprint will remain within the previous pier footprint which will not impact any previously defined SPL.

**Section 1.3.1(R) Submerged Aquatic Vegetation and Aquatic Habitats of Particular Concern**

The Port of Galilee is an active commercial fishing port which does not exhibit high amounts of vegetative life of sustained aquatic habitats near the bulkhead as a result of the port operations. The Pier “F” being proposed for replacement has been established within the port in excess of 40 years therefore the replacement is not anticipated to increase any impact to aquatic life.

**Section 1.3.6 Policies and Enhancement of Public Access to the Shore**

The proposed project will neither provide additional nor impede existing public access to the Point Judith Pond. The proposed project is re-establishment of commercial berthing access.

**Section 1.4 Federal Consistency**

The proposed project has been designed in compliance with applicable performance standards established in the CRMP and in accordance with the General Permit (GP-2) of the USACOE, this project is eligible for the self-verification as stated in bullet four (4) of the attached and excerpted below:

*“pile supported structures reconstructed in the same footprint using the same materials except steel piles using an impact hammer.”*

