

**COASTAL RESOURCES
MANAGEMENT COUNCIL**

**SEMI-MONTHLY
MEETING**

TUESDAY, OCTOBER 9, 2018

6:00 P.M.

AGENDA



State of Rhode Island and Providence Plantations
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 116
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-3767

AGENDA

Semi-Monthly Meeting – Full Council
Tuesday, October 9, 2018; 6:00 p.m.
Administration Building; Conference Room A
One Capitol Hill, Providence, RI 02908

Approval of the minutes of the previous meeting – August 28, 2018 and September 25, 2018
Subcommittee Reports
Staff Reports

APPLICATIONS WHICH HAVE BEEN OUT-TO-NOTICE AND ARE BEFORE THE FULL COUNCIL FOR DECISION:

2018-06-045 NEW ENGLAND BOAT WORKS – Extend previously approved but unconstructed bulkhead, perform approximately 23,500 cubic yards of excavation/dredging with beneficial reuse of materials on site, and replace 600 linear feet of existing floating dock with 5 new 115' long floats with gangways from the new bulkhead. Project located at plat 37, lots 36, 36A, 36B, 36C; 1 Lagoon Road, Portsmouth, RI.

EXECUTIVE SESSION § 42-46-5(2) – Potential Litigation, Ocean SAMP

CRMC DECISION WORKSHEET

2018-06-045

New England Boat Works

Hearing Date:			
Approved as Recommended			
Approved w/additional Stipulations			
Approved but Modified			
Denied		Vote	

APPLICATION INFORMATION						
File Number	Town	Project Location		Category	Special Exception	Variance
2018-06-045	Portsmouth	1 Lagoon Road		B	☐	☐
		Plat	37			
		Owner Name and Address				
Date Accepted		New England Boat Works		Work at or Below MHW		☒
Date Completed		1 Lagoon Road Portsmouth, RI 02871		Lease Required		☐

PROJECT DESCRIPTION

Extend previously approved but unconstructed bulkhead, preform approximately 23,500 CY of excavation/dredging with beneficial reuse of the material on site, and replace 600 LF of existing floating dock with 5 new 115' long floats with gangways from the new bulkhead. Install a 200 ton boat lift with dredging included

KEY PROGRAMMATIC ISSUES

Coastal Feature: Manmade Shoreline

Water Type: Type 3, High Intensity Recreational Boating

CRMP: 1.3.1(A), 1.3.1(B), 1.3.1(C), 1.3.1(D), 1.3.1(G) and 1.3.1(I)

SAMP: <list relevant SAMP sections>

Variances and/or Special Exception Details: NONE

Additional Comments and/or Council Requirements:

Specific Staff Stipulations (beyond Standard stipulations):

STAFF RECOMMENDATION(S)

Engineer DRG

Recommendation: Approval

Biologist

Recommendation:

Other Staff

Recommendation:

Engineering Supervisor Sign-Off

date

Executive Director Sign-Off

date

Supervising Biologist Sign-off

date

Staff Sign off on Hearing Packet (Eng/Bio)

date

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
COASTAL RESOURCES MANAGEMENT COUNCIL
ENGINEERING REVIEW**

TO: Grover J. Fugate, Executive Director
DEPT: Coastal Resources Management Council
FROM: Danni Goulet, PE
DEPT: CRMC Engineering Section

Date:

SUBJ: **CRMC File No.:** A2018-06-045

Owner: New England Boat Works New England Boat Works

Site Address: 1 Lagoon Road Plat: 37 Lot: 36,36A,36B,36C

Site Town: Portsmouth

Project: This project is a modification of an existing Assent that will construct a 200-ton capacity travel lift and small bulkhead portion. This modification includes a significant amount of upland excavation, dredging, bulkhead work and rip rap relocation.

Water Type/Name: Type 3 Waters, High Intensity Boating

Coastal Feature: Manmade shoreline – riprap

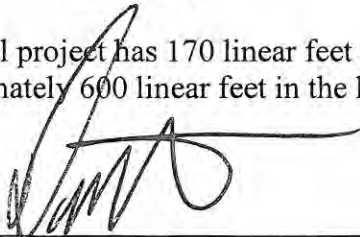
Staff Comments/Recommendation:

This project is a modification/expansion of the work authorized in Assent 2016-10-098. The reason there is a new file before the Council and not a modification of the existing permit is that the proposed work is not “less than or equal” to the original permit therefore does not qualifying for a modification. The previously approved work included the construction of a new 200-ton travel lift within the confines of an existing marina perimeter limit, 170 linear feet of new bulkhead as part of the travel lift, two concrete pile supported finger piers for the travel lift, dredging of approximately 1,500CY and the removal and reinstallation of existing riprap. The new travel lift will allow vessels up to 140’ long and 16’ deep be managed by the lift. The dredge material is approved to be beneficially reused on the marina property. The plans show the previously approved portions of the overall proposal.

This application seeks to expand the sheetpile wall that was previously approved but not yet constructed. The sheetpile wall is proposed to be installed at the top of the current riprap slope which is proposed to be removed and reused elsewhere on the property. The material below the riprap is proposed to be excavated and dredged to allow for 5 new 115’ long piers. The approved dredge material plan was reuse the material on the adjacent property similar to a previously permitted dredge project has done at this location. The current proposal is to have approximately 25,000 CY of excavation/ dredging which includes the original 1,500 CY of material. The original proposal reused the existing riprap from the site, the expanded project will reuse all of the existing riprap on the NEB property.

The original project has 170 linear feet of approved bulkhead, the modification is proposing a total of approximately 600 linear feet in the location of a current rip rap slope in the marina. All of the

Signed _____



Staff Engineer

work, both previously approved or proposed are within the existing Marina Perimeter Limit. There are no variances from the RICRMP required for this proposal and approval with the standard stipulations for piers, bulkheads, riprap, dredging and upland dredge reuse is recommended by Staff.

RICRMP analysis of the applicable sections is outlined below:

RICR Section Number	Section Title	
1.1.10	Climate Change and Sea Level Rise	This project is a modification to the interior of a marina and the land area behind the wall. These areas do flood occasionally and while they may see increased flooding going forward they are typically resilient to inundation and are operational soon after the water levels return to normal.
1.2.1(C)	Type 3 High-Intensity Boating	The original project and the modification are both in Type 3 waters (High Intensity boating). This type of marina project is the priority use for the area.
1.2.2(F)	Manmade Shorelines	The existing shoreline is manmade and the bulkhead proposal will also be manmade. The change is the sloped shoreline versus the proposed vertical bulkhead will allow for larger vessels to be berthed within the existing marina without having to reconfigure a significant portion of the marina. The larger vessels are being serviced at the marina and will be hauled using the approved larger travel lift.
1.3.1(A)	Category B Requirements	The applicant provided responses to the policies for a Category B Assent as the modification exceeds the less than or equal to criteria for modification. It is the opinion of staff that the responses provided are sufficient and meet the requirements of the RICRMP.
1.3.1(B)	Filling, Removing, or Grading of Shoreline Features	The proposed modification is to a manmade shoreline. This activity is permissible as a Category B activity. It is the opinion of staff that the proposal is in compliance with the policies and standards of this section of the RICRMP.
1.3.1(C)	Residential, Commercial, Industrial, and Recreational Structures	The modification does not change the approved commercial structure (travel

		lift piers) it simply modifies the location and adds an additional 400' of bulkhead which is part of Section 1.3.1(G) of the RICRMP. The change in location would be considered a modification since it is the same structure in a slightly shoreward location (less than or equal to).
1.3.1(D)	Recreational Boating Facilities	The modification does contain new recreational boating facilities. It replaces an existing 600' floating dock that is parallel with the shore with five new 115' long docks that are perpendicular to the proposed bulkhead. The applicant states that there will be no increase in the number of vessels at the marina, it is the opinion of staff that this is the case.
1.3.1(G)	Construction of Shoreline Protection Facilities	The applicant addressed the policies and standards of this section of the RICRMP. It is the opinion of staff that the written responses and the plans meet the requirements of the RICRMP.
1.3.1(I)	Dredging and Dredged Materials Disposal	The dredge material has the physical and chemical properties that require beneficial reuse. The proposal is the beneficially reuse the material on the applicants adjacent property. The area is currently used as a winter storage area for marina vessels and parking during the boating season. These uses will continue after the dredge material has been placed and graded on site.



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(401) 783-3370
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WRL - ~~18-146~~ 18-146
 PP - ~~18-174~~ 18-174

APPLICATION FOR STATE ASSENT

To perform work regulated by the provisions of Chapter 279 of the Public Laws of 1971 Amended.

Project Location <u>1 Lagoon Road Portsmouth RI</u> No. Street City/Town		File No. (CRMC USE ONLY) <u>2018-06-045</u>
Owner's Name <u>New England Boatworks INC.</u>		Plat: 37 Lot(s): 36, 36A, 36B, 36C
Mailing Address <u>1 Lagoon Road</u> City/Town <u>Portsmouth</u> State <u>RI</u> Zip Code <u>02871</u>		Contact No.: 401-683-6110
Contractor RI Lic. # Address		Tel. No.
Designer <u>Igor Runge</u> Address <u>530 Broadway Providence RI</u>		Tel. No. <u>401-427-2710</u>
Name of Waterway <u>East Passage</u>		Fee: \$6,750.00
Describe accurately the work proposed. (Use additional sheets of paper if necessary and attach this form.) See attached narrative.		

Have you or any previous owner filed an application for and/or received an assent for any activity on this property?

(If so please provide the file and/or assent numbers): 2016-09-046, 2016-05-105

Is this site within a designated historic district? ☐ YES ☒ NO

Is this application being submitted in response to a coastal violation? ☐ YES ☒ NO

If YES, you must indicate NOV or C&D Number: _____

Name and Addresses of adjacent property owners whose property adjoins the project site. (Accurate addresses will insure proper notification. Improper addresses will result in an increase in review time.)

O Stringham Road - US Government Capt. P.W. Malloy Commanding Officer Naval Station Newport 690 Peary St Newport RI
181 - Bradford Ave - Town of Portsmouth 2200 East Main Road, Portsmouth RI

STORMTOOLS (<http://www.beachsamp.org/resources/stormtools/>) is a planning tool to help applicants evaluate the impacts of sea level rise and storm surge on their projects. The Council encourages applicants to use STORMTOOLS to help them understand the risk that may be present at their site and make appropriate adjustments to the project design.

NOTE: The applicant acknowledges by evidence of their signature that they have reviewed the Rhode Island Coastal Resources Management Program, and have, where possible, adhered to the policies and standards of the program. Where variances or special exceptions are requested by the applicant, the applicant will be prepared to meet and present testimony on the criteria and burdens of proof for each of these relief provisions. The applicant also acknowledges by evidence of their signature that to the best of their knowledge the information contained in the application is true and valid. If the information provided to the CRMC for this review is inaccurate or did not reveal all necessary information or data, then the permit granted under this application may be found to be null and void. Applicant requires that as a condition to the granting of this assent, members of the CRMC or its staff shall have access to the applicant's property to make on-site inspections to insure compliance with the assent. This application is made under oath and subject to the penalties of perjury.

08/04

Owner's Signature (sign and print)

THOMAS C. RICH
THOMAS FOR NEW ENGLAND BOATWORKS INC.

PLEASE REVIEW REVERSE SIDE OF APPLICATION FORM



05/2018

STATEMENT OF DISCLOSURE AND APPLICANT AGREEMENT AS TO FEES

The fees which must be submitted to the Coastal Resources Management Council are based upon representations made to the Coastal Resources Management Council by the applicant. If after submission of this fee the Coastal Resources Management Council determines that an error has been made either in the applicant's submission or in determining the fee to be paid, the applicant understands that additional fees may be assessed by the Coastal Resources Management Council. These fees must be paid prior to the issuance of any assent by the Coastal Resources Management Council.

The applicant understands the above conditions and agrees to comply with them.

TCR
Signature

6/7/18
Date

Thomas C Rich Treasurer New England Bearworks Inc
Print Name and Mailing Address

*1 Cagon Rd
Portsmouth, RI
02871*

/ajt 05/2018





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June 11, 2018
File No. 03.0034227.01

Mr. Dan Goulet, Dredge Coordinator
Coastal Resources Management Council
Stedman Government Center – Suite 3
4808 Tower Hill Road
Wakefield, Rhode Island 02879

Re: Application for Category B Assent
New England Boatworks
1 Lagoon Road
Portsmouth, Rhode Island

Dear Mr. Goulet:

On behalf of our client, New England Boatworks, this application is being submitted by GZA GeoEnvironmental, Inc. (GZA) for proposed dredging and construction activities at New England Boatworks (NEB), a recreational marina adjacent to Type 3 waters.

This application supersedes prior applications and addendums for NEB beginning with the initial 21 October 2016 application. Since that time, there have been various modifications and updates proposed that have changed the scope of the project since the original Assent was secured in 2016. To address these modifications and updates, this new application, along with a 12-sheet plan set, is being submitted.

This application is also being forwarded to the Rhode Island Department of Environmental Management (RIDEM) and US Army Corps of Engineers (USACE), both of whom have issued the following permits for the initial proposed project in 2016:

- RIDEM Water Quality Certification (16-201); expires 7 December 2019
- RIDEM Dredge Permit (DP-16-154); expires 7 December 2019
- USACE Permit (NAE-2007-2379); expires 3 March 2022

As needed, we will seek modifications to those permits to address the expanded scope of the project.

PROJECT DESCRIPTION

NEB is a full-service marina that has been in operation since 1988. NEB offers long-term and transient recreational boat slips, complete refit and repair services, haul-out and storage services, and includes a boat building division that produces custom sail and power yachts. In May 2017, NEB was designated by the Coastal Resource Management Council (CRMC) as a Clean Marina under the Clean Marina program. The program is voluntary and rewards marinas that go beyond regulatory requirements by applying innovative pollution prevention best management practices to their day-to-day operations.



NEB has proposed to construct a 200-ton capacity boat haul-out (travel lift) structure. The purpose of the new travel lift is to be able to service larger vessels. The new travel lift will be able to accommodate vessels up to 140 feet long. To allow these large vessels to access the travel lift, the water depth in the travel lift slip will need to be 16 feet deep. A portion of the proposed travel lift area is less than 16 feet deep. The proposed pile supported piers that define the travel lift slip must be located such that they do not infringe upon the existing marina fairway. Therefore, the proposed travel lift is situated within an existing embankment and dredging will be required.

The vessel travel lift equipment will roll along pile-supported concrete piers and a new steel bulkhead. A new asphalt pad will be constructed on the upland portion of the travel lift area. The asphalt pad will drain to a sump and will allow for the boats to be washed before they are moved into storage. The asphalt pad will also allow for the travel lift to safely maneuver the boats off the pier and into storage areas. The existing rip rap revetment along the northern edge of the marina will be removed (along with the existing parallel dock) and replaced with a 600-foot bulkhead. Originating from this bulkhead will be 4 floating "finger" piers of various lengths. Access to each floating "finger" pier will be by new, individual gangways.

An excavator will perform a majority of the necessary material removal and dredging from the upland portion of the site. As a contingency, if the furthest areas from shore cannot be reached by the excavator, dredging may need to be completed with barge mounted equipment. All dredge materials will be deposited directly on shore within the nearby dewatering area.

In summary, this project proposes to:

- construct a 200-ton capacity boat haul-out structure (travel lift);
- construct a 600-linear foot steel bulkhead (to replace a rip rap revetment);
- remove an existing parallel dock along the existing rip rap revetment;
- construct 4 floating "finger" piers along the new steel bulkhead;
- dredge within a portion of the existing marina to accommodate the travel lift; and
- conduct upland disposal of dredged material.

CRMC REQUIREMENTS

Referring to the CRMC Activity Matrix for Type 3 Waters, all anticipated activities of this project are permissible with a Category B Assent. The following specific CRMC sections will be addressed below:

- SECTION 1.1.4 Alterations and Activities that Require an Assent from the Coastal Resources Management Council;
- SECTION 1.2.1(C) Type 3 Waters - High Intensity Boating;
- SECTION 1.2.2(F) Manmade Shorelines;
- SECTION 1.3.1(A) Category B Requirements;
- SECTION 1.3.1(B) Filling, Removing, or Grading of Shoreline Features;
- SECTION 1.3.1(C) Residential, Commercial, Industrial, and Recreational Structures;
- SECTION 1.3.1(D) Recreational Boating Facilities;
- SECTION 1.3.1(G) Construction of Shoreline Protection Facilities; and
- SECTION 1.3.1(I) Dredging and Dredged Material Disposal.



SECTION 1.1.4 Alterations and Activities that Require an Assent from the Coastal Resources Management Council

A CRMC Assent is required for any alteration or activity proposed for tidal waters within the territorial seas, shoreline features, and areas contiguous to shoreline features.

The proposed work is located at the existing NEB recreational marina, adjacent to Type 3 waters, in Narragansett Bay, in Portsmouth, RI. This narrative has been prepared to address CRMC requirements necessary to secure an Assent.

SECTION 1.2.1(C) Type 3 Waters - High Intensity Boating

NEB is located adjacent to Type 3 Waters, defined by CRMC as High Intensity Boating waters. This category includes intensely utilized water areas where recreational boating activities dominate and where the adjacent shorelines are developed as marinas, boatyards, and associated water enhanced and water dependent businesses. CRMC recognizes that marinas are an important means by which the boating public gains access to tidal waters, and therefore provide an important public service. This project proposes to expand the services available at this existing marina. The specific project activities are allowed in Type 3 waters with a Category B Assent.

SECTION 1.2.2(F) Manmade Shorelines

Manmade shorelines encompass approximately 25 percent of Narragansett Bay. Often these manmade structures can impact shorelines erosion, affect the appearance of the shoreline, and interfere with public access. CRMC's goals for these shorelines are:

- to encourage the maintenance of structures that effectively mitigate erosion and/or sustain landforms adjacent to the water; and
- to prevent the accumulation of debris along the shore where such structures are ineffective or no longer in active use.

The activities proposed for this project are consistent with CRMC's goals for manmade shorelines.

SECTION 1.3.1(A) Category B Requirements

The proposed project will consist of six specific activities regulated by CRMC:

- Filling, Removing, or Grading of Shoreline Features;
- Residential, Commercial, Industrial, and Recreational Structures;
- Recreational Boating Facilities;
- Construction of Shoreline Protection Facilities;
- Dredging; and
- Upland Disposal of Dredged Material.

All six activities are permissible in Type 3 waters with a Category B Assent. All persons applying for a Category B Assent are required to:



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

Project Compliance: This project seeks to address the demand to provide a wider range of services at an existing marina. A travel lift with increased capacity will accommodate larger recreational vessels and allow improved access to tidal waters by those with larger boats. An existing rip-rap slope will be replaced with a steel bulkhead to provide increased serviceability of all types of vessels. Four floating “finger” piers will be constructed to accommodate larger vessels (vessels in excess of 100 feet long).

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.

Project Compliance: All applicable zoning ordinances, building codes, flood hazard standards, and all safety codes, fires codes, and environmental regulations will be met.

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

Project Compliance: The specific project site is located within an existing marina along the western shore of Aquidneck Island in Narragansett Bay. The site is adjacent to the former US Navy Fuel Loading Area.

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.

Project Compliance: The proposed project will disturb approximately 600 linear feet of shoreline within an existing marina. The existing rip rap stone will be removed from the shoreline and reused along the perimeter of the inland dredge/excavation material placement area. This area is currently nearly flat and covered with crushed shell. Upon filling with the dredge/excavation material, the area will become mounded with a gentle side slope. When completed, crushed shell will be placed on the surface to mimic the existing surface. Storm water currently infiltrates this area and is expected to infiltrate upon project completion. The shoreline with the removed riprap will be reconstructed with a steel sheet pile bulkhead wall. During the construction phase, best management practices (straw bales, silt fences) will be incorporated to minimize soil erosion and deposition processes. If needed, a turbidity curtain will be used during the dredging operations to minimize migration of sediment within the water column.

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

Project Compliance: The limit of disturbance for this project consists of previously developed areas. There is very little upland vegetation within the limit of disturbance. The impacted area consists of a rip rap slope and an upland area used for vehicle parking and boat storage. The project activities are not anticipated to exacerbate impacts on abundance and diversity of plant and animal life. Within the tidal area, all project activities will be within an operating marina where moving vessels are already the norm. If required, an assessment of shellfish density evaluation, supervised by the RIDEM Division of Law Enforcement, shall be conducted in the area to be dredged prior to commencement of work.



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.

Project Compliance: The existing marina is a private facility and has limited public access to the shore. This will not change with the proposed project. The proposed modifications do not represent a significant expansion as defined by the Council. Nonetheless, marina modifications will improve the quality of the available services at the marina by accommodating larger recreational boats to tie up along the new floating “finger” piers and allow larger recreational boats to be serviced (using the travel lift). This supports the Council’s policy that, “...encourages all recreational boating facilities to provide an opportunity for a variety of boat sizes and types so as to provide access for the widest segment of the public to the Public Trust Resources.” The proposed modifications will change the use of existing developed areas (not area expansion) and will not remove areas currently providing limited public access.

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

Project Compliance: Any impacts to water circulation and flushing will be temporary and are expected to be limited to the approximately one-month dredge duration. Other in-water construction activities should not impact circulation or flushing. If needed, turbidity and sedimentation will be managed by a turbidity curtain during construction activities.

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

Project Compliance: Water quality in the immediate vicinity of the project will not be impacted. Sediment and erosion control measures will be used to manage fugitive migration of excavation materials into tidal waters during construction activities. Rip-rap from the proposed bulkhead area will be placed around the perimeter of the dredge/excavation material beneficial reuse area to protect the shoreline.

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

Project Compliance: The proposed activities will occur within an existing marina that has been in operation since 1988. No known areas of historic and archaeological significance will be impacted.

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.

Project Compliance: The proposed project will not result in conflicts with water dependent uses. Rather, this project will enhance water dependent uses by expanding the available services at an existing recreational marina. The proposed travel lift and new bulkhead section will allow improved accommodation of a wide variety of recreational boat sizes and types to provide access for the widest segment of the public. For public safety considerations, fishing and swimming activities within the marina are prohibited and will continue to be so. There will be no conflicts with navigation within the existing marina perimeter or surrounding waters – the marina is surrounded by land on three sides and all proposed activities will be within this “enclosed” area. And by some accounts, commerce may be enhanced by providing services to a greater variety of recreational boat sizes with the large travel lift and 4 floating “finger” piers that will accommodate vessels in excess of 100 feet long.



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

Project Compliance: The proposed project will not detract from the scenic qualities of the area. The new bulkhead wall and travel lift will complement the existing layout and structures at the marina.

SECTION 1.3.1(B) Filling, Removing, or Grading of Shoreline Features

PROHIBITIONS

a. Filling, removing, or grading is prohibited on beaches, dunes, undeveloped barrier beaches, coastal wetlands, cliffs and banks, and rocky shores adjacent to Type 1 and 2 waters unless the primary purpose of the alteration is to preserve or enhance the feature as a conservation area or natural buffer against storms.

Project Compliance: This project is adjacent to Type 3 waters. NEB is located within a 'manmade shoreline' where the natural shoreline features are no longer dominant and is characterized by rip-rap revetments, boat slips, and other alterations. The proposed activities are permissible with a Category B Assent.

b. Filling, removing, or grading on coastal wetlands is prohibited adjacent to Type 1 and 2 waters, and in coastal wetlands designated for preservation adjacent to Type 3, 4, 5 and 6 waters, unless a consequence of an approved mosquito control ditching project (see § 1.3.1(L) of this Part).

Project Compliance: This project will not conduct filling, removing, or grading on coastal wetlands.

c. On site beach materials (cobbles, sand, etc.) may not be used as construction material.

Project Compliance: This project will not use on-site beach materials for construction.

d. Mining is prohibited on coastal features.

Project Compliance: There will be no mining associated with this project.

STANDARDS

(1) Fill slopes shall have a maximum grade of 30 percent.

Project Compliance: Material dredged in and around the location of the proposed travel lift will be placed in a dewatering basin to drain and then will be spread at no more than a 30% slope within a rip-rap supported berm. Rip-rap removed from areas of the proposed bulkhead will be re-used for the berm.

(2) All excess excavated materials, excess fill, excess construction materials, and debris shall be removed from the site and shall not be disposed in tidal waters or on a coastal feature.

Project Compliance: In keeping with the Marine Waterways and Boating Facilities Act of 2001 (RI General Laws Chapter 46-6.1, 1956), the dredged/excavated material will be dewatered and beneficially reused by placement in a designated area upland of shoreline activities. At project completion, the center of this area will be approximately 5 feet higher than the existing elevation. This area is currently used for parking of large storage trailers and assorted recreational boating equipment and will continue this usage



following project completion. The increased elevation will provide improved protection against flooding from storm surges and other high-water events. The anticipated dredge/excavation material volume is approximately 25,000 cubic yards. The dewatering basin has been designed to accept approximately 30,000 cubic yards of material and should be adequate to accept all of the proposed material. There is an additional area on site that is a topographic depression and could be used as an additional disposal area. At this time, we do not anticipate requiring additional disposal area capacity.

The area for beneficial use of the material is within 200 feet of mean high water. However, there is no groundwater use within 400 feet of this area and the area is hydrologically connected to the dredge/excavation area.

(3) Disturbed uplands adjacent to a construction site shall be graded and re-vegetated or otherwise stabilized to prevent erosion during or immediately after construction. Nutrients shall be applied at rates necessary to establish and maintain vegetation without causing significant nutrient runoff to surface waters.

Project Compliance: A site specific soil erosion and sediment control (SESC) plan has been prepared for the construction activities in accordance with the Rhode Island Soil Erosion and Sediment Control Handbook. During construction, upland areas accepting fill materials will be shallow graded and surrounded by straw haybales and silt fences to prevent erosion. Upon construction completion, filled areas will be stabilized with a layer of crushed seashells to mimic the pre-construction condition. Rip-rap stones removed from the existing revetment area will be reused around the perimeter of the filled area to protect against high-water conditions. If needed, a turbidity curtain will be used during in-water dredging activities.

(4) Removal or placement of sediments along jetties or groins may be permitted only as part of an approved dredging or beach nourishment project (see § 1.3.1(I) of this Part).

Project Compliance: Project activities will not involve any removal or placement of sediments along jetties or groins.

(5) All fill shall be clean and free of materials which may cause pollution of tidal waters.

Project Compliance: All dredge and fill materials will be placed on upland portions of the site. Testing has demonstrated that dredge material is suitable for this purpose.

It should be noted that during the second round of upland soil testing conducted in July 2017, results for one sample indicated a slightly elevated arsenic level (13.2 mg/kg dry versus a RIDEM limit of 10.0 mg/kg dry). This prompted further investigation of site history. In 2004-2005, remedial work was conducted at a portion of the site to address elevated lead, chromium, and barium concentrations from prior activities. In 2006, an environmental land use restriction (ELUR) was placed on the property by RIDEM to disallow residential use of the site and to require RIDEM notification and permission for any future land disturbances activities. The proposed activities were discussed with RIDEM and no other actions were imposed. RIDEM personnel noted that since the ELUR pertains to site soils and not dredge sediment, CRMC in this case would be the jurisdictional agency going forward.



(6) Cutting into rather than filling out over a coastal bank is the preferred method of changing upland slopes.

Project Compliance: There will be no filling out over a coastal bank to change upland slopes.

(7) Limit the application, generation, and migration of toxic substances and ensure that toxic substances are properly stored and disposed of onsite in accordance with all applicable federal, state, and local requirements.

Project Compliance: Toxic substance application, generation, and migration will be limited and properly stored and disposed of in accordance with all applicable federal, state, and local requirements.

SECTION 1.3.1(C) Residential, Commercial, Industrial, and Recreational Structures

PROHIBITIONS

a. Industrial operations and structures are prohibited in Type 1 and 2 waters or on shoreline features abutting these waters.

Project Compliance: There shall be no industrial operations or structures constructed in Type 1 or 2 waters. This project is adjacent to Type 3 waters.

b. The mining and extraction of minerals, including sand and gravel, from tidal waters and salt ponds is prohibited. This prohibition does not apply to dredging for navigation purposes, channel maintenance, habitat restoration, or beach replenishment.

Project Compliance: This project shall not mine or extract minerals from tidal waters.

c. Solid waste disposal and minerals extraction is prohibited on shoreline features and their contiguous areas.

Project Compliance: This project shall not dispose of solid waste or extract minerals on shoreline features and their contiguous areas.

d. The use of fill for structural support of buildings in flood hazard V zones is prohibited.

Project Compliance: The project is in flood hazard VE zone. Fill shall not be used for structural support of any feature of the proposed boat lift.

e. New decks and structures, and expanded structures associated with residential properties, or non-water dependent commercial uses, are prohibited in or over tidal waters.

Project Compliance: There shall be no decks or structures of non-water dependent commercial uses in or over tidal waters.

f. Decks associated with commercial properties are prohibited in or over Type 1 waters. Decks associated with commercial properties are prohibited in or over Type 2 waters unless such use is reserved in connection with a water dependent use. Decks associated with commercial properties are prohibited in or over Type 3, 4, 5, and 6 waters unless:



- (1) the deck is to accommodate a designated priority use for that water area;
- (2) the applicant has examined all reasonable alternatives and the council has determined that the selected alternative is the most reasonable; and
- (3) the deck is the minimum necessary to support the priority use.

Project Compliance: There will be no decks associated with this project. The water access channel to the travel lift will include an approximately 8-foot wide, 100-foot long section of a pile supported concrete pier.

g. See Table 2 in § 1.1.4 of this Part for a listing of additional prohibitions.

Project Compliance: Additional prohibitions have been reviewed.

STANDARDS

- (1) See standards given in "Filling, Removing, or Grading of Shoreline Features" in § 1.3.1(B) of this Part, as applicable.

Project Compliance: Standards in Section 1.3.1(B) are addressed above.

- (2) See standards given in "Sewage Treatment and Disposal" in § 1.3.1(F) of this Part, as applicable.

Project Compliance: There are no sewage treatment or disposal facilities proposed as part of this project.

- (3) Commercial and industrial docks, wharves and piers shall be designed and certified by a registered professional engineer.

Project Compliance: The proposed travel lift piers were designed and certified by a Rhode Island Professional Engineer. The plans are stamped (Dino Fiscaletti, RI Registered Professional Engineer) to indicate this.

- (4) All commercial and industrial structures and operations in tidal waters shall have a defined structural perimeter for in-water facilities, which shall describe and limit that area in which repair or alteration activities may take place. Structural perimeters shall be defined on the basis of in-water facilities in place as of September 30, 1971, or subsequently assented structures. All new or modified structural perimeter limit lines shall be a maximum of ten (10) feet outside of the structures. The structural perimeter limit (SPL) shall be designated on all plans with the corners designated by their State Plane Coordinates. However, in all cases the SPL shall be setback at least fifty (50) feet from approved mooring fields. In addition, the SPL shall be setback at least three times the authorized project depth from federal navigation projects (e.g. navigation channels and anchorage areas).

Project Compliance: The marina is located in a "basin" that is accessible to Narragansett Bay through a small opening approximately 175 feet wide. An established SPL was not located. However, the marina has a Marina Perimeter Limit (MPL), which was revised in 1994 on the southern side. This MPL stretches across this opening to the Bay, one corner of which is identified on the attached plans. The location of the travel lift and associated dredging will be well away ('landward') from the MPL. There are no approved mooring fields in the vicinity of the marina. All proposed dredging will occur in an approximately 43,000-square foot area within an operating marina and not in any navigation channels or anchorage areas. The



majority of this dredging area will be along the existing rip rap wall (much of it above the high tide elevation) that will be replaced with the steel bulkhead.

(5) It is permissible to have vessels berthed at a facility outside of the structural perimeter limit if, in the opinion of the Executive Director, there are no conflicts with other users, impacts to resources, or conflicts with the DEM Shellfish Program. All vessels shall be berthed parallel to piers and docks if outside of the structural perimeter limit.

Project Compliance: No vessels will be berthed as part of this project. During the in-water dredging and construction of the travel lift piers, a small construction barge may be utilized. Dredging is anticipated to last approximately 1 month. The small barge will be within the marina perimeter limit.

SECTION 1.3.1(D) Recreational Boating Facilities

MARINA PREREQUISITES

a. Persons proposing to establish a new marina or significantly expand a marina shall prepare and submit a Preliminary Determination application prior to submitting a Category B application.

Project Compliance: This project will not establish a new or significantly expand an existing marina (defined by CRMC as any expansion greater than 25% of existing or previously authorized boat capacity, or an expansion of fifty (50) or more vessels). The 4 floating “finger” piers will accommodate 7 large vessels. In doing so, the marina will eliminate berthing space for 7 smaller vessels. The existing marina currently accommodates approximately 334 vessels. The intent is to remain at 334 vessels.

b. If in the opinion of the Council or Executive Director the proposed marina or significant expansion is not utilizing the public trust in accordance with this Section the applicant may be required to prepare alternative layouts that meet the standards herein.

Project Compliance: This project will not establish a new or significantly expand an existing marina.

c. The Preliminary Determination for new or significant expansions of marinas must assess the impacts of all the Environmental Site Conditions and the Planning / Design Requirements below:

(1) All designs that include water-based vessel storage are encouraged to explore both wet and dry storage alternatives.

(2) Persons proposing to establish a new marina or significantly expand an existing marina will be required to concurrently obtain a permit from the Army Corps of Engineers as well as a Water Quality Certificate from the RI DEM.

(3) Persons proposing to establish a recreational mooring area are required to concurrently obtain a permit from the Army Corps of Engineers.

(4) An application for a Council Assent for a marina and/or mooring area shall include a map prepared and stamped by a professional land surveyor that designates the area of tidal water that will be incorporated within the marina by State Plane Coordinates (NAD83) and described by metes and bounds. All structural elements and components shall be designed and stamped by a professional engineer.



Project Compliance: This project will not establish a new or significantly expand an existing marina.

PROHIBITIONS

a. The building of new marinas in Type 1 and 2 waters is prohibited.

Project Compliance: This project will occur in an existing marina that is adjacent to Type 3 waters.

b. The building of residential and limited recreational boating facilities in Type 1 waters is prohibited. This prohibition shall not apply to functional structures previously assented by the Rhode Island Division of Harbors and Rivers, the Army Corps of Engineers, or the CRMC. Additionally, in those instances where an applicant cannot produce a previous assent but can demonstrate by clear and convincing evidence that a residential dock in Type 1 Waters pre-existed and has been continuously functional prior to the formation of the Council, the Council may grant a permit provided the applicant can meet the requirements herein. Any assent granted pursuant to this section shall be recorded in the land evidence records and is transferable to a subsequent owner or purchaser of the subject property, provided however, that all assent conditions are adhered to and the dock is removed at the termination of assent.

Project Compliance: This project will occur in an existing marina that is adjacent to Type 3 waters.

c. The unloading of catches by commercial fishing vessels at residential and limited recreational boating facilities is prohibited.

Project Compliance: Unloading of catches by commercial vessels is prohibited in the marina.

d. The building of structures in addition to the piles/ pile cap / stringer / deck / handrail on a residential or limited recreational boating facility, including but not limited to gazebos, launching ramps, wave fences, boat houses, and storage sheds, is prohibited. However, the construction of boat lifts may be allowed in Type 3, 5, and 6 waters, and in Type 2 waters in accordance with the provisions of § 1.3.1(P) of this Part (Boat Lift and Float Lift Systems).

Project Compliance: There will be no additional structures other than the travel-lift, 4 floating "finger" piers with access gangways, and associated piles.

e. Rhode Island is an EPA designated a No Discharge State; all vessel discharges within State Waters are prohibited.

Project Compliance: There will be no vessel discharges at this marina.

f. In Type 2 waters, the building of private launching ramps that propose to alter a coastal feature are prohibited, except along manmade shorelines. Where a coastal wetland fronts a manmade shoreline, the building of private launching ramps shall be prohibited. This prohibition does not apply to marinas with Council-approved marina perimeters (MPL).

Project Compliance: This marina is adjacent to Type 3 waters. Nevertheless, there will be no launching ramps constructed as part of this project.

g. New residential or limited recreational boating facilities are prohibited from having both a fixed T section or L-section, and a float.



Project Compliance: Not applicable. This marina is an existing recreational boating facility and not a new residential or limited recreational boating facility (capacity of no more than 4 boats).

h. Terminal Floats at residential and limited recreational docks in excess of two hundred (200) square feet are prohibited.

Project Compliance: Not applicable. This marina is an existing recreational boating facility and not a new residential or limited recreational boating facility.

i. Residential recreational docks shared by owners of waterfront property are prohibited from exceeding more than two (2) terminal floats and a combined total terminal float area in excess of three-hundred (300) square feet.

Project Compliance: Not applicable. This marina is an existing recreational boating facility.

j. Marine railway systems are prohibited except in association with: a marina; or, a commercial or industrial water dependent activity in type 3, 5 and 6 waters.

Project Compliance: There will be no marine railway systems as part of this project.

k. The installation or use of more than one (1) residential or limited recreational boating facility per lot of record as of October 7, 2012 is prohibited.

Project Compliance: Not applicable. This marina is an existing recreational boating facility.

l. The construction and use of cribs for residential or limited recreational boating facilities is prohibited when located within coastal wetlands.

Project Compliance: Not Applicable. This marina is an existing recreational boating facility.

MARINA STANDARDS

a. All new or significantly expanded marina designs shall be in accordance with Table 8 in § 1.3.1(D) of this Part (Minimum Design Criteria), but in no case shall any structural member be designed to withstand less than 100 year storm frequency, including breaking wave conditions in accordance with ASCE 7 (Minimum Design Loads For Buildings and Other Structures, 2016) and FEMA Manual 55(Coastal Construction Manual, 2011) incorporated by reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these regulations. All design elements including the bathymetry shall be stamped by a Rhode Island registered Rhode Island Professional Engineer. Any reconstruction of an existing marina destroyed by a catastrophic event shall have the piles and float restraint systems designed to meet the 100 year storm frequency, while other elements shall meet the requirements for a 50 year storm at a minimum.

Project Compliance: Not applicable. This project proposes modifications to an existing recreational boating facility (marina).



b. New marinas or any significant expansion of an existing marina shall first submit a Preliminary Determination request. The Executive Director may waive this requirement for limited marinas when there is minimal expected impact to the resources and no known use conflicts.

(1) In order to minimize the impact of the significant expansion within tidal waters, the preferred mode of expansion shall be dry-stack marina, on the applicant's property or in areas controlled by the applicant, when consistent with local ordinances.

(2) As part of the requirements under § 1.3.1(A) of this Part (Category B Requirements), the applicant shall state the basis for the number of wet slips requested.

Project Compliance: Not applicable. This project proposes modifications to an existing recreational boating facility (marina).

c. In evaluating the facility proposal, the applicant must demonstrate that:

(1) potential impacts have been or can be avoided to the maximum extent practicable when considering existing technology, infrastructure, logistics, and costs in light of approved project purposes; and

Project Compliance: This project will use technologies that will impart minimal impacts to the existing infrastructure and the surrounding environment at reasonable costs.

(2) impacts have been or can be minimized to an extent practicable and appropriate to the scope and degree of those environmental impacts; and

Project Compliance: Measures will be employed (sediment and erosion control practices, turbidity curtains, if needed) to minimize environmental impacts during the construction phase.

(3) any unavoidable impacts to aquatic and terrestrial resources have been or will be mitigated to an extent that is practicable and appropriate.

Project Compliance: Any unavoidable aquatic and terrestrial impacts will be monitored during construction. If needed, a turbidity curtain will be used to manage migration of silt and sediments.

d. The density of in-water vessels shall be greater than thirty (30) vessels per acre (except in destination harbors) within the MPL. If vessel density is less than the limit, reduction of the MPL will be required.

Project Compliance: This project is not anticipated to change the density of in-water vessels at the existing marina, which is currently in excess of 30 vessels per acre.

e. Dockage for dry stack vessel loading and temporary storage shall be excluded from the marina density calculations, provided only dry stack vessels and vessels awaiting pump out utilize the area. There shall be no permanent or transient use of the docks used for dry stack vessels or pumpouts.

Project Compliance: Dry stack vessel loading and temporary storage has been excluded from marina density calculations. Docks will not be used for dry stack vessels or pumpouts.



f. Marina layout and geometry shall utilize existing bathymetry to the greatest extent possible. The layout shall provide for similar size vessels located such that fairway widths can be minimized in areas of smaller vessels. Fairways shall be a minimum of 1.5-times the length of the average vessel length utilizing the fairway.

Project Compliance: Existing bathymetric data have been used during the design of this project. No changes to existing fairways will occur.

g. The maximum length of any contiguous dock, both fixed and floating shall be one thousand (1,000) feet for all new or expanded marinas.

Project Compliance: There are no new contiguous docks greater than 1,000 feet proposed at this existing marina.

h. Sufficient sanitary facilities shall be provided to service the patrons of the marina, in accordance with Table 7 of § 1.3.1(D) of this Part (Minimum Required Sanitary Facilities). The maximum distance from sanitary facilities for any slip shall be within a one thousand (1,000) foot radius from the facilities. This may require more than one sanitary facility location. Portable toilets may be considered sufficient for limited marinas.

Project Compliance: The existing marina complies with the sanitary facilities requirements. The proposed additional large-vessel dock space will not trigger additional sanitary facilities requirements.

i. Marinas with more than two hundred (200) vessels with an average length in excess of thirty-eight (38) feet may be eligible for a reduction in the minimum number of facilities at the discretion of the Executive Director with an acceptable pump out plan.

Project Compliance: The marina currently has public facilities (10 toilets, 6 urinals, and 3 pump out facilities) for customer use and additional facilities for employees, captains, and crew. This project, with a net increase of 0 additional vessels, will not require additional sanitary facilities. The minimum required sanitary facilities by CRMC for a 300-vessel marina (the largest listed in the regulations) is 6 toilets, 2 urinals, and 3 pump out facilities. This marina currently berths approximately 334 vessels.

j. Marina owners shall submit documentation of compliance with the State of Rhode Island's requirements of National Fire Protection Association (NFPA) 303 Standard for Marinas and Boatyards from the local or State Fire Official, where appropriate.

Project Compliance: This Standard has been reviewed and shall be complied with, as appropriate.

k. All electrical installations shall be designed and installed in accordance with the requirements of the NFPA, State building and electrical code. The operations & maintenance plan shall certify that all applicable codes have been met.

Project Compliance: This Standard has been reviewed and shall be complied with, as appropriate.

l. Sufficient parking shall be provided for the patrons of the marina. A standard of three hundred (300) square feet is required for each parking space; the minimum requirements for the total number of parking spaces provided is one (1) space for each one and one half (1.5) vessel. If parking for dry stack vessels is in the rack space, no additional parking is required. On grade Parking for dry stack shall be at



one space for five (5) vessels. Parking for new or expanded marinas in destination harbors shall be one (1) space for every twenty-five (25) vessels of new or expanded slips.

Project Compliance: The marina currently has ample parking – this will not change with the proposed alterations.

m. A Council Assent for a marina permits the marina operator to undertake minor repairs and alterations of approved facilities without further review, where such repairs or activities will not alter the assented design, capacity, purpose or use of the marina. For the purposes of this section, the assented design, capacity, purpose or use of the marina shall be those characteristics associated with the physical configuration or construction, numbers and sizes of vessels accommodated at in-water facilities, and nature of operation as defined in the original Council Assent, respectively. Minor repairs and alterations to in-water facilities shall include repair or replacement of dock decking or planks, replacing pilings, extensions of slips and/or finger piers within the perimeter and capacity of the marina as defined within the original Assent, or as established in § 1.3.1(D)(9)(o) of this Part, and other activities of a similar and non-substantial nature. Minor repairs and alterations to upland facilities may take place upon Council approval of an operations and maintenance plan as identified below in § 1.3.1(D)(9)(q) of this Part and shall include grading of parking and launch ramp areas, grouting of seawalls, plumbing and electrical work, maintenance of sidewalks, fences and walkways, flagpole installations, landscaping, signage and other activities of a similar and non-substantial nature. Minor repairs and alterations shall not be construed to include maintenance dredging, alterations, repairs or expansion of shoreline protection facilities, bulkheads, or breakwaters or other activities subject to review under other relevant sections of this program. All minor repairs and alterations shall take place within the assented design of the marina, or marina perimeter as defined in the original Council Assent or as established in accordance with § 1.3.1(D)(9)(o) of this Part. Any repair or replacement of floats for existing marinas shall meet current float design standards.

Project Compliance: This Standard has been reviewed and shall be complied with, as appropriate.

n. In those instances where the minor repair or alteration would require the use of heavy machinery (such as a pile driver or grader), the Council shall be notified in writing at least ten (10) working days prior to undertaking the work. Notice of repair activities requiring the use of heavy machinery shall include the following:

- (1) A statement that the notice is given pursuant to § 1.3.1(D)(9)(n) of this Part;
- (2) A description of the proposed repair or alteration to be performed including a statement as to the size and type of materials to be used;
- (3) A copy of the original Council Assent or Division of Harbors and Rivers permit under which the proposed repair or alteration is to be performed;
- (4) A copy of the site plan from the original Council Assent showing the location of the proposed repair or alteration;
- (5) The name of the person on-site responsible for supervising the proposed repair or alteration; and



(6) The anticipated dates on which the proposed repair or alteration shall commence and be completed.

Project Compliance: This Standard has been reviewed and shall be complied with, as appropriate.

o. All marinas and/or mooring areas shall have a defined perimeter for in-water facilities, which shall describe and limit that area in which the repair or alteration activities described in §§ 1.3.1(D)(9)(m), 1.3.1(D)(9)(n) and 1.3.1(D)(9)(p) of this Part may take place. Operators of marinas may apply to the Council for definition and establishment of this perimeter at any time. Perimeters shall be defined on the basis of in-water facilities in place as of September 30, 1971, or subsequently assented structures. All new or modified Marina Perimeter Limit lines shall be a maximum of ten (10) feet outside of the marina structures. The MPL shall be designated on all plans with the corners designated by their State Plane Coordinates.

Project Compliance: All project activities will take place within the existing MPL.

p. It is permissible to have vessels berthed at a facility outside of the Marina Perimeter Limit if, in the opinion of the Executive Director, there are no conflicts with other users, or impacts to resources, or conflicts with the DEM Shellfish Program. All vessels shall be berthed parallel to piers and docks if outside of the MPL. Mediterranean style mooring (vessel perpendicular to the dock at the stern beyond the MPL) may be permissible in destination harbors if the Executive Director determines that there are no adverse impacts to existing navigation, fishing, commerce or recreational uses.

Project Compliance: No vessels will be berthed outside the existing MPL for the project.

q. Proposals for the alteration or reconfiguration of in-water facilities such as piers and/or mooring areas shall be reviewed in the following manner:

(1) Alterations to the layout or configuration of in-water facilities within a previously approved MPL which do not increase the number of boats accommodated shall obtain a Certification of Maintenance in accordance with the requirements of § 1.3.1(N) of this Part;

(2) Alterations which propose to increase the number of boats that may be accommodated at the in-water facilities of the marina within 25% of the capacity of the marina as defined in the original Council Assent, and do not propose to extend the facility beyond the defined perimeters (established pursuant to the original Council Assent or § 1.3.1(D)(9)(o) of this Part shall be reviewed as Category A applications. The Council's review shall establish that the alterations and/or expansion meet the 25% standard, and that the Council's standards for parking and sanitary facilities are met. If the 25% increase changes the marina type, the expansion shall be treated as a Category B application and all standards for the new marina designation shall apply; and

(3) Alterations which propose to increase the numbers of vessels accommodated at the in-water facilities beyond 25% of the capacity as defined in the original Council Assent, and/or extend the facility beyond the defined perimeters, or alter the purpose of the facility shall be reviewed as a Category B application. The Executive Director may allow a onetime expansion of the MPL for Limited Marinas in Type 2 waters up to 25% of the assented/original boat capacity.



(4) Alterations to marinas in Type 2 waters shall have all in-water vessels and dry stack vessels count towards the 25% increase in vessel/boat capacity.

Project Compliance: The 4 new floating “finger” piers will accommodate 7 large vessels. To accommodate the haul-out structure and floating “finger” piers, 7 existing berthing spots (for smaller vessels) will be eliminated. This will result in a net zero increase of marina capacity. The marina is in Type 3 waters.

r. New marinas and significantly expanded existing marinas must submit a draft Operations & Maintenance plan with their marina permit application. Existing marinas must submit the plan within one (1) year of the effective date of this regulation. Whenever the marina ownership or leasehold changes, the O&M plan must be revised and resubmitted for approval. Plan approvals are valid for three (3) years without any change in ownership, expansion or major infrastructure work.

Project Compliance: Not applicable – this project will not result in a new or significantly expanded marina.

s. All O&M plans shall include the information outlined in the guidance document “Marina Operations and Maintenance Plans” by the CRMC.

Project Compliance: This Standard has been reviewed and shall be complied with, as appropriate.

t. Any Marina that has a “Clean Marina” certification issued by the CRMC will only be required to submit the facility layout plan (plan requirements in guidance Document “Marina Operations and Maintenance Plans” by the CRMC and Clean Marina certification approval letter in lieu of an O&M plan.

Project Compliance: The New England Boatworks Marina is the largest “Clean Marina” certified marina in Rhode Island. As noted in Marina Standard r (above), an O&M will not be submitted with this Assent Application.

u. Any alterations to mooring areas shall be consistent with any CRMC approved municipal harbor management rules, regulations or programs, as defined in § 1.3.1(O) of this Part.

Project Compliance: Not applicable – this project will not result in mooring area alterations.

v. All new marina facilities shall be required to install a marine pumpout facility. Any significant expansion or alteration of an existing marina facility that results in greater than or equal to fifty (50) new slips or where adequate pumpout service is not currently available shall be required to install a marine pumpout facility. Any expansion or alteration of an existing marina facility which proposes to increase the number of vessels accommodated at the in-water facilities beyond 25% of the capacity as defined in the original Council Assent shall be required to undertake mitigative measures. If 25% of the capacity, as defined in the original Council Assent, is greater than or equal to fifty (50) slips, then a marine pumpout facility shall be required. If 25% of the capacity, as defined in the original Council Assent, is less than fifty (50) slips, then the Council shall require either the installation of a marine pumpout facility or other suitable mitigation measures. In no case shall the number of pump outs be less than those shown in Table 7 in § 1.3.1(D) of this Part (Minimum Required Sanitary Facilities).

Project Compliance: The marina currently has 3 pumpout facilities. Since this project will result in no net increase in berthing spots, the existing 3 pumpout facilities shall be sufficient.



w. If the applicant can demonstrate that there are already enough marine pumpout facilities to serve all of the recreational boating facilities found in the region, then the Council may waive the requirement for a marine pumpout facility and require alternative mitigative measures.

Project Compliance: As noted in Marina Standard v (above), no increase in pumpout facilities will be required.

x. All marine pumpout facilities or pumpout stations shall be designed in a manner that serves the boating public. Pumpout facilities shall be located in an accessible location. The dock utilized for the pumpout shall not be available for dockage of any kind beyond the reasonable time for vessel pumpout. In addition, all marine pumpout facilities shall be open for the general public's use. However, marina operators may charge a fair and nondiscriminatory fee to cover the cost of constructing and operating these facilities. Portable pumpouts (including vessel mounted pumpouts) shall only be allowed after a facility has one (1) fixed pumpouts in place that meets all requirements. Portable pumpouts are not considered to satisfy the requirements for a pumpout except in the case of a Limited Marina.

Project Compliance: There will be no change in the number and locations of existing pumpout facilities.

y. All new marina facilities shall meet the setback policies and standards contained in municipal harbor management plans and/or harbor ordinances approved by the Council. However, in all cases marina facilities shall be setback at least fifty (50) feet from approved mooring fields and three times the authorized project depth from federal navigation projects (e.g. navigation channels and anchorage areas).

Project Compliance: Not applicable – this project will not result in a new or significantly expanded marina.

z. All new or replacement floats shall utilize floatation that was specifically fabricated for marine use and warranted by its manufacturer for such use. Foam billets or foam bead shall not be utilized unless it is completely encapsulated within impact resistant plastic. All existing installations of non-encapsulated floatation shall be replaced at a rate of 10% per year (minimum) during normal maintenance. This shall be detailed in the O&M plan. The start of mandatory replacement shall begin in October 2011.

Project Compliance: All new floating “finger” piers shall match, as much as practicable, the existing floating docks, which are prefabricated segments constructed of treated timber and secured with stainless steel or hot dipped galvanized fasteners and hardware. Buoyancy will be provided via multiple floatation units at each pier. Each floatation unit will consist of a solid polystyrene foam core that is completely encased in a heavy-duty polyethylene shell.

aa. All new marinas (including expansions) and water dependent facilities shall be designed in accordance with the latest Accessible Boating Facilities Guidelines by the United States Access Board promulgated under 36 C.F.R. Part 1191. The number of fully accessible slips shall be in accordance with the latest version of the guidelines, but in no case shall be less than 2% of the facility. Limited Marinas are not required to meet the accessibility guidelines but are encouraged to do so.

Project Compliance: Not applicable – this project will not result in a new or significantly expanded marina.

bb. The Executive Director, in his discretion, shall have the authority to determine which of the above standards shall be applied to Limited Marinas.



Project Compliance: Not applicable – this is not a Limited Marina.

SECTION 1.3.1(G) Construction of Shoreline Protection Facilities

PREREQUISITES

a. Permits for projects with structural shoreline protection facilities located below mean high water must be obtained concurrently from the Army Corps of Engineers and the CRMC. Council and Army Corps requirements are designed to complement one another; applicants should consider the requirements of both agencies when beginning the permit process. In some cases, the Council may require an applicant to obtain applicable Army Corps of Engineers permits prior to applying to the Council. A CRMC Assent is not valid unless the applicant has received all required Army Corps of Engineers approvals. For purposes of federal consistency the CRMC shall require applicants to submit a copy of the completed Army Corps of Engineers application to partially fulfill the federal requirements pursuant to 15 C.F.R. § 930.

Project Compliance: The USACE and RIDEM have been kept apprised of the proposed alterations. Current, up to date permits will be secured from both agencies prior to commencement of construction activities.

PROHIBITIONS

- a. The Council shall prohibit new structural shoreline protection methods on barriers classified as undeveloped, moderately developed, and developed and in Type 1 waters.
- b. The Council shall prohibit the use of limited applications of riprap to protect structures ancillary to the primary structure.
- c. Filling on a coastal feature or tidal waters beyond that which is consistent with § 1.3.1(G)(5)(a) of this Part is prohibited.
- d. Structural shoreline protection facilities are prohibited when proposed to be used to regain property lost through historical erosion or storm events

Project Compliance: None of the features or activities identified in Prohibitions a through d (above) apply to this project.

ADDITIONAL CATEGORY B REQUIREMENTS

- a. Applicants for structural shoreline protection measures to control erosion shall, on the basis of sound professional information, demonstrate in writing all of the following:
 - (1) an erosion hazard exists due to natural erosion processes and the proposed structure has a reasonable probability of controlling this erosion problem;
 - (2) nonstructural shoreline protection has not worked in the past or will not work in the future because these methods are not suitable for the present site conditions;



- (3) there are no practical or reasonable alternatives to the proposed activity such as the relocation of structures that mitigate the need for structural shoreline protection;
- (4) the proposed structure is not likely to increase erosion in adjacent areas;
- (5) the proposed structure is an appropriate solution to the erosion problem considering such things as the long term erosion rate in the area, the likely effects of storms and hurricanes, and the stability of the shoreline on either side of the project;
- (6) describe the long term maintenance program for the facility including financial commitments to pay for said maintenance; and
- (7) new breakwaters, jetties, bulkheads, revetments, and seawalls shall be designed and certified by a registered professional engineer.

Project Compliance: This project's proposed structural shoreline protection activities are not for control of existing erosion problems. Rather, the proposed activities will continue to effectively manage erosion, but in a different manner than currently managed. As indicated in the attached plans, an existing rip rap section will be replaced with a steel bulkhead wall. A steel bulkhead is effective in controlling/eliminating shoreline erosion. The proposed bulkhead was designed and certified by a Rhode Island Professional Engineer.

b. Applicants for breakwaters and jetties in addition to (a) and (b) above shall demonstrate that the proposed structure is necessary to provide protection to a marina, port facility, public mooring area, or public beach area.

Project Compliance: This project does not propose construction of breakwaters or jetties.

c. Applicants for breakwaters and jetties shall also provide an evaluation of the structure's potential for interrupting the longshore movements of sediment. If such an interruption is likely to be significant, the applicant shall design a sand bypass system or another measure that will assure that the effects on sediment transport shall not cause significant erosion along nearby shores.

Project Compliance: This project does not propose construction of breakwaters or jetties.

d. Repair or reconstruction of all structures that are physically destroyed 50% or more by wind, storm surge, waves or other coastal processes shall require a new Council Assent.

Project Compliance: This project does not propose repair or reconstruction of destroyed structures.

STANDARDS

a. All applicable standards for earthwork in § 1.3.1(B) of this Part shall be met. The base of the seawall, bulkhead, or revetment must be located as close as practicable to the shoreline feature it is designed to protect; structural shoreline protection facilities shall be placed landward of coastal wetlands.

Project Compliance: An existing rip rap section will be replaced with a steel bulkhead. The bulkhead will be located approximately in-line with the landward edge of the existing rip rap.



b. The ends of shoreline protection structures shall be tied into adjacent structures. Where there are no adjacent structures, the new structure shall gradually return to the slope of the feature and be so designed that opportunities for erosion around the back of the structure are minimized.

Project Compliance: The ends of the travel lift and of the new steel bulkhead will be tied into the existing adjacent features to eliminate erosion around the ends and the back.

c. The base of all shoreline protection structures built on unconsolidated sediments shall extend to a depth equivalent to mean low water or to an appropriate depth as determined by the methods detailed in the most recent version of the U.S. Army Corps of Engineers Shore Protection Manual. Where practicable, the base shall extend to a depth of 3 feet below the area of disturbance.

Project Compliance: The new steel bulkhead will extend approximately 23 feet below the dredged bottom level.

d. To promote good drainage behind seawalls and bulkheads, and to minimize the flow of sediment into waterways and avoid the loss of backfill, all backfill must contain less than 10% silt. If sediment in the area is fine grained, a filtering layer shall be placed behind and/or beneath the structure, consisting of suitably graded stone or rock chips or geotextile filter fabric. Weep holes shall be provided for drainage in retaining walls and bulkheads. The use of grout or concrete within, behind, or over revetments is not permitted.

Project Compliance: Backfill used behind the new bulkhead will consist primarily of excavated material. Based on the results of a previously performed substrate exploration program, backfill is expected to contain less than 10% silt. If needed, a geotextile fabric will be used. Weep holes will be provided.

e. Where feasible, the areas in back of the structure shall be level for a distance equivalent to the height of the structure.

Project Compliance: The areas behind the travel lift and new bulkhead will be level for an extended distance to promote access.

f. The slope of revetments shall not exceed 1:1.

Project Compliance: There will be no new revetments constructed. This project proposes to remove sections of an existing rip rap revetment and replace them with a steel bulkhead.

g. Riprap revetments shall be constructed of angular stone with a minimum unit weight of 165 lbs./cubic foot (such as granite). The size of stone shall be dependent upon the site's exposure to wave energy in accordance with the guidelines found in the CRMC guidelines.

Project Compliance: This project proposes to remove sections of an existing rip rap revetment and replace them with a steel bulkhead.

h. The above assumes a 1:1 wall slope and one layer of placed stone. Equivalent designs using appropriate siting and design methods as described in the most recent version of the U.S. Army Corps of Engineers Shore Protection Manual may be substituted in place of the above design guidelines.

Project Compliance: This project proposes to remove sections of an existing rip rap revetment and replace them with a steel bulkhead.



i. Applications for structural shoreline protection facilities shall be designed and stamped by a registered professional engineer. However, small revetments in low wave energy environments may be exempted from these design requirements at the discretion of the Executive Director.

Project Compliance: The proposed bulkhead was designed and certified by a Rhode Island Professional Engineer. The plans are stamped (Dino Fiscoletti, RI Registered Professional Engineer) to indicate this.

j. Concrete used for wall construction along the shore and in tidal waters shall be resistant to the sulfate attack of seawater; Type 2 or Type 5 air entraining Portland cement or an equivalent shall be used.

Project Compliance: Concrete intended for in- or near-water use and type 2 or 5 Portland cement (or an equivalent) shall be used for this project.

k. All construction activities shall minimize any adverse impact to water quality such as disturbance of sediment.

Project Compliance: Construction activities will be monitored and pile driving techniques that minimize adverse water quality impacts and bottom sediment disturbance shall be encouraged.

SECTION 1.3.1(I) Dredging and Dredged Material Disposal

PREREQUISITES

a. Permits for maintenance and improvement dredging and disposal projects for navigational purposes must be obtained from the Army Corps of Engineers as well as the Council. Council and Army Corps requirements are designed to complement one another; applicants should consider the requirements of both agencies when preparing to begin the permit process and may apply for CRMC and Army Corps permits concurrently.

Project Compliance: A Permit for the original phase of this project (2016) was secured from the USACE and CRMC. The USACE permit expires in March 2022. This Addendum will be delivered concurrently to USACE and any necessary permit modifications will be secured from them prior to commencement of construction activities.

b. Except for direct federal activities, applicants for dredging or open waters disposal of dredged materials shall be required to obtain a dredging permit (which contains the Section 401 Clean Water Act Water Quality Certification) from the Department of Environmental Management (RIDEM) before the Council can consider granting approval for the project.

Project Compliance: Dredging and Water Quality Certification permits for the original phase of this project were secured from RIDEM. Both permits expire in December 2019. This application will be delivered concurrently to the RIDEM and any necessary permit modifications shall be secured from them prior to commencement of construction activities.

c. All materials to be dredged for either open water disposal or upland disposal must be classified by the Department of Environmental Management (DEM) based upon an approved analysis process prior to the Council acting on an application of either dredging or dredged materials disposal.



Project Compliance: Samples were obtained from the proposed dredge/excavation areas and analyzed in accordance with an approved Sampling Plan. Dredge/excavation materials were deemed suitable for beneficial reuse in an upland area. This is further discussed in Section 1.3.1.B.(2), above.

d. Any application for open water disposal of dredged materials shall obtain a suitability determination from the Army Corps of Engineers.

Project Compliance: There shall be no open water disposal of dredge materials as part of this project.

e. All applicable requirements of the Freshwater Wetlands Act have or will have been met.

Project Compliance: This project will occur along tidal water with no wetlands present on inland portions.

f. Upland disposal of dredged materials must comply with all applicable local zoning ordinances.

Project Compliance: Dredged/excavated materials from this project will be beneficially reused in an upland area of the project site (same land parcel). Disposal of dredged materials will comply with all applicable local zoning ordinances. A completed and signed Building Official/Zoning form (by the Building and Zoning Officials from the Town of Portsmouth, RI) is attached to this amendment.

g. When disposal is proposed for approved upland facilities, the applicant shall provide a letter of acceptance from that facility, unless the disposal is approved for the central landfill.

Project Compliance: There will be no disposal at an 'approved upland facility'. All dredged materials shall be disposed (beneficially reused) on upland portions of the project site (same land parcel).

h. For dredge volumes greater than 10,000 cubic yards, a preapplication meeting is required.

Project Compliance: Total dredged volume is estimated at 25,000 cubic yards. Several preapplication meetings and discussion sessions have already occurred with CRMC and RIDEM personnel.

PROHIBITIONS

a. The disposal of dredged materials on or adjacent to coastal wetlands in Type 1 and 2 waters is prohibited unless associated with a Council- approved program of wetland building or rehabilitation. The disposal of dredged materials is also prohibited on coastal wetlands designated for preservation in Type 3, 4, 5, and 6 waters (see § 1.2.2(D) of this Part.

Project Compliance: There shall be no disposal of dredged materials on coastal wetlands.

b. No dredging for navigational purposes is permitted in Type 1 waters. Only maintenance dredging may be permitted in Type 2 waters, except as allowed per § section 1.2.1(B) of this Part.

Project Compliance: This project abuts Type 3 waters. Dredging will occur near the shoreline to accommodate the proposed boat lift.

c. It is prohibited to utilize any mechanical system to remove, relocate, wash or otherwise alter the seabed in any Rhode Island waters, unless authorized through a council assent. It is also prohibited to remove, relocate, wash or otherwise alter marine sediments with any device or deflector without a permit for the specific equipment, method and location. This regulation is not intended to prohibit or



otherwise impact commercial fishing or shellfishing activities in Rhode Island waters or to establish additional permitting requirements for such activities.

Project Compliance: Material will be dredged using upland excavation equipment as much as practicable. Barge mounted equipment (crane and clamshell) may be required for areas furthest from shore. This project will alter the seabed immediately adjacent to the proposed boat lift location (to establish the entrance channel) and adjacent to the existing rip rap to be replaced with the steel bulkhead.

Additional Category B Requirements

a. Applicants for all dredging projects shall provide accurate soundings in the area of the proposed dredging operation.

Project Compliance: Soundings in the proposed dredging area were obtained on four occasions during June 2016 and April 2018 with GPS and lead line. The revised plans provide the bathymetry based on the results from these recent soundings. Additionally, water depths within the dredged area to monitor compliance with design depths will be collected during the course of this project.

b. Applicants shall describe any temporary or permanent disturbance to a coastal feature which is required or anticipated in order to gain access for heavy equipment to the dredging or disposal site.

Project Compliance: The necessary heavy equipment will be hauled to the site via existing roadways or will be barge mounted. There will be no temporary or permanent disturbances to any coastal feature.

c. When fine-grained sediments are to be removed, the applicant shall employ proper turbidity controls as necessary to control the transport of materials placed in suspension by dredging unless the applicant demonstrates to the Council on the basis of competent professional analysis that such transport will not be significant or will be controlled by other measures.

Project Compliance: Proper turbidity controls will be used to control transport of materials into the water body. If needed, a turbidity curtain will be erected during dredging operations to manage migration of fine sediment.

d. The applicant shall limit dredging and disposal to specific times of the year in order to minimize odors and/or impacts on fish and shellfish unless the applicant demonstrates to the Council on the basis of competent professional analysis that such odors or impacts will not be significant or will be controlled by other measures.

Project Compliance: Dredging will only occur during the approved 'dredge window,' currently 15 October to 31 January.

e. Applicants for improvement dredging projects shall describe, on the basis of competent professional analysis, anticipated siltation rates, sediment sources, and anticipated maintenance dredging needs.

Project Compliance: This project includes improvement dredging to accommodate the construction of a boat lift within an existing marina. Normal tidal flushing and boat traffic within the marina is anticipated to cause the migration of sediment from surrounding areas. This sediment may accumulate in the newly dredged area. Sea floor elevations were obtained from bathymetric data collected in 2008. Those data were compared to data obtained in 2016 and 2018, approximately 8 and 10 years later. This comparison



indicated no appreciable siltation during the past 10 years (6 inches at most). Based on this, we expect required maintenance dredging to be minimal going forward – at least 10-years out, probably much longer.

f. When dredged materials are removed from a marine to an upland environment for disposal, the applicant shall demonstrate that any release of pollutants present in the materials shall not cause significant environmental degradation.

Project Compliance: All dredged materials will be disposed on upland portions of the project site. Material has been analyzed and found to be suitable.

g. Applicants proposing dredging operations associated with residential boating facilities in Type 2 waters must demonstrate that the purpose is to restore channels and basins to dimensions that support and maintain existing levels of use, and must submit clear and convincing evidence documenting a diminished use of a facility or navigational fairway by natural shoaling or accretion, not merely a need for additional water depth.

Project Compliance: Not applicable; project abuts Type 3 waters.

STANDARDS

a. For Dredging:

(1) Bottoms of dredged areas shall slope downward into the waterway so as to maximize tidal flushing.

Project Compliance: As indicated on the attached plan set, the bottom of the dredged area is one to two feet higher than the abutting marina fairway channel, maximizing tidal flushing and minimizing the creation of anaerobic areas.

(2) Bottom slopes at the edges of dredged areas shall have a maximum slope of 50 percent.

Project Compliance: The slopes of all dredged areas shall be less than 50 percent.

(3) Dredging shall be planned so as to avoid undermining adjacent shoreline protection facilities and/or coastal features.

Project Compliance: The area to be dredged and the slope adjacent to the proposed bulkhead shall be graded to avoid undermining the adjacent shoreline.

(4) Shellfish dredged from waters classified SB or lower shall not be made available for human consumption or bait.

Project Compliance: Project shall comply with this standard.

(5) All dredging at any marina shall be bounded to the footprint of the Marina Perimeter Limit (MPL). Side slopes associated with such dredging shall be allowed to extend beyond the MPL and then only when all adjacent structures are not impacted.

Project Compliance: The proposed dredging will occur inside of the Marina Perimeter Limit. This is indicated on the attached plan set.



d. For Upland Disposal:

(1) Dewatering of dredged materials shall occur within a properly designed dewatering facility.

Project Compliance: Dewatering will occur within a designated dewatering area surrounded by a compacted berm constructed from excavated materials and staked straw bales with silt fence. This area will also serve as the final disposal area. The dewatering basin has been designed in accordance with the USACE publication *Engineering and Design, Confined Disposal of Dredged Material, Engineering Manual No. 1110-2-5027*.

(2) After dewatering, dredged materials placed on uplands adjacent to tidal waters shall be vegetated or otherwise permanently stabilized. Surface slopes of the disposal area shall be graded so as to prevent surface ponding.

Project Compliance: After dewatering, materials will be spread within the bermed area at no more than a 30% slope (beneficially reused). To limit bulking, spread materials will be proof rolled (or similar method) to compact the dredged material. Material will be placed in small lifts to facilitate compaction. The outside perimeter of the bermed area will be rip-rapped using stones removed from the proposed bulkhead area.

Once the dredged material is dried, the rip-rap stones will be rearranged on the east face to accommodate a gradually sloping ramp to allow access to the area. Travel lanes will be provided with stabilization in the form of crushed seashells. The entire filled area will also be covered with crushed seashells. The area is currently used for storage at the marina. It is proposed that the filled in area will continue to be used in the future as a storage area. Regarding stormwater, the nature of the surface will remain unchanged; the surface is currently permeable and will remain permeable. Currently, storm water is allowed to infiltrate into the ground surface and is expected to continue to do so.

(3) Where dredged materials are placed behind a wall or bulkhead:

- (AA) the structure shall be suitably engineered to resist the pressures of the dredged material;**
- (BB) the material, including fines, shall be prevented from seeping through the wall or bulkhead by the placement of an adequate filtering device; and**
- (CC) all applicable standards listed for shoreline protection facilities in § 1.3.1(G) of this Part shall be met.**

Project Compliance: There will be no dredged materials placed behind the proposed bulkhead.

(4) All applicable requirements of § 1.3.1(B) of this Part shall be met.

Project Compliance: Compliance with Section 1.3.1(B) is discussed above.

We have attached, with this letter, a 12-drawing plan set outlining the proposed work. This plan set is a revised/updated version of the one that was submitted with the December 14, 2017 application. Also attached are completed Assent form, Dredge form, Dredge checklist, Building/Zoning Official form, and a check for the application fee (\$500). As you instructed, the enclosed check represents the difference between the paid amount



for the 2016 application (estimated project cost \$1,200,000; \$6,250 paid) and the total due for this new project (estimated project cost \$1,300,000; \$6,750); net due \$500.

If you require any additional information, please contact Igor Runge at igor.runge@gza.com or Dino Fiscoletti at dino.fiscoletti@gza.com.

Very Truly Yours,

GZA GEOENVIRONMENTAL, INC.

A handwritten signature in black ink, appearing to read 'Dino Fiscoletti'.

Dino Fiscoletti, P.E.
Project Manager

A handwritten signature in black ink, appearing to read 'Russell J. Morgan'.

Russell J. Morgan, P.E.
Senior Principal

A handwritten signature in blue ink, appearing to read 'Igor Runge'.

Igor Runge, Ph.D., P.H.
Consultant/Reviewer

Cc: David MacBain, New England Boatworks
Tom Rich, New England Boatworks
Taylor Bell, USACE
Neal Personeus, RIDEM

Attachments: Completed Assent Form
Completed Dredge Form
Completed Dredge Checklist
Completed Building/Zoning Official Form
Application Fee
12-Sheet Plan Set



State of Rhode Island and Providence Plantations
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

APPLICATION FOR STATE ASSENT

To perform work regulated by the provisions of Chapter 279 of the Public Laws of 1971 Amended.

Project Location <u>1 Lagoon Road Portsmouth RI</u> No. Street City/Town			File No. (CRMC USE ONLY)
Owner's Name <u>New England Boatworks INC.</u>			Plat: 37 Lot(s): 36, 36A, 36B, 36C
Mailing Address <u>1 Lagoon Road</u> City/Town <u>Portsmouth</u> State <u>RI</u> Zip Code <u>02871</u>			Contact No.: <u>401-683-6100</u> <u>401-683-6110</u>
Contractor RI Lic. # Address			Tel. No.
Designer <u>Igor Runge</u> Address <u>530 Broadway Providence RI</u>			Tel. No. <u>401-427-2710</u>
Name of Waterway <u>East Passage</u>			Fee: \$ <u>17,250.00</u> \$ <u>6,750.00</u>
Describe accurately the work proposed. (Use additional sheets of paper if necessary and attach this form.) See attached narrative.			

Have you or any previous owner filed an application for and/or received an assent for any activity on this property?
(If so please provide the file and/or assent numbers): 2016-09-046, 2016-05-105

Is this site within a designated historic district? ☐ YES ☒ NO

Is this application being submitted in response to a coastal violation? ☐ YES ☒ NO

If YES, you must indicate NOV or C&D Number: _____

Name and Addresses of adjacent property owners whose property adjoins the project site. (Accurate addresses will insure proper notification. Improper addresses will result in an increase in review time.)

O Stringham Road - US Government Capt. P.W. Malloy Commanding Officer Naval Station Newport 690 Peary St Newport RI
181 - Bradford Ave - Town of Portsmouth 2200 East Main Road, Portsmouth RI

STORMTOOLS (<http://www.beachsamp.org/resources/stormtools/>) is a planning tool to help applicants evaluate the impacts of sea level rise and storm surge on their projects. The Council encourages applicants to use STORMTOOLS to help them understand the risk that may be present at their site and make appropriate adjustments to the project design.

NOTE: The applicant acknowledges by evidence of their signature that they have reviewed the Rhode Island Coastal Resources Management Program, and have, where possible, adhered to the policies and standards of the program. Where variances or special exceptions are requested by the applicant, the applicant will be prepared to meet and present testimony on the criteria and burdens of proof for each of these relief provisions. The applicant also acknowledges by evidence of their signature that to the best of their knowledge the information contained in the application is true and valid. If the information provided to the CRMC for this review is inaccurate or did not reveal all necessary information or data, then the permit granted under this application may be found to be null and void. Applicant requires that as a condition to the granting of this assent, members of the CRMC or its staff shall have access to the applicant's property to make on-site inspections to insure compliance with the assent. This application is made under oath and subject to the penalties of perjury.

08/04

Owner's Signature (sign and print)

PLEASE REVIEW REVERSE SIDE OF APPLICATION FORM

/ajt

05/2018

STATEMENT OF DISCLOSURE AND APPLICANT AGREEMENT AS TO FEES

The fees which must be submitted to the Coastal Resources Management Council are based upon representations made to the Coastal Resources Management Council by the applicant. If after submission of this fee the Coastal Resources Management Council determines that an error has been made either in the applicant's submission or in determining the fee to be paid, the applicant understands that additional fees may be assessed by the Coastal Resources Management Council. These fees must be paid prior to the issuance of any assent by the Coastal Resources Management Council.

The applicant understands the above conditions and agrees to comply with them.


Signature

6/7/18
Date

Thomas C Rich Treasurer New England Bearworks Inc
Print Name and Mailing Address

1 Cagon Rd
Portsmouth, RI
02871



Rhode Island Coastal Resources Management Council
Oliver H. Stedman Government Center
Wakefield, RI 02879
(401) 783-3370



Rhode Island Department of Environmental Management
235 Promenade Street
Providence, RI 02908-5767
(401) 222-6820

APPLICATION FOR MARINE DREDGING AND ASSOCIATED ACTIVITIES pursuant to the Marine Infrastructure Maintenance Act of 1996 and the Marine Waterways and Boating Facilities Act of 2001, Chapter 46-6.1 of the Rhode Island General Laws.

PURPOSE OF APPLICATION

- ☒ Application for Dredging and Disposal of Dredged Material
☐ Request Renewal of RIDEM Dredge Permit File # _____
☐ Request Renewal of CRMC Dredge Permit File # _____
☐ Request Modification of RIDEM Dredge Permit File # _____
☐ Request Modification of CRMC Dredge Permit File # _____

Agency Use Only
File Number

Date Received

(Please Type or Print)

APPLICANT INFORMATION

Applicant Name: New England Boatworks Inc.

(NOTE: Applicant must be the owner of the property on which the activity is proposed)

Applicant Address: 1 Lagoon Road Telephone No. _____

City/Town: Portsmouth State: RI Zip: 02871

PROJECT INFORMATION

Project Address: 1 Lagoon Road

City/Town: Portsmouth State: RI Zip: 02871

Tax Assessor's Plat(s) and Lot Number(s): Plat 37 Lots 36, 36A, 36B, 36C

Project Consultant/Engineer Name: GZA GeoEnvironmental Inc.

Consultant/Engineer Address 530 Broadway Providence RI 02909

Consultant/Engineer Telephone No. 401-421-4140

ACTIVITIES ASSOCIATED WITH THE PROPOSED DREDGE PROJECT (check all that apply)*

- | | |
|---|---|
| ☐ Filling of Waters of the State | ☐ Flow Alterations |
| ☒ Marinas – New construction or expansion | ☐ Point Source Discharge of Pollutants |
| ☒ Site Disturbances | |
| ___ Residential Development: six (6) or more dwellings | |
| <u>x</u> Commercial, Industrial, State or Municipal Development | |
| ___ Any project $\geq$ five (5) acres of disturbance | |

GENERAL INFORMATION

Identify program and associated application number for any other RIDEM applications filed for this project

___ Freshwater Wetlands	Application Number _____
___ RIPDES	Application Number _____
___ Individual Sewage Disposal System	Application Number _____
___ Other (_____)	Application Number _____

If you have any questions, please contact the RIDEM at 222-7500 or CRMC at 783-3379.

CERTIFICATION OF APPLICANT

I hereby certify that I have requested and authorized the investigation, compilation, and submission of all the information, in whatever form, contained in this Application; that I have personally examined and am familiar with the information submitted herein; and that such information is true, accurate and complete to the best of my knowledge.

Signature of Applicant: _____

Date: 6/7/18

Thomas C. Rich, Treasurer for New England Boatworks Inc.
Please return this completed application form and all supporting information, as indicated on the accompanying Submittal Checklist to:

Rhode Island Coastal Resources Management Council
Oliver H. Stedman Government Center
Wakefield, RI, 02879

and

Rhode Island Department of Environmental Management
Office of Technical & Customer Assistance
235 Promenade Street
Providence, RI 02908

* Water Quality Certification required for these activities pursuant to Section 401 of the CWA and the Rhode Island Water Quality Rules may be incorporated into an approval issued as part of this application.

Office Use Only:

Suitable for Public Notice _____ Date: _____

- ☐ Approved
☐ Denied
☐ Withdrawn

APPLICATION FOR MARINE DREDGING AND ASSOCIATED ACTIVITIES SUBMITTAL CHECKLIST

To be accepted as complete, an application to dredge in the marine waters of the state and/or to dewater, dispose or make beneficial use of dredged material must include the information listed below.

A completed and signed Application to Dredge in Marine Waters and Associated Activities

8 copies of the proposed project site plan(s), including all applicable information as identified in this checklist

FOR ALL PROJECTS, SITE PLANS MUST INCLUDE THE FOLLOWING INFORMATION:

- ☒ All site plans must be at least 8-1/2" x 11" in size but no larger than 24" x 36" with a minimum scale of 1" = 50' (if plans larger than 8-1/2" x 11" are utilized, one set of plans reduced to 8-1/2" x 11" are also required)
- ☒ The (one) datum for the project
- ☒ All site plans containing more than one (1) sheet must be numbered consecutively
- ☒ All site plan markings must be permanently fixed
- ☒ A title block, the original date and latest revision date of the plan. The title block must include the name of the applicant, the proposed project title, the principal street/road abutting the site, the Tax Assessor's plat and lot number(s), the city/town where the proposed project is located, the name of the plan preparer and the plan scale
- ☒ The stamp of the professional affixed to each sheet prepared, along with the date and signature of the professional
- ☒ A Plan Scale with graphic scale, if plans are reduced
- ☒ A magnetic North arrow
- ☒ A legend explaining all markings and/or symbols
- ☒ The entire property boundary outline and dimension
- ☒ A locus using a USGS quadrangle map
- ☒ All streets and rights of way within 50 feet of the property lines of the proposed activity with fixed reference points including utility poles, house numbers, stone walls, bulkheads, buildings, edge of woods/fields, trails, parking areas, above and underground utilities, existing and proposed drainage structures and any other infrastructure on-site or within 50 feet of the property lines(s)
- ☒ Delineation of all surface water bodies including all freshwater and coastal wetland jurisdictional areas of the DEM, CRMC and ACOE within 100 feet of the property lines of the project
- ☒ Any jurisdictional area that extends beyond the property line must be shown for 100 feet beyond the property line
- ☒ The location of all sediment sampling points, conducted pursuant to the approved Sediment Sampling Plan
- ☒ Mean high and mean low water elevations
- ☒ The location of in-water structures, such as docks, piers, floats, moorings, etc. within 100 feet of the property
- NA ☐ The location of federal navigation projects, such as channels, anchorage areas, etc.
- ☒ Cross sectional views in two directions of the area to be dredged, including existing and proposed contours with a maximum spacing of 200'

- ☒ The location and detail of the proposed disposal area, including the geographic extent of filling
- NA ☐ Cross sectional plans of the proposed disposal area showing existing bottom contours and those that will result from disposal activities and the datum used to establish all grades and depths
- ☒ The location and dimensional area of the proposed dewatering and settling basins and storage and staging areas
- ☒ A detail of the existing and proposed conditions and topography at two-foot intervals and extending 50 feet beyond the property lines
- ☒ The proposed limits of disturbance at the dewatering location, including all sides slopes of the dewatering area, any stock pile area, and construction vehicle access and storage
- NA ☐ The location of any pier or dock proposed for transfer or off-loading of dredged material from scows to land and their position relative to the dredge site and the proposed dewatering location, including certification by a registered professional that such facilities are adequate for the proposed purpose
- ☒ All access roads to be utilized by trucks for offloading, transferring or removing dredged material to the dewatering location(s)
- ☒ Verification that the proposed dewatering location is not within any area prohibited in Section 5.4 of the Dredge Rules
- ☒ The groundwater and surface water classification(s) for the proposed dewatering location(s)
- ☒ The zoning designations and FEMA limits and elevations for the dewatering location
- ☒ Cross-sectional views of the dewatering, settling and storage basins including details of the berms, overflow and outlet weirs
- ☒ All runoff collection systems associated with the proposed basins and any point source discharge locations
- ☒ All temporary and permanent stormwater and water quality management controls and Best Management Practices
- ☒ The location of the disposal/beneficial use area, including an area 100 feet beyond the proposed limits of disposal/beneficial use
- ☒ A detail of the existing and proposed site conditions, including contours at two-foot intervals
- ☒ Cross sections of the upland disposal/beneficial use area in two directions, at 200' maximum spacing
- ☒ The groundwater classification of the dewatering and disposal/beneficial use areas and verification that the dredged material disposal/beneficial use location is not within areas prohibited in Section 5.4 of the Dredge Rules
- NA ☐ The location of points of groundwater use within 1750 feet of the dewatering and disposal or beneficial use location, or, if disposal or beneficial use is proposed within 200 feet of mean high water, points of groundwater use within 400 feet of the disposal/beneficial use location
- ☒ The edge and name of any river, perennial or intermittent stream, swamp, marsh, bog; pond, and emergent, submergent, shrub or forested wetland, or any special aquatic site
- ☒ The edge of any fifty-foot (50') perimeter wetland and any one hundred foot (100') or two hundred foot (200') riverbank wetland
- ☒ The edge and elevation of any flood plain and the limit of any floodway (*an exception may be allowed when pre-determined 100-year flood elevations are not available from published sources including previous engineering studies, and a registered Professional Engineer provides clear and convincing evidence that the project site is above any probable 100-year flood elevation*)

FOR DREDGING ACTIVITY, THE FOLLOWING INFORMATION IS REQUIRED:

- ☒ The analytical results of the sampling conducted pursuant to the Sediment Sampling Plan
- ☒ A narrative description of the proposed dredging method, type of dredging equipment to be used, and an estimate of the length of time (proposed starting and completion dates) necessary to complete the dredging project. Depending on the size, location and complexity of the project, an evaluation of the impacts to fishery resources including migratory and spawning behavior and habitat, and the presence of early life stages of particular sensitivity may be required. Dredging projects proposed outside the standard dredge window may require the submission of additional resource information
- ☒ A narrative description and location of aquatic resources in the area to be dredged such as shellfish beds, eel grass beds, spawning areas and migratory pathways for finfish, and other aquatic resources
- ☒ The proposed depth of dredging and the datum used to reference all grades and depths
- ☒ Stamped calculations performed by a Professional Engineer, verifying the estimated volume of material to be dredged

FOR IN-WATER DISPOSAL OF DREDGED MATERIALS, THE FOLLOWING INFORMATION IS REQUIRED

- ☐ A narrative description of aquatic resources in the proposed disposal area, including shellfish beds, eel grass beds, migratory pathways for finfish, breeding or nursery areas and any other aquatic resources
- ☐ Information on the past history of the proposed disposal area, including but not limited to, prior disposal activity, historical spills and analytical test data
- ☐ An Alternatives Analysis describing alternatives to the proposed disposal location that were investigated in accordance with and as required by the federal 404 (b)(1) guidelines
- ☐ A narrative description of how the dredged material will be deposited at the proposed disposal location, including the frequency and quantity of each disposal event, anticipated sequencing or staging activities, and measures to control dispersion
- ☐ An evaluation of the impact of the dredged material on the physical, chemical and biological components of the aquatic environment, following the tiered approach for evaluating in-water disposal options as presented in the guidance documents referenced in Section 7.5 of the Dredge Rules. This analysis may include, but is not limited to, a numerical mixing model using elutriate data in order to evaluate the dispersion of contaminants throughout the water column, as required to predict the contaminant concentrations present in the water column after consideration of mixing in order to determine compliance with water quality standards
- ☐ A plan for monitoring water quality impacts from the disposal activities, as coordinated with RIDEM, ACOE, and CRMC, as applicable
- ☐ Applications that propose in-water disposal of dredged material at a federally-approved designated disposal location, must include information as required in Sections 10.1.4-5 and 10.1.7 of the Dredge Rules

FOR DEWATERING OF DREDGED MATERIAL, THE FOLLOWING INFORMATION IS REQUIRED:

- ☒ A description of handling techniques of the dredged material (i.e. stockpiling, transporting, etc.)
- ☒ The method of transport to the dewatering location (*for upland disposal*) and the disposal/beneficial use area

- ☒ Consistency of the proposed project with the beneficial use and disposal priorities for dredged material management established in the R.I General Laws, Chapter 46-6.1-2 and with the dredging plan adopted by the Council pursuant to Section 46-6.1-5
 - ☒ A detailed estimate of the time frame required for each aspect of the dewatering process, which includes receiving, handling, dewatering and transferring dredged material to the final disposal location(s)
 - ☒ The estimated volume capacity calculations for the proposed dewatering, settling and storage basins and staging areas
 - ☒ Identification of the proposed material handling methods (i.e. hydraulic or mechanical) and an estimate of the proposed volume of runoff water expected from the material
 - ☒ A Sediment and Erosion Control Plan, describing all aspects of the material transfer and all temporary and permanent erosion and sediment controls
 - ☒ A description of the proposed methods to be used to reduce material losses when offloading the dredge scows
 - ☒ The proposed method of collecting stormwater runoff from any storage areas and directing it to the settling basins for treatment
 - ☒ Certification by a Professional Engineer that all adjacent structures (within 25 feet of the limit of disturbance) have the capacity to withstand the proposed dredging/dewatering operations and that the stability has been investigated and will not be effected
- NA ☐ If the applicant for the dredging project is not the owner of the proposed dewatering location(s), documentation of the owner's permission and knowledge of the estimated volume of dredged material to be dewatered on his/her property

FOR UPLAND DISPOSAL/BENEFICIAL USE OF DREDGED MATERIAL, THE FOLLOWING INFORMATION IS REQUIRED:

- ☒ Analytical results of dredged material sampling conducted pursuant to Section 7.4 of the Dredge Rules, where applicable
 - ☒ The method of placement of dredged material, including access points and any disturbance placement may cause
 - ☒ Stamped calculations performed by a Professional Engineer with experience in dredged material handling, verifying the volume capacity of the disposal or beneficial use location
 - ☒ A Sediment and Erosion Control Plan, describing all aspects of the material transfer at the site and all temporary and permanent erosion and sediment controls
- NA ☐ If the applicant for the dredging project is not the owner of the proposed disposal/beneficial use location(s), documentation of the owner's permission and knowledge of the estimated volume of dredged material to be disposed/beneficially used on his/her property

FOR UPLAND DISPOSAL PROJECTS THAT MAY IMPACT FRESHWATER WETLANDS UNDER THE JURISDICTION OF THE DEPARTMENT, THE FOLLOWING INFORMATION IS REQUIRED *(unless a valid RIDEM Freshwater Wetlands Permit for the disturbance and other activities affecting wetlands at the site has been issued and no changes are proposed)*

- ☐ A demonstration that impacts to freshwater wetlands have been avoided to the maximum extent possible. If impacts cannot be avoided, a demonstration that all alternatives to the proposed disposal/beneficial use which would not alter the natural character of the wetlands were considered and cannot be accomplished, and that impacts have been minimized to the maximum extent possible, pursuant to Appendix B of the Dredge Rules

- ☐ Where changes to existing grades are proposed, the plan must show both existing and proposed contour line elevations at maximum intervals of two (2') feet. Where no changes to grades are proposed, a notation which so indicates must be provided
- ☐ Profiles and/or cross sections drawn to scale
- ☐ The proposed limits of all vegetative clearing and surface or subsurface disturbance
- ☐ All temporary and permanent erosion and sediment controls
- ☐ All temporary and permanent stormwater, flood protection and/or water quality management controls and Best Management Practices
- ☐ Proposed measures to conduct, contain or otherwise control the movements of surface water, groundwater, or stormwater flows, and the ultimate destination of such flows
- ☐ Construction activities either above or below the land surface which may affect any wetland including the height of planned buildings

FOR DREDGED MATERIAL REHANDLING, THE FOLLOWING INFORMATION IS REQUIRED:

- ☐ Identification of any existing or pending land use restrictions at the proposed rehandling facility location(s)
- ☐ Any information available on historic land use that may have impacted the site, including past spills or known contamination events, and a demonstration that the rehandling facility will not exacerbate those conditions
- ☐ A demonstration that the siting of the rehandling facility complies with the General Provisions and Criteria for Sites Proposed for Upland Disposal or Beneficial Use of Dredged Material in Section 5.4, and Section 9.2 and 9.3, respectively
- ☐ All existing and proposed private drinking water wells within 2000 feet
- ☐ All existing and proposed infrastructure, including roadways, surface and subsurface utilities, and sewer and sanitary lines
- ☐ All existing and proposed surface and/or subsurface drainage systems and water quality structures
- ☐ The proposed locations of loading and unloading areas and processing, tipping, sorting, and treatment areas
- ☐ Cross section plans of all proposed storage basins, berms, and any proposed structures
- ☐ Proposed sedimentation and erosion controls
- ☐ Proposed weighing facilities (if any)
- ☐ On-site traffic patterns
- ☐ Proposed landscaping
- ☐ A Facility Operating Plan, pursuant to Section 12.4.5 of the Dredge Rules

TO: Coastal Resources Management Council
4808 Tower Hill Road Suite 3
Wakefield, RI 02879
Phone: (401) 783-3370

DATE: 5/3/2018

FROM: Building Official: Town of Portsmouth

SUBJ: Application of: New England Boatworks

Location: East Passage

Address: 1 Lagoon Road Plat No. 37 Lot No. 36, 36A, 36B, 36C

To: New England Boatworks is expanding their operations by adding a 200-ton Boat Lift, dredging near the anticipated Boat Lift location, and replacing a section of an existing rip-rap wall with a steel bulkhead.

I hereby certify that I have reviewed ____ foundation plan(s).

 X plan(s) for entire structure

 X site plans

Titled: 200 Ton Travel Lift Pier

Date of Plan: 12/20/17

____ and find that the issuance of a local building permit is not required as in accordance with section ____ of the Rhode Island State Building Code.

 X and find that the issuance of a local building permit is required. I hereby certify that this permit shall be issued once the applicant demonstrates that the proposed construction/activity fully conforms to the applicable requirements of the RISBC.

____ and find that a Septic System Suitability Determination (SSD) must be obtained from the RI Dept. of Environmental Management.

 X and find that a Septic System Suitability Determination (SSD) need not be obtained from the RI Dept. of Environmental Management.

 X and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final. The Zoning Board approval shall expire on ____.

 5/3/18
Building Official's Signature Date

 X and find that said plans conform with all elements of the zoning ordinance, and if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final.

 5/3/18
Zoning Official's Signature Date

NEW ENGLAND BOATWORKS

1 LAGOON ROAD - PORTSMOUTH, RHODE ISLAND

PLAT 37 - LOTS 36, 36A, 36B, 36C

200 TON TRAVEL LIFT PIER AND IMPROVEMENTS

JUNE 2018

PREPARED FOR:
NEW ENGLAND BOATWORKS

PREPARED BY:



GZA GeoEnvironmental, Inc.
Engineers and Scientists
530 Broadway
Providence, Rhode Island 02909
(401) 421-4140



SITE LOCUS MAP

BASE MAP FROM THE FOLLOWING USGS QUADRANGLE MAP:
PROVIDENCE ISLAND (2015)

DIGITAL INFORMATION MAP PROVIDED BY USGS/NOAA
CONTAINS GEOSPATIAL INFORMATION WITH US
BOUNDARIES ARE SHOWN IN PINK AT 1:100,000 SCALE

INDEX TO DRAWINGS

SHEET NO.	TITLE
1	COVER SHEET & INDEX TO DRAWINGS
2	GENERAL NOTES
3	EXISTING CONDITIONS
4	EROSION CONTROL AND SITE DEWATERING PLAN AND DETAILS
5	FINAL GRADING PLAN
6	BULKHEAD LAYOUT PLAN
7	PIER AND FLOATING DOCK LAYOUT PLAN
8	DREDGE PROFILES
9	TYPICAL SECTION OF LIFT PIERS
10	BULKHEAD SECTION
11	DETAILS (1 OF 2)
12	DETAILS (2 OF 2)



FOR PERMIT REVIEW
NOT FOR CONSTRUCTION

REVISED FOR RIDEM
9/05/18

DRAWING NO.

1

PROJECT NO.: 03.0034227.01

1. THE EXISTING GANGWAY AND FLOATING DOCKS SHALL BE REMOVED FROM WITHIN THE LIMITS OF THE WORK BY THE OWNER. THE CONTRACTOR SHALL COORDINATE WITH THE OWNER FOR THE EXACT LIMITS OF REMOVAL AND RELOCATION AND/OR DISPOSAL. CONTRACTOR SHALL REMOVE EXISTING FLOATING DOCK PILES AS DIRECTED BY THE OWNER.

CONCRETE SHALL CONFORM TO THE "BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE" (ACI 318) AND "SPECIFICATIONS FOR STRUCTURAL CONCRETE" (ACI 301).

2. CONCRETE SHALL BE PLACED IN THE PRESENCE OF THE OWNER'S REPRESENTATIVE OR A REPRESENTATIVE OF AN APPROVED TESTING AGENCY.

3. PORTLAND CEMENT SHALL CONFORM TO ASTM C150 TYPE I OR II. AGGREGATES SHALL CONFORM TO ASTM C33 CLASS #4.

4. READY-MIX CONCRETE SHALL COMPLY WITH THE REQUIREMENTS OF ASTM C94, AND AS SPECIFIED HEREIN. PROVIDE BATCH TICKET FOR EACH BATCH DISCHARGED AND USED IN WORK, INDICATING PROJECT NAME, MIX TYPE AND TYPE, BATCH QUANTITY, AND PROPORTIONS OF REINFORCING. JOBSITE MIXING SHALL NOT BE PERMITTED.

5. ALL REINFORCING STEEL TO CONFORM TO ASTM A414 GRADE 60 (DEFORMED) BARS AND SHALL BE HOT-ROLLED FABRICATED AND PLACED IN ACCORDANCE WITH ACI 318, LATEST EDITION, WELDING OF REINFORCEMENT SHALL NOT BE PERMITTED.

6. **CONCRETE MIX DESIGNS:**

CONCRETE MIX DESIGNS FOR PIERS AND PILES.

A. STRENGTH: 5000 PSI MINIMUM

B. AGGREGATE:

PIER: 1/2" NOMINAL MAXIMUM

PILES: 3/4" NOMINAL MAXIMUM

C. W/C RATIO: 0.40 MAXIMUM

D. ESTIMATED AIR: 6% (4.15%)

E. SLUMP: 4" (4.1) BEFORE ADDITION OF HIGH-RANGE WATER REDUCER OR PLASTICIZER

F. ADD AIR ENTRAINING AGENT/ADJUTANT AT MANUFACTURER'S PRESCRIBED RATIO TO RESULT IN CONCRETE AT POINT OF PLACEMENT HAVING THE ABOVE NOTED AIR CONTENTS.

G. ADDITIONAL SLUMP MAY BE ACHIEVED BY THE ADDITION OF A MIDRANGE OR HIGH RANGE WATER REDUCING AGENT/ADJUTANT. MAXIMUM SLUMP AFTER ADDITION OF ADJUTANTS SHALL BE 8 INCHES.

H. MIX ADJUSTMENTS MAY BE REQUESTED BY THE CONTRACTOR, WHEN CHARACTERISTIC OF THE MATERIALS, JOY CONDITIONS, WEATHER OR OTHER CIRCUMSTANCES WARRANT. AT NO ADDITIONAL COST TO THE OWNER AND AS ACCEPTED BY THE OWNER, LABORATORY TEST DATA FOR THE REVISIONED MIX DESIGN AND STRENGTH DATA SHALL BE SUBMITTED AND ACCEPTED BY THE OWNER BEFORE USING IN THE WORK.

7. CONCRETE SHALL BE PLACED WITHOUT HORIZONTAL CONSTRUCTION JOINTS, EXCEPT WHERE SHOWN OR NOTED. VERTICAL CONSTRUCTION JOINTS AND STOPS IN CONSTRUCTION JOINTS SHALL BE MADE AT MIDSPAN OR AT POINTS OF MINIMUM SHEAR.

8. COMPLETE SHOP DRAWINGS AND SCHEDULES OF ALL REINFORCING STEEL SHALL BE PREPARED BY THE CONTRACTOR AND SUBMITTED FOR REVIEW.

9. INSTALLATION OF REINFORCEMENT SHALL BE COMPLETED AT LEAST 24 HOURS PRIOR TO THE SCHEDULED CONCRETE PLACEMENT. NOTIFY OWNER AT LEAST 24 HOURS PRIOR TO THE SCHEDULED COMPLETION OF THE INSTALLATION OF REINFORCEMENT.

10. PROVIDE BROOK FINISH PERMANENTLY TO MAIN PIER AXIS ON HORIZONTAL SURFACES.

11. ALL LAPS, REINS, AND SPICES OF REINFORCING STEEL TO CONFORM TO ACI 318-LATEST EDITION TOP BARS SHALL BE SPLICED AT MIDSPAN, BOTTOM BARS SHALL BE SPLICED AT PILE BENTS.

12. ALL EXPOSED CORNERS ALONG THE BOTTOM OF PIERS TO BE CHAMFERED 3/4 INCH.

13. MINIMUM COVER TO REINFORCING STEEL IS 3 INCHES TYPICAL.

14. EXTERIOR REINFORCING STEEL THROUGH ALL CONSTRUCTION JOINTS.

15. CONCRETE SURFACES SHALL BE KEPT MOIST AND FORMS SHALL REMAIN IN PLACE FOR A MINIMUM OF 7 DAYS.

16. CONCRETE AND FORMWORK SHALL BE KEPT AT A TEMPERATURE OF AT LEAST 40 DEGREES DURING PLACEMENT. IF THE AMBIENT TEMPERATURE IS EXPECTED TO FALL BELOW 40 DEGREES WITHIN 4 DAYS OF CONCRETE PLACEMENT, THE CONTRACTOR SHALL TAKE MEASURES SUCH AS PROVIDING HEATERS OR INSULATION BLANKETS TO ENURE THAT THE CONCRETE AND FORMWORK TEMPERATURES DOES NOT FALL BELOW 40 DEGREES DURING THAT PERIOD.

17. ENGAGE A QUALIFIED INDEPENDENT TESTING AGENCY ACCEPTABLE TO THE OWNER TO PERFORM FIELD TESTING OF CONCRETE AND TO MAKE, CURE AND TEST CYLINDERS. THE FOLLOWING SHALL BE FIELD TESTED FOR SLUMP (ASTM C143), TEMPERATURE AND AIR CONTENT (ASTM C231). ONE SET OF 4 TEST CYLINDERS SHALL BE CURED EVERY 100 CYCLOPS OF CONCRETE PLACED, BUT IN NO CASE LESS THAN ONE SET. FOR EACH DAY'S PLACEMENT, CYLINDERS SHALL BE MADE AND TESTED IN ACCORDANCE WITH ASTM C172, C31 AND C26. FOR EACH SET OF COLLECTED CYLINDERS, ONE CYLINDER SHALL BE TESTED FOR IN-PLACE COMPRESSIVE STRENGTH 28 DAYS, AT 78 DAYS WITH ONE HELD IN RESERVE.

- ALL STEEL PILES SHALL conform to ASTM A242, GRADE 50, HAVING A MINIMUM YIELD STRENGTH OF 45,000 PSI, SEAMLESS OR FLAT-STEEL, SPINAL WELDED PIPE IS NOT PERMITTED.
- PIPER SHALL BE FILLED WITH CONCRETE AS INDICATED.
- MAKE PILES WITH A SHOP APPLIED COAT OF RUST PROOF COATING FROM TOP TO CUT OFF COATING SHALL BE 1/4 IN. THICKNESS. THE COATING SHALL BE 394 M. MANUFACTURED BY CARBOLINE OR AN ACCEPTED EQUIVALENT PRODUCT. REPAIR COATING AFTER DRIVING, AS RECOMMENDED BY THE COATING MANUFACTURER.
- PROVIDE PILES WITH CUTTING SHOES AS INDICATED ON THE DRAWINGS.
- ALL PILES TO BE DRIVEN TO THE MINIMUM TIP ELEVATIONS INDICATED AND TO AN ULTIMATE RESISTANCE OF 375 KIPS (F_c = 2.5).
- SHOULD THE CONTRACTOR BE UNABLE TO ADVANCE A PILE TO THE MINIMUM REQUIRED ELEVATION, THE CONTRACTOR SHALL ADVISE THE OWNER IMMEDIATELY SO THAT THE CONDITIONS CAN BE REEVALUATED AT THESE LOCATIONS. THE CONTRACTOR WILL BE REQUIRED TO INSTALL THE ROCK SOCKET INDICATED IN THE DRAWINGS.
- ALL PILES TO BE DRIVEN CONTINUOUSLY WITH NO SPICES.
- ALL PILES TO BE CUT OFF SQUARE AND FLUSH AT THE ELEVATIONS SHOWN ON THE DRAWINGS (MEASURED AT THE PILE CENTER LINE).
- THE CONTRACTOR SHALL MAINTAIN AN ACCURATE RECORD OF EXACT PILE LOCATIONS AND BATTERS AS DRIVEN AND ADJUST SUBSEQUENT PILE ORIENTATIONS AS REQUIRED. AN ACCURATE RECORD OF ALL PILES SHALL BE SUBMITTED TO THE OWNER'S APPROVAL.
- THE CONTRACTOR SHALL MAINTAIN AN ACCURATE RECORD OF THE DRIVEN LENGTHS BELOW THE CUTOFF ELEVATION AND DRILL DEPTH TO THE BOTTOM OF THE ROCK SOCKET.

1. SHEET PILING SHALL BE ASTM A572 GRADE 60, SIZE AND TYPE AS INDICATED ON DRAWINGS.
2. PROVIDE SHEET PILING WITH A SHOP APPLIED COAL TAR EPOXY COATING ON THE EXPOSED FACE.
3. COATING SHALL BE 16 MILS DRY FILM THICKNESS, BUT MINIMUM 300 AS MANUFACTURED BY CARBIDE OR AN ACCEPTED EQUIVALENT PRODUCT. REPAIR COATING AFTER DRIVING, CUTTING OR WELDING, AS RECOMMENDED BY THE COATING MANUFACTURER.
4. STEEL TE-RODS SHALL BE NEW AND CONFORM TO ASTM A572, HAVING MINIMUM TENSILE STRENGTH OF 150,000 PSI. TE-RODS SHALL BE EITHER EPOXY COATED IN CONFORMANCE WITH ASTM A80 OR COAL TAR EPOXY COATED, SUBJECT TO ACCEPTANCE BY THE OWNER.
5. STEEL WALES SHALL BE NEW, HOT ROLLED, AND CONFORM TO ASTM A572, HAVING MINIMUM YIELD STRENGTH OF 50,000 PSI.
6. THE WEAP SHALL BE PERFORMED, SUBMITTED, AND APPROVED PRIOR TO DRIVING ANY PILES. THE ANALYSIS SHALL TAKE INTO ACCOUNT, THE PROPOSED HAMMER SYSTEM AND ALL OTHERS, INCLUDING BUT NOT LIMITED TO, PILE PREPARATIONS AND LENGTHS, AND ANTICIPATED SOIL PROPERTIES. THE WEAP SHALL DEMONSTRATE THAT THE PILES WILL NOT BE DAMAGED DURING DRIVING AND THAT THE HAMMER SYSTEM MAY ADEQUATELY DRIVE THE PILES TO THE INDICATED PILE TOP ELEVATION WITHOUT OVERSTRESSING THE PILES.
7. ALL PILES SHALL BE DRIVEN USING A TEMPLATE THAT SHALL PROVIDE SUPPORT TO MAINTAIN PILE ALIGNMENT ALONG BOTH THE MAJOR AND MINOR AXES OF THE PILES DURING DRIVING.
8. AFTER COMPLETING THE PILE DRIVING, THE CONTRACTOR SHALL PROVIDE THE OWNER WITH A SURVEY TO A SCALE OF AT LEAST 1" = 1' PREPARED BY A SURVEYOR OR PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF OHIO (OR ELSE) SHOWING THE ACTUAL LOCATIONS OF THE PILES AT CUT-OFF ELEVATION.
9. ANY PILES DAMAGED DUE TO IMPROPER HANDLING AND/OR DRIVING SHALL NOT BE ACCEPTED. THE CONTRACTOR SHALL BEAR THE COST OF REMOVING SUCH PILES, AND REPLACING WITH SATISFACTORY PILES AT AN ADDITIONAL COST TO THE OWNER.
10. PILES SHALL BE DRIVEN TO THE MINIMUM TIP ELEVATIONS SHOWN ON THE PLANS WITH TOLERANCES NOT EXCEED THE FOLLOWING:
 - a. DRIVE ALL PILES WITH A VARIATION FROM THE VERTICAL, OF NOT MORE THAN 1/4 INCH PER FOOT.
 - b. AT THE COMPLETION OF PILE DRIVING, THE TOP OF PILE AT ELEVATION OF CUT-OFF SHALL BE WITHIN 1/4 INCH HORIZONTAL OF THE LOCATION INDICATED AND 1/4 INCH VERTICALLY OF THE CUT-OFF ELEVATION. PILES THAT EXTEND ABOVE THE CUT-OFF ELEVATION SHALL BE COMPLETED TO THE CUT-OFF ELEVATION. PILES THAT ARE SHORT OF THE ELEVATION INDICATED IN THE DRAWINGS, AT THE DISCRETION OF THE OWNER.

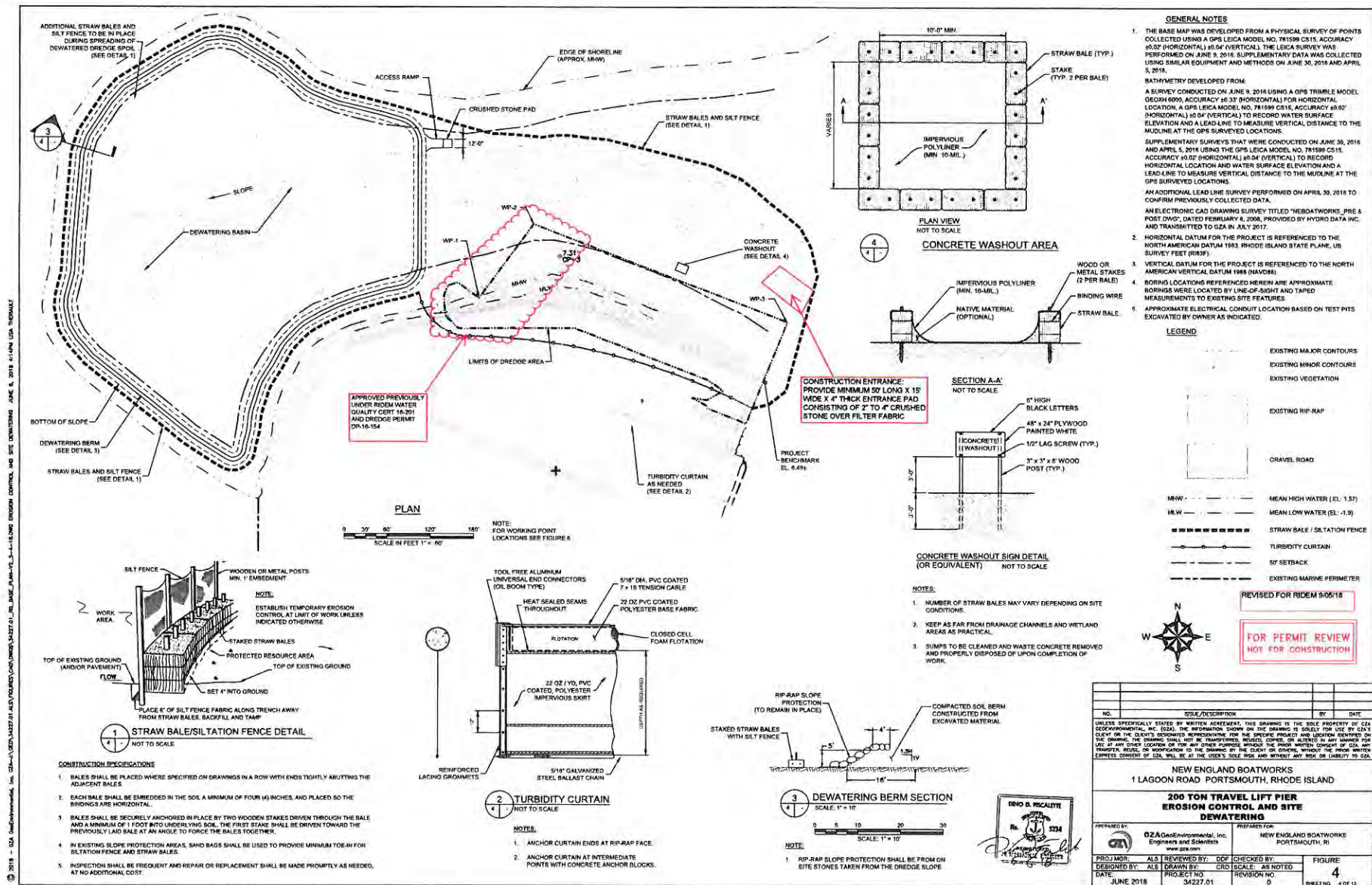
1. ALL WBC STRUCTURAL STEEL PLATES TO CONFORM TO ASTM A572 GRADE 50, UNLESS OTHERWISE NOTED ON DRAWING.
2. PROVIDE STEEL WALE, PLATES, AND ALL ROLLED OR FORMED STEEL SHAPES WITH SHOP APPLIED COAL TAR-EPoxy COATING. THE COAL TAR-EPoxy CORROSION PROTECTION SHALL BE SHIP APPLIED FOLLOWING PROCEDURES AS SPECIFIED BY THE MANUFACTURER, INCLUDING CLEANING AND PRIMING THE STEEL. PROVIDE SUFFICIENT TIME FOR COATING TO DRY PRIOR TO TRANSPORT.
3. THE PROTECTIVE COATING SHALL CONSIST OF A TWO-COMPONENT BLACK COAL TAR-EPoxy, CONFORMING TO SSPC PAINT SPECIFICATION 16.
4. THE COAL TAR-EPoxy SHALL BE APPLIED IN TWO UNIFORM COATS, EACH HAVING A MINIMUM OF 4 MILS OF DRY FILM THICKNESS (DFT). MINIMUM FILM DFT SHALL BE 16 MILS.
5. ALL BOLTS TO CONFORM TO ASTM A325, UNLESS OTHERWISE NOTED ON DRAWING.
6. ALL CARBON STEEL BOLTS, NUTS, WASHERS AND MISCELLANEOUS HARDWARE SHALL BE HOT DIP GALVANIZED.

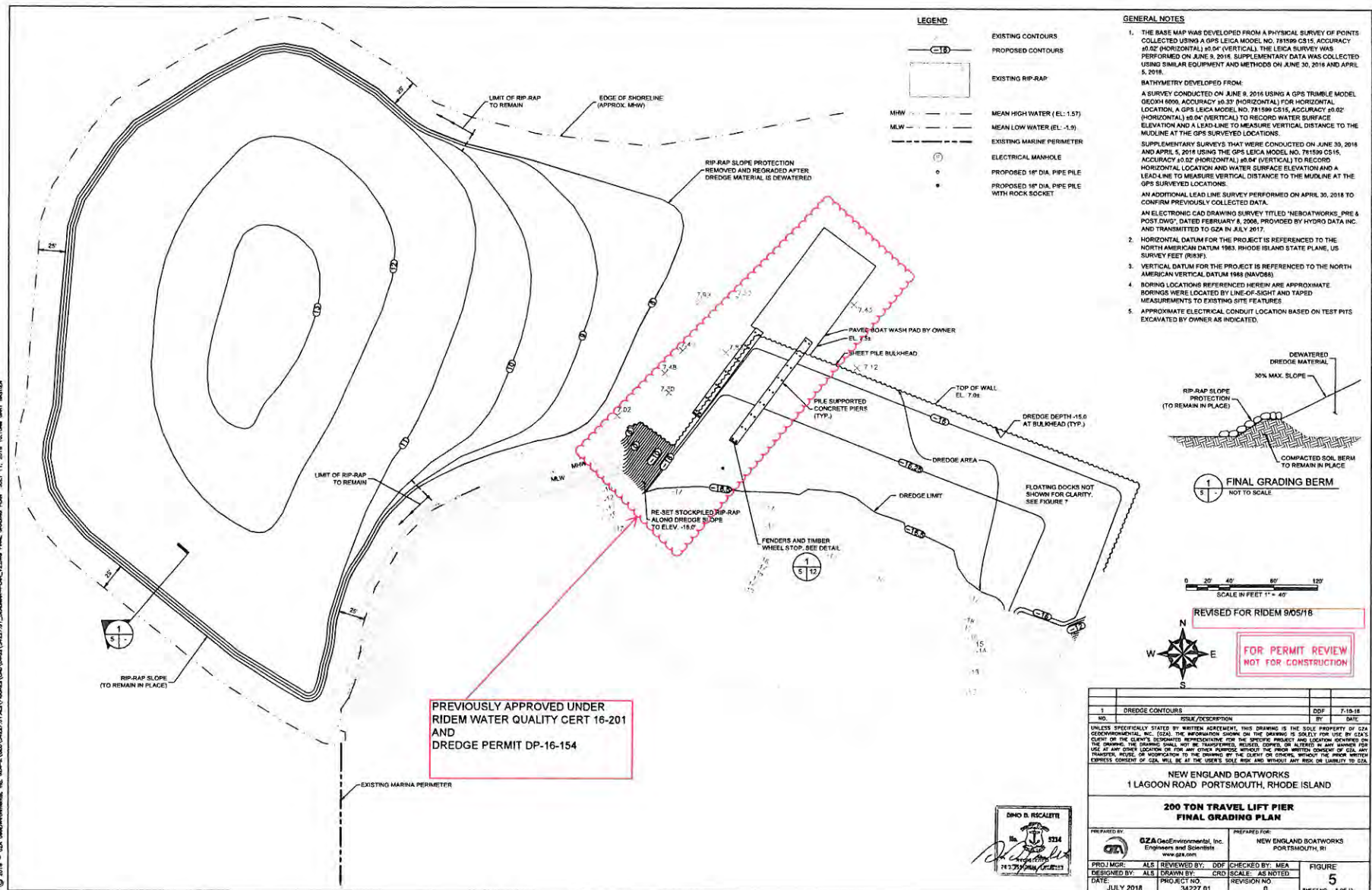
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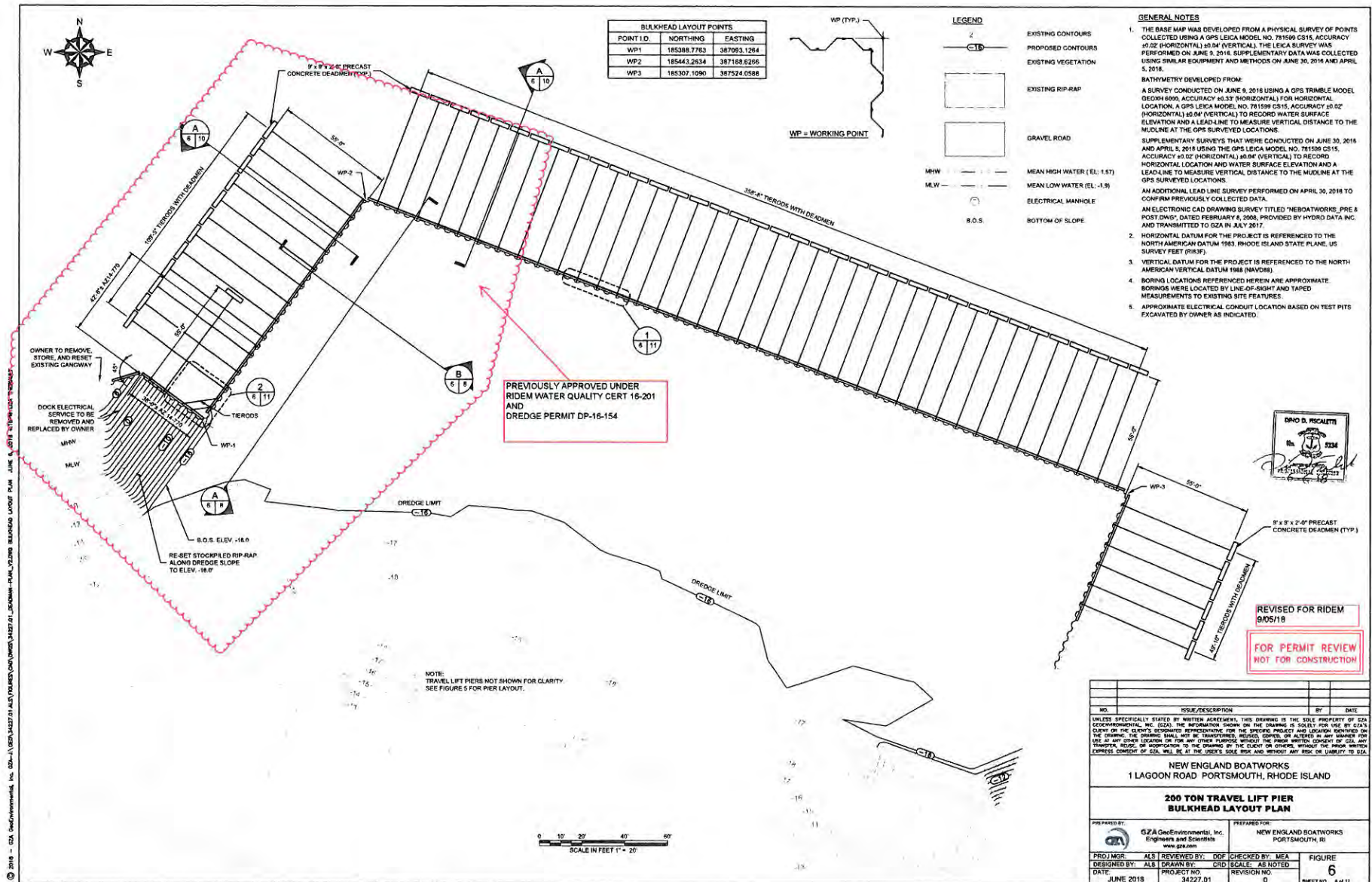
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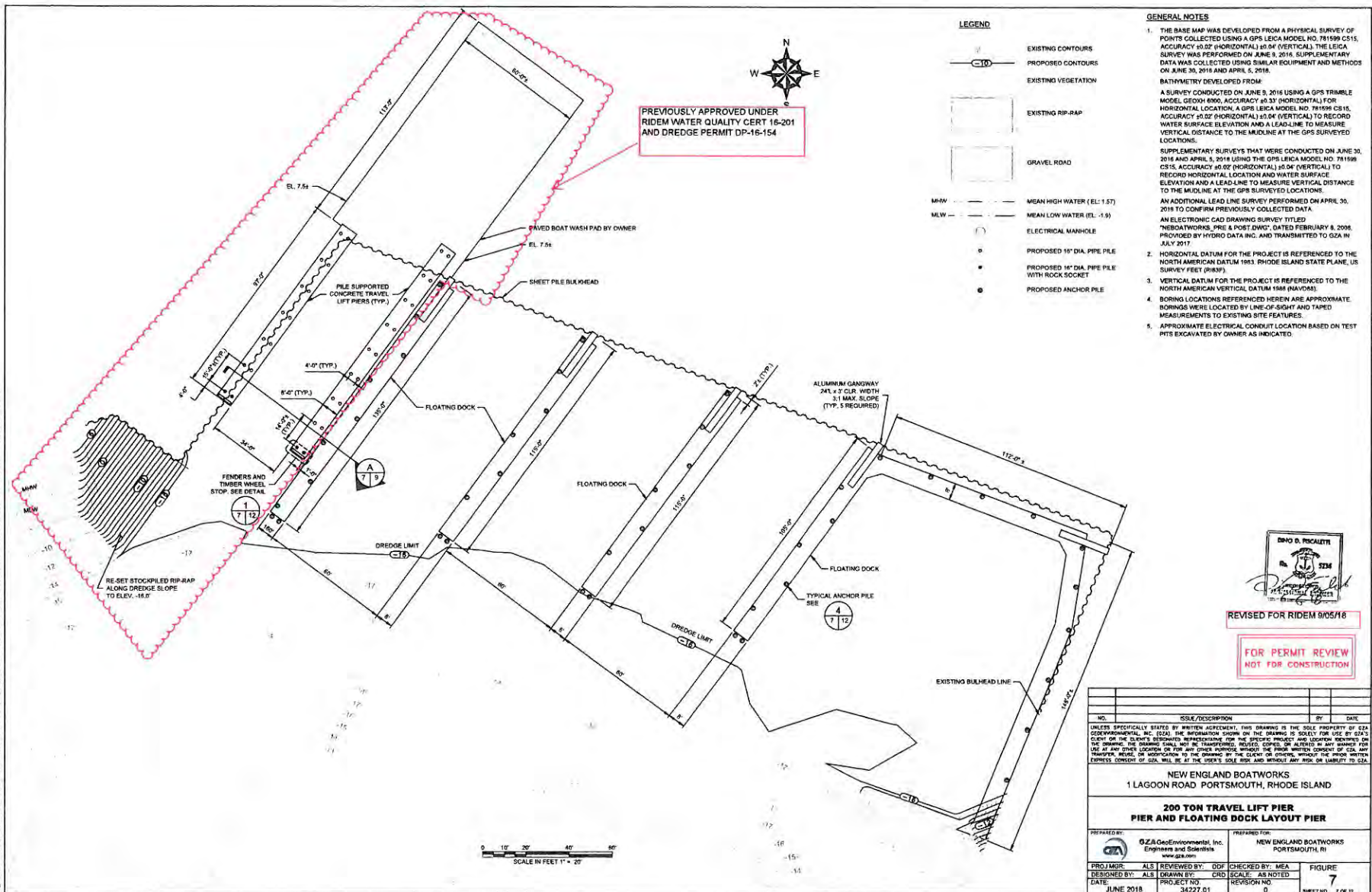
2016 - CZA GeoEnvironmental, No. CZA-1\Geo\34227.01.xls\Figures\CZA_GEO\34227.01_ GENERAL NOTES_V2.dwg [2 GENERAL NOTES] June 06, 2016 - 4:00pm San Maricopa

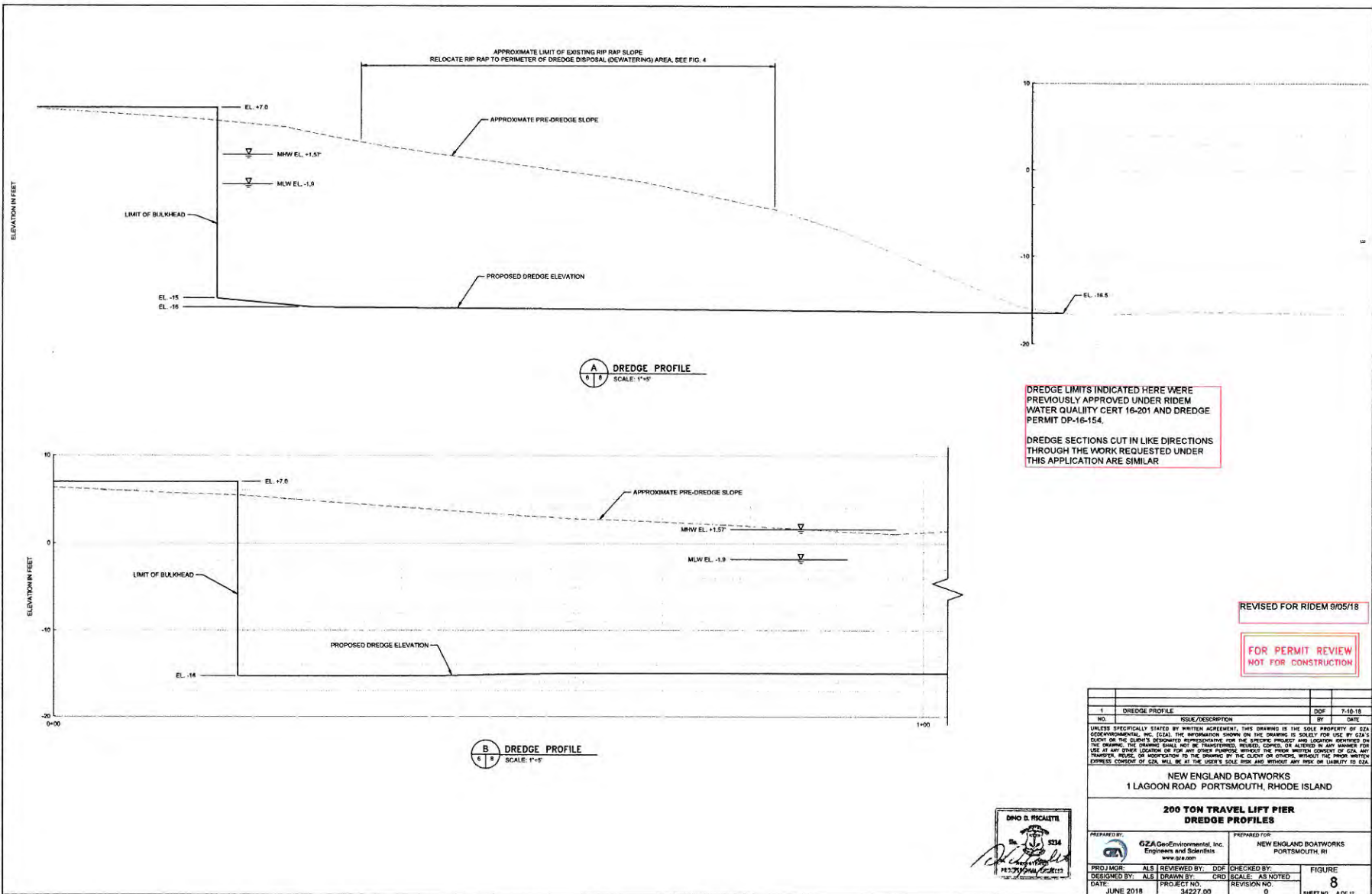




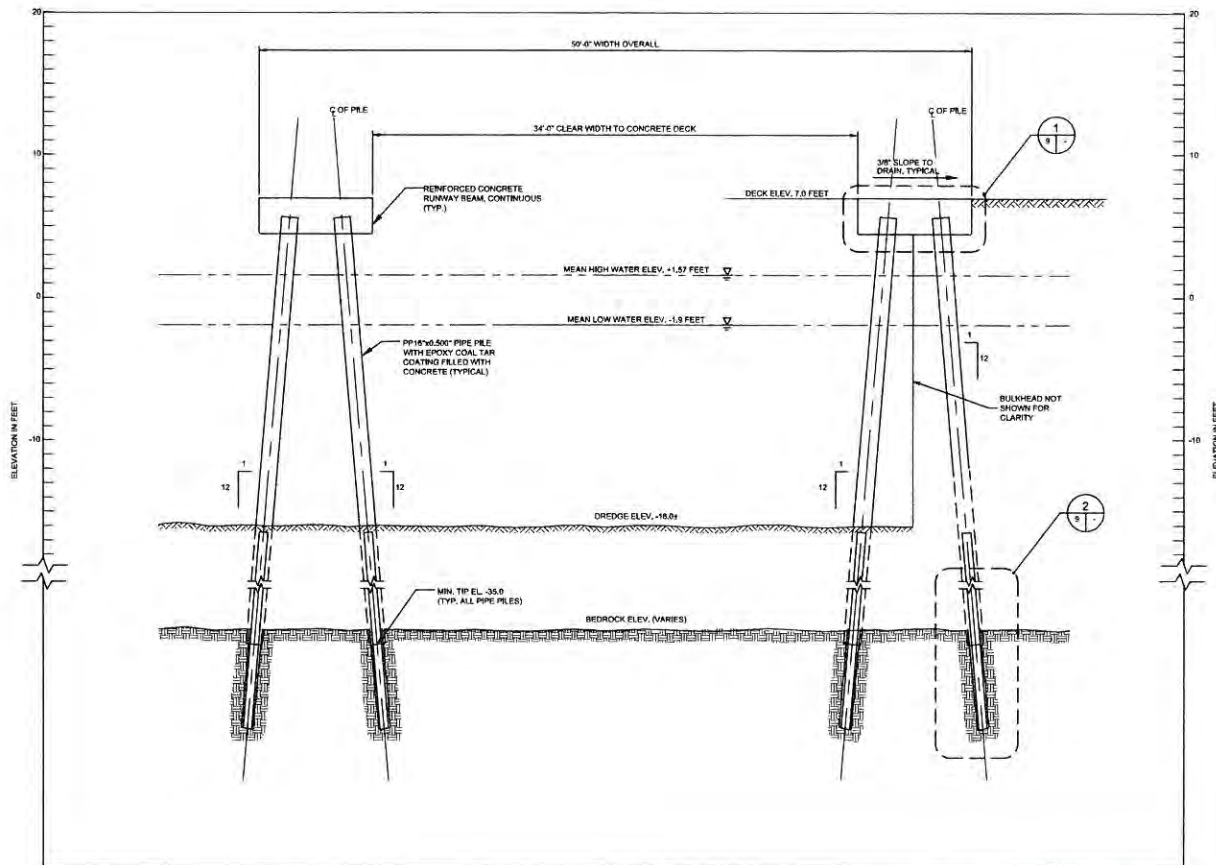








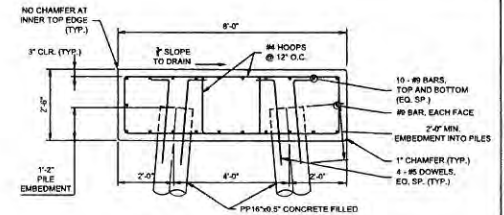
© 2018 - GZA GeoEnvironmental, Inc. 02A-1-0000-34227-01 ACTIVITY/PROJECT/CONTRACT/34227-01-100 BASE PLAN-V0.3-1-1-0000 TYPICAL SECTION OF LIFT PIERS JUNE 6, 2018 4:30PM LGA INTERNAL



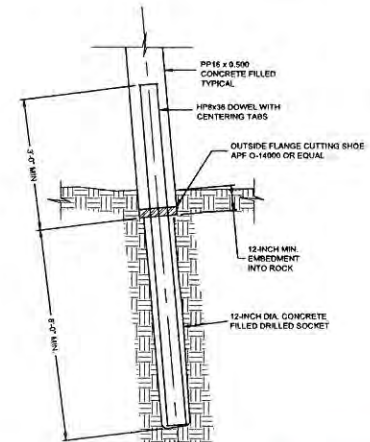
200 TON TRAVEL LIFT PIER SECTION
SCALE: 1"=4'



WORK INDICATED ON THIS SHEET WAS PREVIOUSLY APPROVED UNDER RIDEM WATER QUALITY CERT 16-201 AND DREDGE PERMIT DP-16-154



1 PIER REINFORCING DETAIL (TYP.)
SCALE: 1"=2'



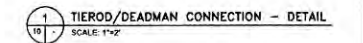
2 ROCK ANCHOR-DETAIL (TYP.)
SCALE: 1"=2'

REVISED FOR RIDEM 9/05/18

FOR PERMIT REVIEW
NOT FOR CONSTRUCTION

NO.		ISSUE/DESCRIPTION		BY	DATE
UNLESS SPECIFICALLY STATED BY WRITTEN AGREEMENT, THIS DRAWING IS THE SOLE PROPERTY OF GZA GEOENVIRONMENTAL, INC. (GZA). THE INFORMATION SHOWN ON THE DRAWING IS SOLELY FOR USE BY GZA'S CLIENT ON THE CLIENT'S DESIGNATED REPRESENTATIVE FOR THE SPECIFIC PROJECT AND LOCATION INDICATED ON THE DRAWING. THIS DRAWING SHALL NOT BE REPRODUCED, COPIED, OR ALTERED IN ANY MANNER FOR USE AT ANY OTHER LOCATION OR FOR ANY OTHER PURPOSE WITHOUT THE PRIOR WRITTEN CONSENT OF GZA. ANY TRANSFER, REUSE, OR REPRODUCTION TO ANY OTHER PARTY WITHOUT THE PRIOR WRITTEN CONSENT OF GZA WILL BE AT THE USER'S SOLE RISK AND WITHOUT ANY RISK OR LIABILITY TO GZA.					
NEW ENGLAND BOATWORKS 1 LAGOON ROAD PORTSMOUTH, RHODE ISLAND					
200 TON TRAVEL LIFT PIER TYPICAL SECTION OF LIFT PIERS					
PREPARED BY: GZA GeoEnvironmental, Inc. Engineers and Scientists www.gza.com		PREPARED FOR: NEW ENGLAND BOATWORKS PORTSMOUTH, RI			
PROJ. NO.: DESIGNED BY: DATE:	ALSO REVIEWED BY: ALSO DRAWN BY: PROJECT NO.	DDF CRD SCALE: AS NOTED	CHECKED BY: REVISION NO.	FIGURE 9 SHEET NO. 6 OF 12	
JUNE 2018		34227.01		0	





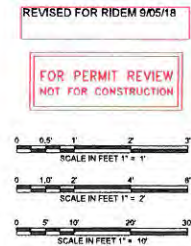
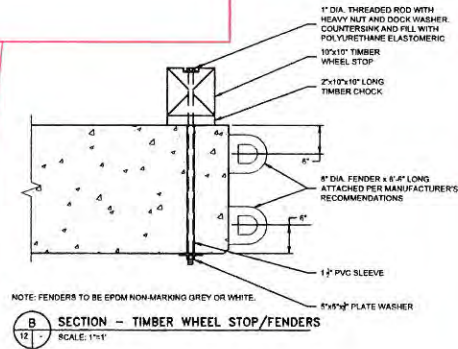
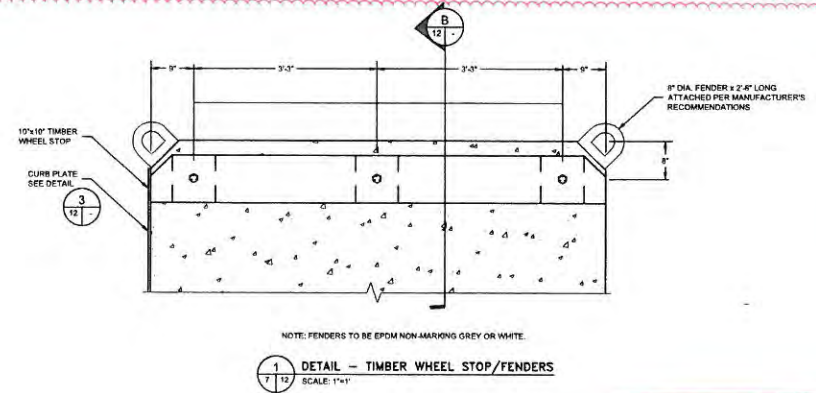
FOR PERMIT REVIEW
NOT FOR CONSTRUCTION

[illegible]

WORK INDICATED ON THIS SHEET WAS
PREVIOUSLY APPROVED UNDER
RIDEM WATER QUALITY CERT 16-201
AND DREDGE PERMIT DP-16-154







1	APPENDIX NO.	ISSUE/DESCRIPTION	DATE
NO.			05-04-18

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NEW ENGLAND BOATWORKS
1 LAGOON ROAD PORTSMOUTH, RHODE ISLAND

200 TON TRAVEL LIFT PIER
DETAILS (2 OF 2)

PREPARED BY:	PREPARED FOR:
 OZA Geo/Environmental, Inc. Engineers and Scientists www.oza.com	NEW ENGLAND BOATWORKS PORTSMOUTH, RI

PROJ/MGR:	ALS REVIEWED BY:	CHKD BY:	FIGURE
DESIGNED BY:	ALS DRAWN BY:	CRG SCALE AS NOTED	12
DATE:	PROJECT NO:	REVISION NO:	DATE: 05-04-18
JUNE 2018	17-07-01		

State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879
(401)783-3370

State of Rhode Island
Department of Environmental Management
Office of Technical and Customer Asst.
235 Promenade Street
Providence, RI 02908-5767
(401)222-6822

JOINT PUBLIC NOTICE

CRMC File No.: 2018-06-045 Date: August 2, 2018

RIDEM Water Quality Certification Number: 18-146 & DP 18-170

These offices have under consideration the application of:

New England Boat Works
1 Lagoon Road
Portsmouth, RI 02871

for State of Rhode Island Assent (in accordance with the Coastal Resources Management Program), and a State of Rhode Island Dredge Permit (in accordance with the Marina infrastructure Maintenance Act of 1996 and the Marine Waterways and Boating Facilities Act of 2001, Rhode Island General Laws Chapter 46-6.1) and State of Rhode Island Water Quality Certification (in accordance with Chapter 42-35 pursuant to Chapters 46-12 and 42-17.1 of the RIGL, as amended) to perform

The project will include: This project is an expansion of the work approved under Assent 2016-10-098. The current proposal is an additional 500 LF of bulkhead within the existing marina basin. Installation of 4 new 115 foot long floating docks and an additional 23,500 CY of dredging with on-site beneficial reuse of the material.

Project Location: New England Boatworks Marina Basin
Street & Number: 1 Lagoon Road
City/Town: Portsmouth
Plat Number: 37 Lot Number: 36,36A,36B,36C
Waterway: East Passage

Plans of the proposed work may be seen at the CRMC office in Wakefield.

In accordance with the Administrative Procedures Act (Chapter 42-35 of the Rhode Island General Laws) you may request a hearing on this matter. You are advised that if you have good reason to enter protests against the proposed work it is your privilege to do so. It is expected that objectors will review the application and plans thoroughly, visit site of proposed work if necessary, to familiarize themselves with the conditions and cite what law or laws, if any, would in their opinion be violated by the work proposed.

RICRMC/RIDEM Joint Public Notice
CRMC File No. 2018-06-045
August 2, 2018
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This also serves as notice that the Rhode Island Department of Environmental Management, Office of Water Resources, Water Quality Certification Program has under consideration and review the same proposed activity as described above for compliance with the State's Water Quality Regulations (AUTHORITY: in accordance with Clean Water Act, as amended (33 U.S.C. 1251 et.seq.; Chapter 42-35 pursuant to Chapters 46-12 and 42-17.1 of the Rhode Island General Laws of 1956, as amended).

If you desire to protest, you must attend the scheduled hearing and give sworn testimony. A notice of the time and place of such hearing will be furnished you as soon as possible after receipt of your request for hearing. If you desire to request a hearing, to receive consideration, it should be in writing and be received at this office on or before September 4, 2018.

It is expected that objectors will review the application and associates plans thoroughly. Comments that pertain to this Joint Notice must be submitted in writing and must be addressed to Rhode Island Coastal Resources Management Council and Rhode Island Dept of Environmental Management at the above referenced addresses.

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