



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

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Fax (401) 783-2069

April 15, 2024

Town of Portsmouth  
c/o Brian Woodhead, DPW Director  
2200 East Main Road  
Portsmouth, RI 02871

**RE: CRMC Maintenance Certification M2024-01-097– Temporary revetment to protect Narragansett Avenue, Portsmouth, RI.**

Dear Mr. Woodhead:

A site inspection and review of plans submitted to this office for the above cited project indicates it is in conformance with and will have no adverse effect on the plan and program adopted by the Coastal Resources Management Council.

The Coastal Resources Management Council will interpose no objection to the work proposed, as long as all work is done in accordance with plans/and or notice submitted into this office and provided the following stipulations are adhered to.

#### ADDITIONAL STIPULATIONS

##### General Stipulations

- A. For the purpose of this permit, the coastal feature shall be the coastal beach backed by coastal bluff; and the inland edge of the coastal feature shall be the top inland edge of the coastal bluff.
- B. The approved plan shall be those two sheets entitled "Cross-Section Narragansett Avenue Prudence Island, RI" and "Existing Conditions and Work Plan Narragansett Avenue Prudence Island, RI" by VHB and stamped approved by T. Fitzpatrick of CRMC on April 15, 2024. Except as stipulated or modified herein, all details and specifications thereon shall be strictly adhered to. Any and all changes require written approval from this office.
- C. Prior to commencement of site alterations, you shall post the CRMC assent card. This assent card must be maintained at the site in a conspicuous location until such time that the project is complete.
- D. All unpermitted structures along the coastal beach and bluff must be removed in their entirety as part of this assent. This includes, but is not limited to, access ramps and stairs.

This temporary maintenance assent shall be valid for 1 year after issuance. The Town shall submit a complete Category B application to keep this structural shoreline protection and must receive CRMC Council Assent before this 1-year permit expires. If a Council assent is not issued before the expiration of this permit, then CRMC may require the Town's removal of the revetment and the restoration of the coastal beach and bluff.



F. The applicant shall contact CRMC to arrange a site visit to determine the limits of the revetment before construction may be started. CRMC will need a minimum of 7 days preparation to arrange a site visit to Prudence Island.

G. Applicant shall stake out the proposed toe of the revetment. CRMC shall meet the contractor and/or applicant on site and adjust/change the proposed toe locations as needed before construction may be started.

H. The total length of the proposed rip rap revetment shall be field determined by CRMC during its per-construction site visit. Rip rap shall not extend beyond the area shown on the approved site plan.

### **Earthwork Stipulations**

A. Prior to conducting earthwork and other land disturbing activities, erosion, runoff and sediment control measures shall be installed and maintained in accordance with good engineering practices including the applicable details found in the manufacturer's specifications and/or in the Rhode Island Soil Erosion and Sediment Control Handbook (as amended). These measures must be maintained until the site is stabilized through the establishment of vegetative cover and/or construction of the approved facilities (buildings, roadways, parking areas, etc.) has stabilized soils sufficiently to prevent erosion and sedimentation.

B. There shall be no discharge or disposal of toxic waste, hazardous materials, oil, grease and other lubricants, excess fertilizer, pesticides or other chemicals or controlled materials either on site or in any area which may enter a wetland, watercourse or groundwater. All spills of such materials shall be reported to the RI Department of Environmental Management for appropriate remediation. All used lubricants, excess chemicals, fertilizers, pesticides, etc., shall be removed from the site for transport, handling and disposal in accordance with all applicable state and federal regulations.

C. All excess excavated materials (soils, rock, gravel, etc.), excess construction materials, demolition debris, temporary erosion, runoff and sediment control measures, etc., shall be removed from the site for appropriate re-use and/or proper disposal at a suitable upland location or landfill. All toxic materials and waste shall be properly transported and disposed of in accordance applicable state and federal regulations.

D. All backfill shall be coarse, clean, and free-draining. A filter layer shall be used to minimize the washout of the backfill and to provide a stable base.

E. Construction of the proposed rip rap revetment shall minimize, to the greatest extent practicable, disturbance to the existing coastal beach and coastal bank.

The toe of the proposed structure shall not be located any further seaward than the toe of the existing coastal bank as shown on the site plan.

The top of the proposed rip rap revetment shall not be any higher in elevation than the top of the existing coastal bank.



- H. Any disturbance to the beach and or bank beyond the footprint of the proposed rip rap revetment shall be restored.
- I. The maximum slope of the riprap revetment shall be 1:1. The minimum slope shall be 2H:1V.
- J. Riprap stone used shall be stone which is durable, compact, angular, and of minimum unit weight of 165 lbs. per cubic foot. The stone size for the cover layer shall be R-8. Riprap shall be placed, not dumped.
- K. On site beach materials shall not be used as construction material.
- L. Lateral beach access shall be maintained through all phases of this construction.

A copy of this certification to perform maintenance work shall be kept on site during construction. All conditions of original CRMC assents that pertain to this property will be adhered to unless otherwise modified by the CRMC.

Applicant agrees that as a condition to the granting of this certification, members of the Coastal Resources Management Council or its staff shall have access to his property to make on-site inspections to insure compliance with the assent.

Licensee shall be fully and completely liable to State, and shall waive any claims against State for contribution or otherwise, and shall indemnify, defend, and save harmless State and its agencies, employees, officers, directors, and agents with respect to any and all liability, damages (including damages to land, aquatic life, and other natural resources), expenses, causes of action, suits, claims, costs (including testing, auditing, surveying, and investigating costs), fees (including attorneys' fees and costs), penalties (civil and criminal), and response, cleanup, or remediation costs assessed against or imposed upon Licensee, State, or the Property, as a result of Licensee's control of the Property, or Licensee's use, disposal, transportation, generation and/or sale of Hazardous Substances or that of Licensee's employees, agents, assigns, sublicensees, contractors, subcontractors, permittees, or invitees.

All applicable policies, prohibitions, and standards of the RICRMP shall be upheld.

All local, state or federal ordinances and regulations must be complied with.

**Please be advised that all work must being permitted must be completed on or before April 15, 2027 (unless written application requesting an extension is received by CRMC sixty (60) days prior to expiration date).**

Permits issued by the CRMC confer no property rights, and are valid only with the conditions and stipulations under which they are granted. Permits imply no guarantee of renewal, and may be subject to denial, revocation, or modification.



**CAUTION:**

**The limits of authorized work shall be only for that which was approved by the CRMC. Any activities or alterations in which deviate from this assent or what was detailed on the CRMC approved plans will require a separate application and review. Additionally, if the information provided to the CRMC for this review is inaccurate or did not reveal all necessary information or data, then this permit may be found to be null and void. Plans for any future alteration of the shoreline or construction or alteration within the 200' zone of CRMC jurisdiction or in coastal waters must be submitted for review to the CRMC prior to commencing such activity.**

**Permits, licenses or easements issued by the Council are valid only with the conditions and stipulation under which they are granted and imply no guarantee of renewal. The initial application or an application for renewal may be subject to denial or modification. If an application is granted, said permit, license and easement may be subject to revocation and/or modification for failure to comply with the conditions and stipulations under which the same was issued or for other good cause.**

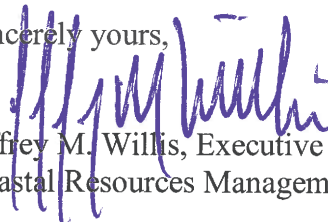
**ATTENTION: ALL STRUCTURES AND FILLED AREAS IN THE TIDAL, COASTAL, OR NAVIGABLE WATERS OF THE STATE OF RHODE ISLAND ARE SUBJECT TO:**

1. The Superior Property Rights of the State of Rhode Island in the Submerged and Submersible Lands of the Coastal, Tidal, and Navigable Waters;
2. The Superior Navigation Servitude of the United States;
3. The Police Powers of the State of Rhode Island and the United States to regulate Structures in the Tidal, Coastal, or Navigable Waters.

**THE SUBMERGED AND SUBMERSIBLE LANDS OF THE TIDAL, COASTAL, AND NAVIGABLE WATERS OF THE STATE ARE OWNED BY THE STATE AND HELD IN TRUST FOR THE PUBLIC. CONVEYANCE OF THESE LANDS IS ILLEGAL; TITLES PURPORTING TO TRANSFER SUCH LANDS ARE VOID. ASSENTS THAT INVOLVE THE FILLING OR USE OF THE STATES SUBMERGED LANDS ARE GRANTED WITH THE PROVISIO THAT IT IS SUBJECT TO THE IMPOSITION OF A USAGE FEE TO BE ESTABLISHED BY THE COASTAL RESOURCES MANAGEMENT COUNCIL.**

The Coastal Resources Management Council wishes to thank you for being given the opportunity to assess and review these plans. If you need additional information, please feel free to contact this office.

Sincerely yours,

  
Jeffrey M. Willis, Executive Director  
Coastal Resources Management Council

