



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>39 America's Cup Avenue</u> <u>Newport</u> No. Street City/Town	File No. (CRMC USE ONLY) 2025-02-072
Owner's Name <u>City of Newport</u>	Plat: 24 Lot(s): 348
Mailing Address <u>43 Broadway, Newport, RI 02840</u> Address City/Town, State Zip Code	Owner's Contact: William Boardman Number: wboardman@cityofnewport.com Email Address:
Contractor RI Reg. # <u>TBD</u> Address	Email address: Tel. No.
Designer <u>GZA GeoEnvironmental</u> Address <u>188 Valley Road, Suite 300</u> <u>Providence, RI 02909</u>	Tel. No. <u>Timothy Smith</u> <u>401-427-2756</u>
Name of Waterway <u>Newport Harbor / Coddington Cove</u>	Estimated Project Cost (EPC): Application Fee: \$6,300 <i>Fee waiver requested</i>
Provide Below a Description of Work As Proposed (required). Construction of a new bulkhead - see attached narrative for more information.	

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): 13 Prior CRMC Assents- see attached list for further information.

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/mailling addresses of adjacent property owners whose property adjoins the project site. Accurate mailing addresses will insure proper notification. See Applicant **must** initial to certify accuracy of adjacent property owners and accuracy of mailing addresses.

Name and mailing address of all abutters is included in the attached list.

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

Stephen Land
Owner Name (PRINT)

[Signature]
Owner's Signature (SIGN)

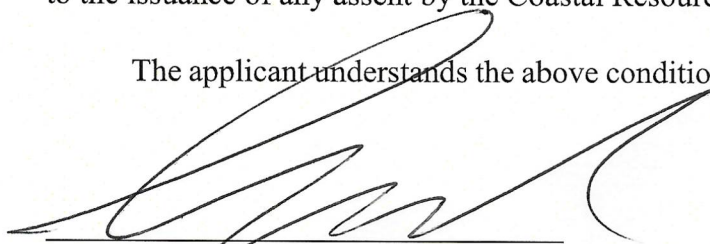
PLEASE REVIEW REVERSE SIDE OF APPLICATION FORM



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.



Owner Signature

2/7/25

Date

Stephen Land 39 Broadway, Newport RI, 02840

Print Name and Mailing Address





Application for Stormwater Construction Permit and Water Quality Certification


Use this form to request a Stormwater Construction Permit (RIPDES CGP or GWD/UIC) or Water Quality Certification (WQC). If a Freshwater Wetlands (FWW) Application is required, this form must be submitted in addition to the [FWW Application form](#). If a WQC is requested as part of a Federal Permit which is not covered under a General Permit and therefore requires State certification, this form must be submitted in addition to the **Supplemental Water Quality Certification Request Form**.

Please fill out this form electronically, print the completed form, and submit with all required documentation/fee to:

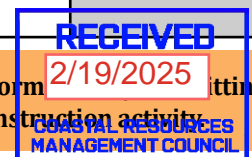
Permit Application Center (PAC) RIDEM
235 Promenade Street, Room 260
Providence, RI 02908-5767

- Check or money order must be made payable to the Rhode Island General Treasurer
- Stormwater Construction Permit Fee will be waived for applications submitted concurrently with a Freshwater Wetlands Application.

Select:		<input checked="" type="radio"/> New Permit	<input type="radio"/> Permit Modification	<input type="radio"/> Extension and/or Renewal	
Site & Project	City/Town: Newport	Street Address: 39 America's Cup Avenue, Newport, RI			Water Body Class: SB
	Project Name: Perrotti Park Seawall	Plat(s): 24	Lot(s): 348	Latitude: 41.489109	Longitude: -71.317152
	Location: Perrotti Park - America's Cup Avenue, Newport		Utility Pole:	Water Body Name(s): Newport Harbor / Coddington Cove	
	Total Site Area: 0.72 acres	Site to be Disturbed: .7 acres	RIDOT PSID #:	RI Contract #:	Was there a Pre-Application Meeting? <input checked="" type="radio"/> Yes <input type="radio"/> No
	Organization/Company Name: City of Newport		Name and Email of Owner's Representative for Questions: Timothy Smith, 401-427-2756, timothy.smith@gza.com		
Owner/Applicant	First Name: William	Last Name: Boardman		Owner's Email: wboardman@cityofnewport.com	
	Address: 43 Broadway		City/Town: Newport	State: RI	Zip 02840
	I certify under penalty of law that I've requested and authorized the investigation, compilation, and submission of all the information, in whatever form, contained in this Application; I have personally examined and am familiar with the information submitted herein; and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate and complete. I'm aware that it's the owner's responsibility to implement or hire a qualified contractor responsible to implement any required Soil Erosion and Sediment Control Plan, so as to effectively control stormwater discharges leaving the site during the construction period. I authorize RIDEM personnel access to the property for purposes of observing conditions pertinent to this application and assessing compliance with any permit or determination resulting from this application.				
	Applicant Signature: William Boardman, PE <small>Digitally signed by William Boardman, PE Date: 2025.02.07 11:50:09 -05'00'</small>		Title: City Engineer		Date: 2/7/25
Professional	Organization/Company Name: GZA GeoEnvironmental		Professional's License Type(s) and Number(s): Professional Engineer		
	Professional's Name: Matthew Page	Professional's Email: matthew.page@gza.com		Phone: (401) 427-2741	
	I certify under penalty of law that the project described in this application and associated materials is in compliance with the RI Stormwater Design and Installation Standards Manual (as amended) and the Rhode Island Soil Erosion and Sediment Control Handbook (as amended) [if required] and I believe all information presented in this application and the accompanying materials are true, accurate and complete. All engineering designs, plans and specifications [if required] included in this application were done by me or by someone working directly for me. The Natural Heritage Area Information [if required] and the site specific Soil Erosion and Sediment Control Plan [if required] were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering or developing the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete at the time this application is made. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.				
	Professional's Signature 		Title: Associate Principal		Date: 2/7/25

PERMIT HISTORY AND APPLICABILITY			Please check ALL boxes that apply to the proposed project.	RIDEM USE ONLY
Permit History	Provide all other application or file numbers associate with this site:			
	RI CRMC Assent:	US Army Corp. of Engineers:	RIDEM Program Name & File Number:	
Stormwater Construction Activity	<p>Select all that apply. [Stormwater submissions must comply with all requirements of the Stormwater Management, Design and Installation Rules.] Click links below to refer to other applicable Rules.]</p> <p>There are Freshwater Wetlands on the subject or adjacent property, AND the project proposes:</p> <p>New or increased impervious cover for property other than a single family home; or</p> <p>Disturbance of more than 10,000 sq. ft. of existing impervious cover; or</p> <p>To fill in any amount of floodplain or alter storm flowage to a river, stream or wetland on any lot.</p> <p>Refer to Freshwater Wetland Rules</p>			
	<p>The project proposes an infiltration system listed in 8.21 of the Stormwater Rules (i.e. infiltration trench, infiltration basin, UIC chamber or drywell) that receives stormwater from:</p> <p>A residential impervious area that is more than 10,000 sq. ft.; or</p> <p>A non-residential roof area greater than 10,000 sq. ft.; or</p> <p>A non-residential (commercial, industrial, institutional...) road or parking area of any size.</p> <p>Indicate if the treatment system discharges:</p> <p>Below the ground (UIC); or</p> <p>Above the ground and infiltrates (not UIC), but must be reviewed for compliance with the RISDISM to be protective of groundwater. Refer to Groundwater Discharge Rules</p>			
	<p>The project proposes discharge of stormwater to waters of the State [including a Separate Storm Sewer System (MS4)], AND:</p> <p>Disturbs less than 1 acre, but the activity is part of a larger common plan resulting in more than 1 acre of disturbance.</p> <p>Disturbs more than 1 acre of property. Refer to RI Pollutant Discharge Elimination System General Permit</p>			
Water Quality Certification (WQC)	<p>Select all project type(s):</p> <p> Discharge that requires a Federal Permit Check all that apply:</p> <p>Federal Energy Regulatory Commission (FERC)</p> <p>Marinas-New Construction or Expansion</p> <p>Fill Waters of the U.S.</p> <p>ACOE Individual Permit</p> <p>ACOE Fill in Coastal Waters</p> <p>Other</p> <p>Harbor Management Plan</p> <p>Flow Alterations/Water Withdrawals</p> <p>Stormwater Master Plan Refer to Water Quality Rules and Application Guidance</p>			
Submission Requirements	<p>Please submit separately bound documents, as required. Additional copies are required when submitting concurrently with a Freshwater Wetlands Application.</p> <p>1 Site Plan(s)</p> <p>1 Appendix A Checklist/LID Planning Assessment</p> <p>1 Stormwater Management Plan (Includes SESC Plan, O&M Plan, and SW Plan (Includes SESC Plan, O&M Plan, and SW</p> <p>Appropriate Fee: New Permit = \$400; Permit Modification = \$200.</p>			<p>Amt. Paid:</p> <p>Check No:</p> <p>Date Received:</p>

Remember to notify RIDEM, in writing, of the anticipated start date and of the contractor's contact information, by submitting the Notice of Start of Construction form prior to the commencement of any site alterations or construction activity.



Perrotti Park Seawall, Newport
Site Photographs



Photo 1. Site Overview (2022)



Photo 2. Perrotti Park, facing north (2023)



Perrotti Park Seawall, Newport
Site Photographs



Photo 3. Existing Bulkhead (2023)



Photo 4. Existing Seawall (2023)





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Disclaimer: This information is for tax assessing purposes and is not warranted

Parcel Identification

Map/Lot 24-348
Account 4465
State Code 78 - Municipal
Card 1/1
User Account R04724

Assessment

Land \$5,261,900
Building \$840,300
Card Total \$6,102,200
Parcel Total \$6,102,200

Prior Assessments

Fiscal Year	Land Value	Building Value	Outbuilding Value	Total Value
2024	\$5,261,900	\$812,400	\$57,300	\$6,131,600
2023	\$4,698,200	\$621,300	\$46,600	\$5,366,100
2022	\$4,698,200	\$621,300	\$46,600	\$5,366,100
2021	\$4,698,200	\$621,300	\$46,600	\$5,366,100
2020	\$4,704,500	\$550,600	\$86,500	\$5,341,600

Location and Owner

Location 39 AMERICAS CUP AVE
Owner NEWPORT CITY OF
Owner2
Owner3
Address CITY HALL
Address2 43 BROADWAY
Address3 NEWPORT RI 02840

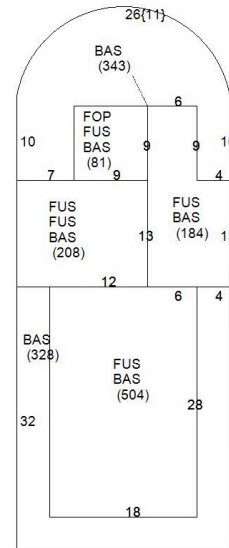
Building Information

Design Office Bldg
Year Built 2000
Heat Forced Air-D
Fireplaces 0
Rooms 0
Bedrooms 0
Bathrooms 1 Half Bath
Above Grade Living Area 2,833 SF

Sale Information

Sale Date 01/01/1900
Sale Price \$0
Legal Reference 239-280
Instrument

[Click To Open Google Maps](#)



Building Sub Areas

Sub Area	Net Area
First Floor	1,648 SF
Porch, Open, Finished	81 SF
Upper Story, Finished	1,185 SF

Land Information

Land Area 54,885.6 SF
Zoning WB
View -
Neighborhood Z

Yard Item(s)

Description	Quantity	Size	Year
CANOPY-CM-AVE	1	224	2005
COM TYPE	1	40	2000
COM TYPE	1	55	2000
COM TYPE	1	60	2000
COM TYPE	1	65	2000
COM TYPE	1	80	2000
COM TYPE	1	90	2000
COM TYPE	1	240	2000
ELEVATOR 2FL	1	1	2005
WOOD DECK	1	224	2005

RECEIVED

2/19/2025

**COASTAL RESOURCES
MANAGEMENT COUNCIL**



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188 Valley Street
Suite 300
Providence, RI 02909
T: 401.421.4140
F: 401.751.8613
www.gza.com

February 14, 2025
File No. 03.0035242.00

Ms. Lisa Turner
RI Coastal Resources Management Council
4808 Tower Hill Road; Suite 3
Wakefield, Rhode Island 02879

Mr. Kevin Kotelly
United States Army Corps of Engineers
New England District, Regulatory District
696 Virginia Road
Concord, Massachusetts 01742

Mr. Ron Gagnon
Rhode Island Department of Environmental Management
Office of Water Resources
235 Promenade Street
Providence, Rhode Island 02908

Re: Application for CRMC Assent, USACE General Permit, RIDEM Water Quality Certification
Perrotti Park Seawall Replacement
Assessor's Plat (A.P.) 24 Lot 348
Newport, Rhode Island

Dear Ms. Turner, Mr. Kotelly, Mr. Gagnon;

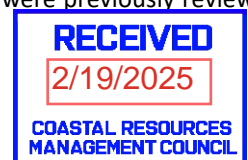
On behalf of our Client, the City of Newport, this application is being submitted by GZA GeoEnvironmental, Inc. (GZA) pursuant to the applicable requirements of the Coastal Resources Management Council (CRMC), the United States Army Corps of Engineers (USACE), and the Rhode Island Department of Environmental Management (RIDEM).

The City of Newport owns Perrotti Park (Site), located at 39 America's Cup Avenue along Newport Harbor. The park serves as the primary location for maritime transportation in downtown Newport, including access for several ferry services. The park is bound to the north by Long Wharf Mall, to the east by America's Cup Avenue, to the south by the Newport Harbor Hotel and Marina, and to the west by Newport Harbor. The park facility consists of an approximately 420-foot-long anchored steel sheet pile bulkhead, retaining the upland portion of the Site. Please note that 'bulkhead' and 'seawall' are used interchangeably throughout this application narrative.

The bulkhead exhibits significant steel section loss and corrosion holes visible throughout the structure. At several locations, loss of upland fill has been observed adjacent to the wall system. The tie-rod system also appears to be disengaged from the external wale at several locations. The existing floating dock system is showing signs of wear and damage.

On behalf of the City of Newport, we are seeking the necessary permit approvals for the replacement of the existing floating dock system (floating docks and guide piles) and the construction of a new bulkhead system for the protection and preservation of the Site and longevity of Perrotti Park as a Newport resource. A 14-sheet Drawing Set is attached, illustrating the existing conditions, demolition and temporary control plans, and proposed conditions including bulkhead and anchor plans.

An additional 6-sheet Drawing Set is attached illustrating the existing conditions, demolition and proposed conditions of the new floating docks and guide piles. These plans were previously reviewed by CRMC under application for Assent 2023-08-100.





Proposed Bulkhead and Dock Details

The proposed seawall activities consist of excavating behind the existing bulkhead and removing the upper portion of the steel sheet piling (above MHW); driving new steel sheeting immediately adjacent to the previous (existing) sheeting with toe pins drilled as required; excavating and installing a deadman system subsequently connected to the proposed bulkhead, utilizing wale and tie-rods; and restoring the Site to match the designed landscape plan. In lieu of a traditional deadman system, tie-back anchors may be installed from the face of the bulkhead and connected utilizing a steel wale.

The proposed bulkhead will be comprised of steel sheet piling and a concrete cap which will extend to approximately elevation 7.5' (NAVD88), resulting in a raise in grade of approximately 1-foot. The concrete cap and wall will be designed such that additional concrete is able to be installed on the top of the cap to raise the grade of the cap / park to approximately EL 10.0' (NAVD 88) in the future. A continuous wale and tie-rod system will be installed within or above the tidal range or at approximate elevation 2.0' (NAVD88), with granular fill or pea stone above and below the tie-rods. The limit of excavation behind the existing bulkhead is anticipated to extend no further than the mean low water (MLW) level at elevation -1.9' (NAVD88). Rock pins will be used as necessary to secure the sheet piles to the bedrock, utilizing grout, pipe sleeves, and centralizers. Overall project impacts are as follows:

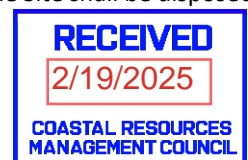
- Seaward extent of new fill beyond MHW (feet): Varies between 0-ft to 3-ft (Area between front of existing sheet piling and back of new sheet piling).
- Area of fill below HTL (square feet): Approximately 630-sf between new bulkhead and existing bulkhead.
- Volume of fill below HTL (cubic yards): Approximately 230-cy between new bulkhead and existing bulkhead.
- Size of new stone below HTL (inches): 3/8-inch Pea Stone will be used as fill between the new bulkhead and existing deteriorated bulkhead sheeting to MHW or thereabouts. There will be no fill placed seaward of the new bulkhead.

The proposed dock work includes the replacement of five existing floating docks and their associated steel pipe guide piles and HDPE jackets. The floating docks will be replaced in-kind with a similar size and freeboard. The existing dock utilities will be replaced in-kind. New guide piles will be installed to better accommodate the docks and to maintain the appropriate offset distance from the proposed new steel sheet pile bulkhead. It is the City's intent to maintain the system within the existing marina footprint.

Proposed Construction Methods

The suggested sequence of work noted throughout the attached Plan Set (actual sequence to be identified by the design/build team) identifies the excavation behind and removal of a portion of the existing bulkhead (where possible) above MLW to occur first, followed by the installation of new steel sheets immediately adjacent to the existing sheets with drilled rock pins as necessary (within the sheet belly and then installation of the deadman system connecting to the new bulkhead via wale and tie rods). To accommodate the construction of the new steel sheet pile wall and deadman system, the existing harbor master building will be removed and disposed in its entirety above the existing foundation system. Excavation and removal of the existing bulkhead is illustrated on Sheet 8 with detailed sections on Sheet 9. It is anticipated that temporary cofferdams may be necessary to allow for the installation of two concrete outfall pipe extensions through the new steel sheet pile bulkhead.

The contractor shall be responsible for establishing and maintaining all temporary erosion and sediment controls prior to disturbing any soils, sediment, or vegetation at the Site. Temporary controls are illustrated on Sheet 6 and include Filtrexx Soxx and construction fencing along the upland portion of the Limit of Work (LOW); a turbidity curtain along the water LOW, anchored securely at the shoreline above mean high water (MHW); silt sack devices within Site catch basins; and tree protection devices. The contractor is also responsible for any dewatering necessary to perform the construction and shall take care not to place removed sediments within the path of existing, newly created, or proposed areas subject to stormwater flow. Details for the proposed controls are illustrated on Sheet 7. All types of waste generated at the Site shall be disposed of in a manner consistent with Federal, State and local regulations.





It is anticipated that the dock replacements will be performed from a floating barge utilizing cranes, miscellaneous equipment, labor, and hand tools, as required. Demolition details and proposed work is illustrated on Sheet S-4 and S-5 of the ferry Dock Replacement Drawing package. Dock replacement work will likely occur simultaneously with land-based work, as determined by the Client and contractors.

Upon completion of the bulkhead construction, the Site shall be backfilled with an overall raise in grade at the Site around 1-foot for resiliency purpose. Otherwise, the Site will be restored to the extent practicable to match the existing or newly proposed landscape conditions (Sheet 14). Restoration efforts will likely include primarily grass seeding, tree planting, bench installation, and necessary replacement of existing concrete / brick walkways. Site restoration efforts are anticipated to encompass the entire limit of work. The project will take approximately 2 years and will be performed in two phases. Construction activities will be conducted off-season (late fall to early spring) to allow public use during the summer months. During Phase 1 (Year 1), work to replace the bulkhead will be performed and work to re-grade the Site will be started. Phase 2 (Year 2) is anticipated to include the replacement of the floating docks and guide piles and restoration of the park to match the proposed Landscape Plan on Sheet 14. During the summer between construction phases, temporary pathways will be constructed to allow for pedestrian access to and from the floating docks. Floating docks are anticipated to be temporarily removed and stockpiled off-site during Phase 1 construction and replaced during the summer months for use.

Permitting Requirements

It is the belief of GZA that a new **CRMC** Assent Application is the proper submittal for the bulkhead, as the existing wall was installed prior to 1972 and the proposed work area will extend beyond previously authorized. Regarding **USACE**, GZA believes the proposed activities can be covered under the Rhode Island General Permit (GP) 2 (Repair/Maintenance of Existing Structures) under the Self-Verification (SV) process. Due to the temporary disturbance of the shoreline during construction, a **RIDEM** WQC will likely be needed.

This application package is accompanied by a fourteen (14) sheet Drawing Set, illustrating the existing conditions, demolition and temporary control plans, and proposed conditions including bulkhead/anchor plans and a separate six (6) sheet Drawing Set illustrating the existing conditions, demolition and proposed conditions including the floating docks and floating dock guide piles.

CRMC Assent

Based on review of historical documentation and aerial imagery, it is estimated that the Perrotti Park seawall was originally constructed between 1962 and 1972. The seawall is illustrated on the approved plans associated with CRMC Assent 1975-04-003. Small repairs appear to have been performed throughout the life of the structure. The adjacent water body is Newport Harbor, characterized as Type 5 Water – Recreational and Commercial Harbors. The coastal feature of the Site is a man-made shoreline, consisting of “structural shoreline protection” as defined in Section 1.1.2 of the Coastal Resources Management Program (650-RICR-20-00-1; the “Redbook”).

In accordance with Section 1.1.4 of the Redbook, this narrative addresses the CRMC requirements necessary to secure a CRMC Assent required for any alteration or activity proposed for tidal waters within the territorial seas, shoreline features, and areas contiguous to shoreline features. Based on review of the tables in Section 1.1.5(A) of the Redbook we believe that this project requires a Category B Assent for the bulkhead replacement and dock replacement. The following CRMC sections will be addressed below:

- SECTION 1.1.10 Climate Change and Sea Level Rise;
- SECTION 1.2.1(F) Type 5 Waters – Commercial and Recreational Harbors;
- 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; and
- SECTION 1.3.6 Protection and Enhancement of Public Access to the Shore.





SECTION 1.1.10 Climate Change and Sea Level Rise

Climate change and resultant sea level rise are recognized by CRMC as ongoing, and the various scenarios are integrated into its programs to prepare Rhode Island for these new and evolving scenarios. A Coastal Hazard Application Worksheet has not been attached to this narrative, as this project does not meet the requirements for submission. The FEMA 100-year Flood Insurance Map (panel 44005C0177J) shows that the seawall is located within a coastal flood zone with a velocity hazard from wave action (VE). The base flood elevation (BFE) for the project area is +13.00 feet (NAVD88) which equals Elev. + 11.97 (MLW datum).

SECTION 1.2.1(F) Type 5 Waters – Commercial and Recreational Harbors

As noted earlier, the seawall (and all of Newport Harbor) is within waters denoted by CRMC as Type 5. These are water areas that support a variety of tourist, recreational, and commercial activities.

Measures taken to mitigate impacts on the scenic quality of the area (Section 1.3.5), include the use of a low-profile bulkhead design, limited disturbance to the surrounding area, and a landscape plan to match the existing conditions and aesthetics of neighboring areas of Newport. It is the City's intent to maintain the floating dock system within the existing marina footprint.

SECTION 1.2.2(F) Manmade Shorelines

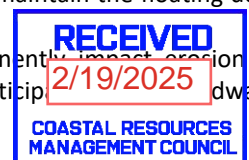
The coastal feature of Perrotti Park is Manmade consisting of the existing seawall. CRMC's goals for these Shorelines are to encourage the maintenance of structures that effectively mitigate erosion and/or sustain landforms adjacent to the water; and prevent the accumulation of debris along the shore where such structures are ineffective or no longer in active use.

The existing seawall is degraded beyond repair, and the proposed replacement is necessary to effectively sustain the landform adjacent to the water. At either end of the proposed construction, the bulkhead will meet and match the existing manmade shoreline (concrete / granite block wall to the north and steel sheet pile wall with concrete cap to the south). The proposed bulkhead will continue the current uses and will not detract from CRMC's goals for Manmade Shorelines.

SECTION 1.3.1(A) Category B Requirements

The proposed reconstruction activities satisfy the basic requirements for a Category B Assent, specifically:

- a) Proposed Need: Perrotti Park serves as a waterfront park in the heart of Newport, providing the public with access to the shoreline, scenic views of the harbor, and serves as the Newport Terminal for the Hi-Speed Ferry to Block Island. The current condition of the seawall is inadequate to continue supporting the multiple uses of Perrotti Park into the future. The existing floating dock system is not in adequate condition for efficient and safe use.
- b) Code Satisfaction: All applicable zoning ordinances, building codes, flood hazard standards, and all safety codes, fires codes, and environmental regulations will be met. In addition to a CRMC Assent, a Water Quality Certificate from RIDEM and a General Permit from USACE will be secured prior to commencement of construction activities. The Rhode Island Building Code does not regulate construction of bulkheads. Determination of suitable construction methods (i.e., from barges or land-based) will be the responsibility of the contractor, maintaining compliance with obtained permits and authorization. Minimal activities on land associated with the excavation and removal of the exiting bulkhead will require temporary soil disturbance. The contractor will deploy erosion controls such as compost filter socks, silt sacks in catch basins, and a turbidity curtain to prevent sediment from leaving the immediate work area. The project team will coordinate with the US Coast Guard as needed.
- c) Coastal Waters Affected: Boundaries of the proposed bulkhead are identified in the attached sheet set. The bulkhead will be approximately 420-linear feet in length and have an average distance of 36.3-feet from the sheet pile bulkhead to the Deadman system. The proposed seawall will be as close as practicable to the footprint of the existing seawall, avoiding any further expansion into the water. It is the City's intent to maintain the floating dock system within the existing marina footprint.
- d) Minimal Erosion/Deposition: The construction activities are not expected to permanently impact erosion or deposition processes along the shore or in tidal waters. Minimal soil disturbance is anticipated.





connection area. During the construction phase, best management practices (compost filter socks, silt sacks) will be incorporated to minimize soil erosion and deposition.

- e) Minimal Impacts to Plants/Animals: Construction of the proposed bulkhead will not detrimentally impact existing plant and animal life. The Site is currently used as a public park and ferry terminal, with designed landscaping. There is no eel grass, salt marsh, or submerged aquatic vegetation (SAV) in the area. Soft-start techniques will be used during pile driving operations – this will protect aquatic animals/fish.
- f) Impacts to Public Access: Perrotti Park currently offers public access to the shoreline along the existing seawall and the proposed work. Access will be limited during construction but resume upon completion.
- g) Minimal Impacts to Water Circulation: The proposed bulkhead will not cause any significant impacts to water circulation, flushing, turbidity, or sedimentation. A turbidity curtain will be installed prior to construction and maintained through completion to prevent sedimentation impacts.
- h) Minimal Water Quality Deterioration: No significant deterioration of water quality in the immediate vicinity of the proposed bulkhead is expected. RIDEM has assigned a water use classification of SB in the area. SB waters are designated for primary and secondary contact recreational activities and fish and wildlife habitat. They shall be suitable for aquaculture uses (other than shellfish for direct human consumption), navigation, and industrial cooling. These waters shall have good aesthetic value. The proposed use of the waters will not change.
- i) No Historic and Archaeological Impacts: A review of available information has concluded that the area does not have any identifiable historic or archaeological significance. The proposed bulkhead will not change this.
- j) No Impacts to Water Dependent Use: The area is currently being used for commerce/ transportation. Waters in the area are classified by CRMC as Type 5 – commercial and recreational harbors. Activities associated with the proposed bulkhead will further reinforce these uses. Hence, this project will not result in conflicts with water dependent uses.
- k) No Adverse Scenic Impacts: The proposed bulkhead will not detract from the scenic qualities of the area. Instead, the bulkhead will increase the integrity of the shoreline and enhance the area's use as a thriving waterfront transportation and tourism area.

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

The proposed bulkhead will not result in any filling, removing, or grading of the shoreline beyond that of the existing conditions. The bulkhead will be installed immediately adjacent to the footprint of the existing seawall. The existing bulkhead will be excavated and removed before replacement. It is anticipated that sheet pile and toe pin installation will be performed from a barge positioned within the harbor. Excavation of the existing filled land and removal of the existing bulkhead will be conducted from the land. In addition, deadman installation will be performed from land. Disturbed soils during the foundation work will be regraded in the area or removed, as needed. None of the soils in the area of the bulkhead are known to contain any toxic substances.

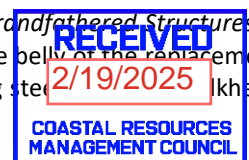
SECTION 1.3.6 Protection and Enhancement of Public Access to the Shore

Perrotti Park currently offers public access to the shoreline along the existing seawall. Access will be limited during construction but will resume upon completion. The bulkhead will increase the integrity of the shoreline and enhance the area's use as a thriving waterfront transportation and tourism area.

A completed Assent application form is included with this application package. It is our understanding that a letter from the Local Building Official is not required for this project as no activities requiring a building permit will be conducted as part of the seawall construction effort. As a public entity, the Client is requesting the waiving of application fees based on the project serving a benefit to the general public.

USACE General Permit

It is the belief of GZA that the proposed project meets the authorization requirements of the USACE Rhode Island General Permit (GP) Number 2 – *Repair / Maintenance of Existing Currently Serviceable, Authorized or Grandfathered Structures & Fills, and Removal of Structures*, under the Self-Verification (SV) process (33 CFR 330.3). The inside belly of the replacement steel sheet pile bulkhead will be within 36" of the outer belly (as close as possible) of the existing steel sheet pile bulkhead.





and will produce less than 5,000 square feet of new permanent and temporary impacts in tidal waters, with no filling in wetlands or impacts to submerged aquatic vegetation (SAV) – meeting the requirements for SV. As summarized above, the seaward extent of the new fill beyond MHW varies between 0' to 3'; the fill discharged below HTL will have an area of 630 square-feet and a volume of 230 cubic yards between the existing and new bulkhead; the stone used as fill behind the new bulkhead and below HTL will be 3/8" pea stone. The dock and structure replacement will be in-kind and maintain the existing size and footprint as much as practicable. The floating docks will be replaced in-kind with a similar size and freeboard. The existing dock utilities will be replaced in-kind. The proposed construction is consistent with previously authorized and currently serviceable structures, as specified under GP No. 2.

Based on review of historical aerial imagery, it is estimated that the Perrotti Park seawall was constructed between 1962 and 1972. The existing seawall is referenced in Army Corps letters dated 1975 (sourced from CRMC Assent 1975-04-003). The adjacent water body is Newport Harbor, characterized as a commercial harbor with manmade shorelines – the body of water is not a stream, river, brook, or other tributary crossing.

This project is not anticipated to impact aquatic life movements or water flows in Narragansett Bay. We do not anticipate any discharges of pollutants as a result of this Project. Based on review of the Greater Atlantic Region Marine Fisheries Essential Fish Habitat (EFH) mapper available through NOAA Fisheries, this portion of Narragansett Bay may contain potential fish habitat. However, impacts are expected to be minimal and consistent with the area's current use as a commercial transportation hub. Temporary impacts will be minimized to the extent possible. Temporary impacts related to erosion and sedimentation in upland areas (where the seawall connects to the shoreline) will be mitigated utilizing a best management practices. The seawall will not create new impervious surfaces along the shoreline. This project is not located on a property owned by the USACE nor will it impact property or easements owned by the USACE. There is no Federally maintained channel in the area. There will be no impacts to navigation. The project team will coordinate with the United States Coast Guard, as needed, to address any safety lights or signals.

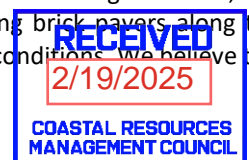
This project is not located within any National Wildlife Refuge, National Forest, National Marine Sanctuary, or other National Park. The project is not located in a tribal, historic, or archeological significant area. Review of the United States Fish and Wildlife Service Information for Planning and Consultation indicated that there are no critical habitats at the project Site (available at <https://ipac.ecosphere.fws.gov/location/JIOAABZVFJBMXDFNAK7566IPLY/resources>). There are no vernal pools at the Site. To the extent practicable this project will avoid impacts to the surrounding environment.

In accordance with the General Conditions of the USACE General Permit, the Project will obtain all other required Federal, State, and Local authorizations. Once this project has obtained authorization from the regulatory agencies, copies of the permits/approvals will be kept onsite during construction. In accordance with USACE GP No. 2, as CRMC review and approval is necessary for this project, we believe a Self-Verification Notification Form (SVNF) for USACE is not required.

RIDEM Water Quality Certification

RIDEM classifies Narragansett Bay in this area (RI0007030E-01E) as an SB water body with Category 5 Impairment and Potential Stormwater Impairment. SB waterbodies are designated for primary and secondary contact recreational activities; shellfish harvesting for controlled relay and depuration; and fish and wildlife habitat. SB waters shall be suitable for aquacultural uses (other than shellfish for direct human consumption), navigation, and industrial cooling. These waters shall have good aesthetic value. The waterbody impairment is for enterococcus from combined sewer overflow sources, impacting primary and secondary contact recreation.

There will be an approximately 1-foot raise in grade landward of the bulkhead to increase the resilience of the Site in the face of changing climate and sea levels. The infiltration of precipitation will not be altered. There will be no storage of uncovered materials that may contaminate or increase runoff. The project will not create any additional impervious surface requiring stormwater treatment. Minimal sediment and soil disturbance will occur during excavation of the existing bulkhead, but disturbance will be minimized to the extent possible. Any disturbance or damage to the existing brick pavers along the waterfront of the site will be repaired or replaced in-kind, of a similar arrangement to the existing conditions. We believe this project will not adversely impact the water quality of Narragansett Bay.





A completed RIDEM WQC application form is included with this application package.

We are hopeful that this combined permit application package provides the necessary information and serves to keep all environmental permitting agencies "in the loop" with one another. If you have any questions or need additional information, please contact Tim Smith at timothy.smith@gza.com or 401-427-2756.

Very truly yours,

GZA GEOENVIRONMENTAL, INC.

A handwritten signature in black ink that reads 'Timothy Smith'.

Timothy Smith, P.E.
Project Manager

A handwritten signature in blue ink that appears to read 'Matthew Page'.

Matthew Page, P.E.
Associate Principal

A handwritten signature in black ink that reads 'Russell J. Morgan'.

Russell J. Morgan, P.E.
Consultant/Reviewer

Attachments: 14-Sheet Drawing Set
 6-Sheet Floating Dock and Guide Pile Replacement Drawing Set
 Application Forms (CRMC Assent, RIDEM WQC)
 Site Photographs
 Proof of Ownership
 Abutters List

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