



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS  
NEW ENGLAND DISTRICT  
696 VIRGINIA ROAD  
CONCORD MA 01742-2751

April 24, 2025

Regulatory Division  
Transportation & Utility Section  
File No. NAE-2024-01914

c/o Marc Smith  
The Narragansett Electric Company d/b/a Rhode Island Energy  
280 Melrose Street  
Providence, Rhode Island 02907  
(via email: [mrsmith1@rienergy.com](mailto:mrsmith1@rienergy.com))

Dear Mr. Smith:

This letter is in response to your April 8, 2025, request to modify work that was verified under the Rhode Island General Permits under file number NAE-2024-01914 associated with the E183 and F184 115kV Transmission Lines Geotechnical Investigation Phase 2. Our verification letter, dated December 6, 2024, authorized the temporary discharge of fill associated with construction matting within approximately 148,350 square feet of tidal salt marshes and 16,360 square feet of non-tidal wetlands in Bristol and Warren, Rhode Island. This letter supersedes the verification letter dated December 6, 2024, for NAE-2024-01914. This file number should be referenced in all correspondence with this office.

The original verification authorized geotechnical investigations to inform design of E183 and F184 115kV transmission line refurbishment. Construction matting was used to access the sites for soil bores within approximately 148,350 square feet of tidal salt marshes and 16,360 square feet of non-tidal wetlands. The project is located in wetlands adjacent to the Palmer River, between the Towns of Bristol and Warren in Bristol County, Rhode Island (Latitude 41.759568°N and Longitude -71.278724°W). The work is shown on the enclosed plans titled "E183 and F184 115kV Transmission Line Geotechnical Investigation Phase 2," on sheets 2-10, and dated 10/25/2024. On April 8, 2025, Rhode Island Energy proposed an alternative method to restore salt marsh impacted by temporary matting by using low ground pressure (LGP) equipment with a rake attachment.

Based on the information you have provided, we verify that the modified activity is authorized under General Permit 21 of the May 6, 2022, federal permit known as the Rhode Island General Permits (GPs). If the extent of the project area and/or nature of the authorized impacts to waters are modified, a revised application must be submitted to this office for written approval before work is initiated. You can find a copy of these permits at: <https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/>.



Any deviation from the terms and conditions of the permit, or your submitted plans, may subject the permittee to the enforcement provisions of our regulations. Therefore, in the event changes to this project are contemplated, it is recommended you coordinate with this office prior to proceeding with the work. This office must approve any changes before you undertake them. You must perform this work in compliance with the terms and conditions of the GPs listed above and the following special conditions:

**Project Specific Special Conditions:**

1. The permittee shall complete and return the enclosed Completion Certification Form to this office at least one month following the completion of the authorized work.
2. Appropriate Best Management Practices, including soil erosion, sedimentation, and turbidity controls shall be used and maintained in effective operating condition during in-water construction. Activities capable of producing greater than minimal turbidity or sedimentation shall be done during periods of low-flow or no-flow or when controls are used to obtain dry work conditions. All temporarily disturbed areas within the project limits shall be stabilized and restored following construction.
3. All construction shall be completed in accordance with the limits of construction and construction sequences detailed on the enclosed plan drawings, titled "E183 and F184 115kV Transmission Lines Geotechnical Investigation Phase 2," on a total of 18 sheets, and dated "July 2, 2024". If you change the plans or construction methods for work within or adjacent to the Palmer River, please contact us immediately to discuss modification of this authorization. The Corps of Engineers must approve any changes before you undertake them.
4. The permittee shall comply with the following best management practices (BMPs) to minimize impacts to essential fish habitat (EFH):
  - a) Erosion control barriers shall be installed around sediment bore holes within and adjacent to tidal wetlands.
  - b) Environmental monitors shall monitor the wetland boring sites and wetland sites where temporary construction pads will be used for 90 days post-construction.
  - c) Wetland sites disturbed by temporary construction matting shall be returned to pre-construction conditions. Native soils and native salt-tolerant plants shall be used if re-soiling and/or planting is needed post-construction. If rutting or soil compaction are observed by the environmental monitor, the areas shall be returned to pre-existing conditions by using low ground pressure (LGP) equipment with a rake attachment. The LGP amphibious excavator rake attachment prongs shall be inserted vertically into the marsh. The rake body is then curled slightly to lift the upper 1-2' of peat high enough to match the unmatted/undisturbed surrounding marsh surface (typically only a few inches), then the rake is returned to its vertical position/orientation and



- removed straight up through the same holes from which it was inserted causing minimal disturbance. LGP equipment shall be used between 1.2 - 1.5 psi. A qualified environmental monitor shall be on site when the machine is being used to monitor field conditions during operations. If the operation starts to cause significant disturbance, the environmental monitor will stop the work. The environmental monitor will photo document surface conditions before and after the use of the machine and will monitor the site after restoration is completed to confirm reestablishment of native vegetative communities has been achieved. Photos of the salt marsh shall be submitted to [kevin.m.newton@usace.army.mil](mailto:kevin.m.newton@usace.army.mil) before and after restoration activities are completed.
5. All temporarily impacted areas shall meet these metrics once mats are removed:
- a) Wetland areas shall be restored to their original condition and elevation, which under no circumstances shall be higher than the pre-construction elevation. Original condition means careful protection and/or removal of existing soil and vegetation, and replacement back to the original location such that the original soil layering and vegetation schemes are approximately the same, unless otherwise authorized.
  - b) Soil samples shall be identified as “hydric” in accordance with the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region - Version 2.0 (2012). Positive indicators of hydric soil formation shall be documented.
  - c) Unless otherwise provided as part of the restoration plan (i.e. natural succession) all disturbed wetland areas shall be stabilized with a wetland seed mix or plant plugs containing only plant species native to New England; shall be appropriate for site conditions, including salinity and frequency of inundation; and shall not contain any species listed in the “Invasive and Other Unacceptable Plant Species” Appendix K of the New England District “Compensatory Mitigation Standard Operating Procedures” found at <https://www.nae.usace.army.mil/Missions/Regulatory/Mitigation/>.
  - d) Hydrophytic vegetation shall be present on site and can be identified using the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region - Version 2.0 (2012). Vegetation must meet either the Rapid Test for Hydrophytic Vegetation, the Dominance Test >50%, Prevalence Index  $\leq 3.01$ , or Morphological Adaptations to satisfy this requirement.
  - e) The resultant mitigation plant communities shall not result in an increase of areal coverage of invasive plant species compared to the original baseline delineation. These plant communities are identified in “Invasive and Other Unacceptable Plant Species” Appendix K of the New England District “Compensatory Mitigation Standard Operating Procedures” found at <https://www.nae.usace.army.mil/Missions/Regulatory/Mitigation/> post monitoring.



- f) Failure to meet any of these requirements may result in compensatory mitigation for all adverse impacts or effects to aquatic habitats.

This verification is valid until May 6, 2027. You must commence or be under contract to commence the work authorized herein by May 6, 2027, and complete the work by May 6, 2028. If not, you must contact this office to determine the need for further authorization before beginning or continuing the activity. It is recommended that you contact this office before this authorization expires to discuss if permit reissuance is a possibility.

This general permit verification and any associated authorizations does not preclude the necessity to obtain any other Federal, State, or local permits, licenses, and/or certifications, which may be required.

If you have any questions related to this verification or have issues accessing documents referenced in this letter, please contact Kevin Newton, Project Manager, at (978)-318-8044, or by email at [kevin.m.newton@usace.army.mil](mailto:kevin.m.newton@usace.army.mil) and [cenae-rtu@usace.army.mil](mailto:cenae-rtu@usace.army.mil). This agency continually strives to improve our customer service. In order to better serve you, please complete the Customer Service Survey located at: <https://regulatory.ops.usace.army.mil/customer-service-survey/>.

Sincerely,



Stephen Rochette  
Acting Chief, Technical Support  
Branch Regulatory Division

Enclosures

cc (w/enclosures):

Adam Rosenblatt, VHB; [arosenblatt@vhb.com](mailto:arosenblatt@vhb.com)

Tracy Silvia, RI CRMC; [tsilvia@crmc.ri.gov](mailto:tsilvia@crmc.ri.gov)

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