



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
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APPLICATION FOR STATE ASSENT

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

Project Location <u>100 Water Street East Providence</u> <small>No. Street City/Town</small>	File No. (CRMC USE ONLY) <div style="text-align: center; font-size: 1.2em; color: blue;">2025-12-033</div>
Owner's Name <u>Charles E. Booth III BDPS LLC</u>	Plat: MAP 16 Lot(s): 01-001
Mailing Address <u>100 Water Street East Providence, RI 02914</u> <small>Address City/Town, State Zip Code</small>	Owner's Contact: Number: (401) 438-2626 Email Address: charlieb@american-equipment.com
Contractor RI Reg. # _____ Address _____ work already completed	Email address: Tel. No. _____
Designer _____ Address _____	Tel. No. _____
Name of Waterway <u>Seekonk River</u>	Estimated Project Cost (EPC): NA Application Fee: \$50 (EPC < \$1,000)
Provide Below a Description of Work As Proposed (required). The Applicant is requesting authorization retain recent improvements to an existing work trestle which were approved as temporary work under Assent No. A2025-02-013. The improvements included the placement of a new timber and concrete block footing along the existing manmade shoreline, installation of a wider deck, and placement of fill necessary to match existing grades within the adjacent staging area. The new deck bears on top of a pre-existing steel pile bent header at the seaward end.	

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): Yes, see attached narrative

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/ mailing addresses of adjacent property owners whose property adjoins the project site. Accurate mailing addresses will insure proper notification. CB Applicant must initial to certify accuracy of adjacent property owners and accuracy of mailing addresses.
 See list of adjacent property owners in attached narrative

STORMTOOLS ([Http://www.beachsamp.org/resources/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

Charles E. Booth
 Owner Name (PRINT)

Charles E Booth III
 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.

Charles E Booth III

Owner Signature

12/02/2025

Date

Charles E. Booth BDPS LLC 100 Water Street East Providence, RI 02914

Print Name and Mailing Address



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December 2, 2025

Coastal Resources Management Council
Stedman Government Center, Suite 3557
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: Work Trestle Improvements
100 Water Street East Providence, RI

To Whom it May Concern:

On behalf of the Applicant BDPS LLC, Jacobs Engineering (Jacobs) is pleased to submit this assent application for RI Coastal Resources Management Council (CRMC) authorization to retain the recent improvements to an existing work trestle which were approved under CRMC Assent No. A2025-02-013, issued February 2025, and by the USACE under File Number NAE-2020-01204 as temporary work. The improvements to the existing work trestle were undertaken to facilitate the demolition of Washington Bridge (Westbound). The trestle is located at 100 Water Street in East Providence, Rhode Island along the Seekonk River just north of the Washington Bridge crossing. The work trestle serves a critical role in supporting marine operations for the demolition work including transport of equipment and land-side processing of demolition debris. Per conditions of the existing authorization, the work trestle improvements are to be removed at the completion of the bridge demolition work.

The improvements serve a compelling public purpose in facilitating marine-based construction activities on Narragansett Bay and beyond, servicing ships at the Port of Providence, and making available, 24-hour emergency marine environmental response equipment strategically located in the upper Bay. The impacts resulting from these actions are relatively minor in time and extent and are not anticipated to result in significant adverse environmental impacts or use conflicts. The Applicant believes the work included in this assent application is compliant with all applicable CRMC goals and policies and does not require a Variance of Special Exemptions. A digital version of the complete application submission has been prepared, and we will coordinate with your administrative staff on retrieval of the digital files.

Thank you in advance for your timely review of this application. Should you have any questions or require additional information to complete your review, please feel free to contact me at (401) 447-3358.

Sincerely,

Craig A. Wood, PWS
Senior Wetland Scientist
Jacobs Engineering

Marti Nover
New England Environmental Group Leader
Jacobs Engineering

CC:
Charles Booth III, BDPS LLC
Jeff Bostock, Aetna Bridge
Donald R. Costello, PE, Jacobs Engineering



CRMC Assent Application – Work Trestle Improvements

BDPS LLC
100 Water Street
East Providence, Rhode Island

December 2, 2025

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1. Introduction

This assent application for RI Coastal Resources Management Council (CRMC) approval is submitted to the CRMC on behalf of the Applicant, BDPS LLC (BDPS) to seek authorization to permanently retain recent improvements to an existing work trestle which were approved as a temporary condition under Assent No. A2025-02-013 issued in February of 2025 (amended March 13, 2025). This approval was a component of the Washington Bridge Demolition Project assent issued to the Rhode Island Department of Transportation (RIDOT) with BDPS as a secondary applicant. The improvements to the existing work trestle included the placement of a new timber and concrete block footing along the existing manmade shoreline, installation of a wider deck, and placement of fill necessary to match existing grades within the adjacent staging area. The improvements were undertaken to facilitate the demolition of Washington Bridge (Westbound) which carried five lanes of Interstate I-195 westbound traffic from East Providence to Providence, Rhode Island (see Figures in **Appendix A**).

The trestle is located within the southwest corner of the parcel (Project Area) identified as 100 Water Street in East Providence, Rhode Island along the Seekonk River just north of the Washington Bridge crossing. The work trestle serves a critical role in supporting marine operations for the bridge demolition work, including the transport of equipment and land-side processing of demolition debris) which is nearing completion. Per conditions of the existing assent, the work trestle improvements are to be removed at the completion of the bridge demolition work.

BDPS has long-term common ownership and a long-term lease with American Equipment and Fabricating Corp (American Equipment). BDPS and American Equipment conduct many different water-dependent activities that contribute to Rhode Island's marine economy. If made permanent, the improvements to the existing work trestle will allow for more efficient loading and offloading of pile driving rentals/foundation equipment for marine-based construction activities/clients performing work on Narragansett Bay and beyond. American Equipment also routinely loads and unloads supplies and equipment for vessels that service ships at the Port of Providence. BDPS offers barge storage both on-land and on-water for marine construction outfits that need job-based local solutions via crane-to-water access. Moran Environmental Recovery, another long-term BDPS tenant, also utilizes the trestle access to test and make available, 24-hour emergency marine environmental response equipment strategically located in the upper Bay.

A listing of adjacent property owners to 100 Water Street has been included as part of this application (**Appendix B**). As the work trestle improvements were undertaken as a component of the Washington Bridge Demolition Project, the work was completed at no cost to the Applicant. As a result, the Estimated Project Cost (EPC) to calculate filing fees is <\$1,000. The Assent Application Form, Disclosure Statement and Applicant Agreement, this application narrative, and the narrative appendices, including the separately bound plan set, comprise this complete application package. This application narrative serves to address the written assent application requirements and other relevant sections of the CRMP and further describes the project's permitting history to date, pre-existing and current conditions, as well as project effects to areas under Council jurisdiction.

2. Permitting History and Overview

Previous CRMC authorizations for the property located at 100 Water Street in East Providence are listed in **Table 2.1** and provided in **Appendix C**. CRMC has issued multiple assents to RIDOT for the Washington Bridge Demolition Project. However, Assent No. A2025-02-013 issued in February of 2025 (amended March 13, 2025) authorized the temporary improvements to the work trestle to be used in conjunction with the temporary staging area. The assent stipulations require the improvements to be removed at the earliest of completion of all demolition work. Assent No. 1987-12-037 issued in December of 1987 authorized the shoreline improvements, including the existing riprap revetment bordering the Seekonk River along the

property. In an approval letter from the Army Corps (dated June 27, 2025, under USACE File Number NAE-2020-01204) the temporary work trestle improvements were verified for eligibility under GP 4 for pile-supported structures and floats.

Table 2.1. Previous CRMC Assents issued for 100 Water Street, East Providence Rhode Island

ID	Owner	Owner Address	Plat/Lot ID	Description
2025-02-013 (amended 03-13-2025)	RIDOT	360 Lincoln Ave., Warwick	16/1	Washington Bridge demolition and temporary authorization for work trestle improvements
2015-01-019	American Equipment & Fabrication	100 Water Street	16/1	demo existing garage & replace it with 6000 sq. ft. structure
2014-08-042	American Equipment & Fabrication	100 Water Street	16/1	feasibility of demo rebuild of commercial property
1997-01-049	AGR Properties	100 Water Street	1/15,16,17,22	Infiltration System
1990-11-016	AGR Properties	100 Water Street	1/15,16,17	Fuel Tanks
1988-10-034	AGR Properties	100 Water Street	1/15,16,17	Commercial Structure
1987-12-037	AGR Properties	100 Water Street	1/15,16,17	Marinas (Alterations) – riprap
1987-09-026	AGR Properties	100 Water Street	1/15,16,17	remove remnant barges fronting shoreline
1984-11-024	American Pile Driving	100 Water Street	1/329	Dredge/Grade
1979-08-032	C Guild	100 Water Street	1/329	Commercial Alteration

2.1 Regulatory Requirements

No local zoning approvals are required for the Project, such that Building and Zoning officials' signoffs are not required.

2.1.1 Coastal Resources Management Council

Coastal Resources Management Program: The work trestle improvements are contained in land areas regulated by CRMC, as indicated on the "Wetland Jurisdiction" overlay of RIDEM's Environmental Resource Map (see **Figure 3** in **Appendix A**). The CRMC assent application will serve as the mechanism for state wetlands approval and for federal Coastal Zone Management Act (CZMA) consistency.

The primary set of regulations pertaining to the Project is the CRMP at 650-RICR-20-00-1. Compliance with CRMP sections most applicable to the Project have been included in the narrative accompanying the assent application.

CRMC Special Area Management Plans: The property falls within the boundaries of CRMC’s Metro Bay and Shoreline Change Special Area Management Plans (SAMPs). The Metro Bay SAMP (650-RICR- 20-00-5) provides a mechanism by which development in the metro Providence area can occur responsibly with coastal resource protection and increased access opportunities for the public. The Shoreline Change SAMP, known also as the Beach SAMP, outlines a process through which applicants address the coastal hazards associated with climate change. As discussed with CRMC staff, authorization for the work trestle improvements does require completing a Coastal Hazard Application Worksheet (**Appendix D**).

The Applicant acknowledges the Urban Coastal Greenways (UCG) aspect of the Metro Bay SAMP and its associated mapping of UCG Zones, as well as its High Priority Conservation Areas (HPCAs) and High Priority Restoration Areas (HPRAs). The SAMP’s UCG Zone Map indicates that areas of proposed project work in East Providence will occur in a “Development Zone”. Based on the mapped zones illustrated in Appendix 4 of the Metro Bay SAMP, the work trestle property lies outside of HPCAs and HPRAs.

Rhode Island Pollution Elimination System Program: The work trestle improvements did not disturb more than one acre of soil, so a separate RI Pollutant Discharge Elimination System (RIPDES) Construction General Permit (CGP) is not required. Soil erosion and sediment control measures consistent with the Rhode Island Soil Erosion and Sediment Control Handbook (RISESCH) are shown on the permit plans.

2.1.2 Rhode Island Department of Environmental Management

Water Quality Certification: During discussions held with the RIDEM Office of Water Resources permitting personnel, it has been determined that a Water Quality Certification (WQC) under Section 401 of the Clean Water Act (CWA) is not required if the USACE issues authorization under the RI General Permit Program. However, WQC under RIDEM’s State Regulations is required for the proposed minor permanent fill in State waters.

Natural Heritage Program: A review of the RIDEM-hosted Environmental Resource Map indicates that a Natural Heritage polygon for special-status species is present at the southwest corner of the Project Area (see **Figure 7** in **Appendix A**). Previous consultation with RIDEM indicated that the mapped polygon is associated with salt reed grass (*Spartina cynosuroides*). Given the recorded location of the species and the location of the specific Project elements, no further consultation or permitting considerations are necessary.

Controlled and Hazardous Materials: There are no known requirements for the management of contaminated soil and/or groundwater on the subject parcel.

2.1.3 Endangered Species Act of 1973

U.S. Fish and Wildlife Service: The presence of plant and animal species federally listed for special status was explored for the previous contract phase, in accordance with the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended, 16 U.S.C. Ch. 35, § 1531, et seq.). An Official Species List was generated for the Project using the U.S. Fish and Wildlife Service’s (USFWS) Environmental Conservation Online System (ECOS) Information for Planning and Consultation (IPaC) tool. The Official Species List (**Appendix E**) generated via the ECOS-IPaC system included the following species and their protection status:

- Northern long-eared bat (*Myotis septentrionalis*; NLEB) – Endangered,
- Tricolored bat (*Perimyotis subflavus*) – Proposed Endangered, and
- Monarch butterfly (*Danaus plexippus*) – Proposed Threatened.

Critical habitats for the listed species have not been identified within the project area. It is unlikely that the current use of the work trestle, as previously described, would result in adverse impacts on these species given the existing uses and developed nature of the project area.

National Oceanic and Atmospheric Administration Marine Fisheries: Previous phases of the Washington Bridge demolition project underwent formal consultation with National Oceanic and Atmospheric Administration (NOAA) Fisheries Greater Atlantic Regional Fisheries Office (GARFO) Protected Resources Division (PRD), which administers Section 7 of the ESA as it relates to endangered and threatened vertebrate marine species and important marine habitat. Consultation was required in recognition that two federally listed fish species were identified as having potential to occur in the Seekonk River – the Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) and short nose sturgeon (*Acipenser periosteum*). NOAA Fisheries GARFO PRD concurred that the action is not likely to adversely affect the listed species or critical habitat, provided that the mitigation measures are followed. In more recent correspondence with NOAA Fisheries GARFO PRD personnel, the project team was informed that the Division does not undertake consultation for after-the-fact work. However, the improvements to the work trestle were undertaken outside of the Time-of-Year restrictions included in the original mitigation measures (**Appendix H**).

2.1.4 Magnuson-Stevens Fisheries Conservation and Management Act

Consultation with NOAA Fisheries GARFO Habitat Conservation Division (HCD) regarding Essential Fish Habitat (EFH), was required for the Washington Bridge demolition project. EFH mapped for the Seekonk River is suited to 16 fish species, while Habitat Areas of Particular Concern (HAPC) are mapped for certain life stages of two fish species. NOAA Fisheries GARFO HCD concurred with the determination that the Project was consistent with the programmatic EFH consultation and determined that adverse effects to EFH would not be substantial if the conservation recommendations were followed (**Appendix H**). The in-water work for substructure demolition and the after-the-fact application for the work trestle improvements recently underwent supplemental EFH consultation and all additional recommended conservation measures for work below MHW were met.

2.1.5 Coastal Zone Management Act of 1972

The RI CRMC coastal assent serves as the mechanism for federal Coastal Zone Management Act (CZMA).

2.1.6 Section 404 of the Clean Water Act & Section 10 of the Rivers and Harbors Appropriation Act of 1899

The Applicant is seeking authorization to permanently retain recent improvements to an existing work trestle which were approved as a temporary condition pursuant to GP 2 for repair or maintenance of existing currently serviceable, authorized, or grandfathered structures & fills.

2.1.7 Section 401 of the Clean Water Act

As discussed in Section 2.2.2, WQC under Section 401 of the CWA is not required if the USACE issues authorization under the RI General Permit Program. However, WQC under RIDEM's State Regulations is required for the proposed permanent fill in State waters.

2.1.8 Section 408 of Section 14 of the Rivers and Harbors Appropriation Act of 1899

In previous coordination with the USACE Navigation permitting group, it was determined the navigation channel west of the work trestle is located between Federal Navigation Projects (FNPs) which lie both up and downriver of the project site (**Appendix H**). As a result, formal review and approval under Section 408 of Section 14 of the Rivers and Harbors Appropriation Act was not required for demolition activities within the channel. The work trestle is located more than 400 feet to the east of the navigation channel and does not impact the use or the ability to maintain the authorized areas upstream and downstream of the project area.

2.1.9 Section 9 of the Rivers and Harbors Appropriation Act of 1899 & General Bridge Act of 1946

These regulations do not apply.

2.2 Project Area

The property at 100 Water Street in East Providence, RI is a 3.7-acre lot fronting Water Street to the east, the State-owned Washington Bridge/I-195 Right-of-Way to the south, the Seekonk River to the West and a commercial property to the north. The parcel is contained within the mixed-use Bold Harbor Point (BPH) Overlay District. The property contains several commercial buildings and a large, mostly unpaved and unvegetated construction laydown area.

Prior to the recent improvements, the existing work trestle consisted of a steel pile supported I-beam bent and removable metal decking connecting to the shoreline. Several additional I-beam piles lie just offshore for temporary mooring of commercial marine vessels, floats and barges.

2.3 State and Federal Waters and Wetland Jurisdiction

CRMC and RIDEM established a “Jurisdictional Boundary,” pursuant to RI General Laws § 46-23-6, that designates areas of freshwater wetland authority. Based on the Wetland Jurisdiction overlay within RIDEM’s Environmental Resource Map, the CRMC jurisdictional demarcation line in East Providence follows I-195 eastbound to the Veterans Memorial Parkway Off-Ramp then extends north along Waterfront Drive. The tidal waters of the Seekonk River and all areas located seaward of the jurisdictional demarcations described above are entirely within CRMC jurisdiction. There are no RIDEM freshwater wetlands within the Project limits. **Figure 3 in Appendix A** reflects the jurisdictional mapping provided on RIDEM’s Environmental Resource Map and illustrates the demarcations described above.

ACOE jurisdiction under Section 404 of the Clean Water Act includes “waters of the United States” which extends seaward from the annual high tide line in tidal waters. The elevation of the High Tide Line (HTL) within the project limits is 3.8 feet above the North American Vertical Datum of 1988 (NAVD 88). Within the vicinity of the work trestle, the HTL lies approximately 5-10 feet landward of the top of the man-made shoreline. ACOE jurisdiction under Section 10 of the Rivers and Harbors Act includes “navigable waters of the United States”. The Corps general definition of navigable waters of the United States is “those waters subject to the ebb and flow of the tide shoreward to the mean high water mark and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce”. The elevation of Mean High Water (MHW) within the project limits is 2.1 feet (NAVD 88).

2.4 Setting and Environmental Conditions

Descriptions of the Project setting and existing environmental conditions are presented in the subsections below. The tidally influenced Seekonk River is the primary environmental resource associated with the work trestle improvements, so water resources related elements are discussed first below.

2.4.1 CRMC Water Type Classifications

Within the project area, the tidal waters of the Seekonk River are designated by CRMC as Type 4 Multipurpose Waters (CRMP § 1.2.2.E). Within this designation, the navigation channel under the Washington Bridge and extending north within the Seekonk River is demarcated separately as a Type 6 Commercial Navigation Channel (CRMP § 1.2.2.G). As discussed in Section 2.2.9, this section is not part of a Federal Navigation Project or Civil Works Project managed by USACE. **Figure 4 in Appendix A** presents the Water Types as depicted in CRMC’s Map of Water Type Classifications.

2.4.2 Surface Waters

The Seekonk River Subbasin (Waterbody ID No. RI0007019E-01) is listed in RIDEM's Environmental Resource Map as having impairments for fecal coliform, dissolved oxygen, and total nitrogen. The mapping tool further indicates that stormwater impairments have not been confirmed, but that potential stormwater impairments may exist and identifies that the Seekonk River is assigned Impairment Category 5, meaning that the waterbody is impaired or threatened for one or more uses and requires the development of total maximum daily loads (TMDLs) for those constituents causing the impairment.

The RI Water Quality Regulations at 250 RICR 150-05-01 list the Seekonk River Subbasin as having water quality classification SB1{a}. The State of Rhode Island 2018 – 2020 Impaired Waters Report, dated February 2021, summarizes designated uses for surface waters as described in the RI Water Quality Regulations and 305(b) Assessments. The SB1{a} classification is considered suitable for primary and secondary contact recreation, fish and wildlife habitat, and fish consumption. Drinking water supply and shellfish consumption are not suitable uses. Future compliance with the US Environmental Protection Agency (USEPA) Consent Decree for Combined Sewer Overflow abatement in the Providence area, in combination with water treatment facility upgrades and TMDL implementation on tributaries to the Seekonk River, are anticipated to facilitate water quality improvements that will be sufficient to negate the need to assign Seekonk River TMDLs.

2.4.3 Special Flood Hazard Area Zones

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 44007C0309K, depicts coastal velocity special flood hazard area (SFHA) zones within the Seekonk River (see **Figure 5** in **Appendix A**). The open waters and shoreline in East Providence, are mapped as being associated with a coastal velocity SFHA zone (Zone VE) with a base flood elevation (BFE) of 12 feet (NAVD 88). The velocity zone extends east overland approximately to Waterfront Drive where the proposed Waterfront Drive Off-Ramp will meet Waterfront Drive. North of this project area, the velocity zone follows the shoreline along the embankments of the former rail line beds to the Crook Point Bascule Bridge.

2.4.4 Soils

The Natural Resources Conservation Service (NRCS) web soil survey identifies one soil map unit within project area. The parcel at 100 Water Street in East Providence is mapped as Udorthents-Urban land complex (UD) (see **Figure 6** in **Appendix A**).

The UD complex is composed of two named components – Udorthents and Urban Land. Udorthents are moderately well to excessively drained and are characterized as having been disturbed by grading, cutting, or filling, such that the natural soil forming processes have been obscured, or destroyed. Urban land is a miscellaneous non-soil area typically consisting of building rooftops or pavement.

2.4.5 Groundwater

The RI Groundwater Quality Rules at 250-RICR-150-05-03 and RIDEM Environmental Resource Map identify groundwater underlying the site in East Providence, as Groundwater Classification GB. The GB designation indicates that groundwater "may not be suitable for public or private drinking water use without treatment due to known or presumed degradation."

2.4.6 CRMC-Regulated Shoreline Features

All shoreline features and lands within 200 feet of the inland edge of the shoreline features are regulated by CRMC. Artificial shoreline stabilization structures (riprap embankment) characterize the entire length of shoreline within the project area. No naturalized features are found along the shoreline bordering the

project area. Photographs indicating the developed nature of the coastal features within the project area are provided in **Appendix F**.

The project area exhibits a continuous shoreline armored with coarse rip rap. The edge of this man-made shoreline coastal feature was flagged and surveyed (flags CF-1 thru CF-10, as shown on project plans in **Appendix G**) as top of embankment formed by rip rap armor. No salt marsh fringes were observed. The armored slope and top of the coastal feature is sparsely vegetated by hightide bush (*Iva frutescens*) along with other common wasteland species such as mugwort (*Artemisia vulgaris*), evening primrose (*Oenothera biennis*), white sweet clover (*Melilotus alba*), Asian bittersweet (*Celastrus orbiculatus*), and poison ivy (*Toxicodendron radicans*). There are no tidal or freshwater wetlands within or adjacent to the project area.

2.4.7 Rare, Threatened, and Endangered Species

As indicated above, RIDEM's Environmental Resource Map shows that a Natural Heritage polygon lies near the project limits at India Point Park (**Figure 7 of Appendix A**). Consultation with RIDEM revealed that the polygon is associated with salt reed grass, which is listed as a State Species of Concern (according to the 2015 Rhode Island Wildlife Action Plan). Shoreline characteristics within the polygon appear incapable of supporting a saltmarsh fringe due to manmade features and, in some areas, an absence of an exposed intertidal zone. No work is proposed within the polygon and therefore no direct or indirect effect on salt reed grass habitat is anticipated.

3. Project Activities and Associated Environmental Consequences

The project location is illustrated graphically in **Figure 1 of Appendix A**. Project Plans are provided in **Appendix G**. The deck of the pre-existing work trestle was replaced and upgraded to improve the off-loading of demolition debris from work barges to the staging area for processing (see photolog in **Appendix H**). This work had not been previously authorized but in an approval letter from the Army Corps (dated June 27, 2025, under USACE File Number NAE-2020-01204) the temporary work trestle improvements were verified for eligibility under GP 4 for pile-supported structures and floats. While this temporary work was approved by CMRC under assent No. A2025-02-013, the assent stipulations require the improvements to be removed at the earliest of completion of all demolition work.

The work trestle improvements included the placement of a new timber and concrete block footing along the existing manmade shoreline, installation of a wider deck, and placement of approximately 12 cubic yards of fill below the elevation of the HTL necessary to match existing grades within the adjacent staging area. The as-built work trestle has four W36x232 wide flange structural steel beams spanning East-West along the length of the trestle. In the first and third bay, four MC structural members span perpendicular to the beams and are connected to stiffeners. In the middle bay, L8x8 angles are welded between the beams. Timber and concrete blocks are in place as a foundation at the existing manmade shoreline. The beams bear on top of the pre-existing W18x86 pile bent header at the seaward end. Four pre-existing HP14x102 piles support the pile bent header. L6x6 angle cross frames span each pile. Timber crane mats were placed on top of the steel beams as part of the deck followed by plywood surface treatment. A wooden railing supported by bracket framing lies on either side of the trestle. This work resulted in the disturbance of approximately 10 sf in tidal waters (below MHW), and an additional 190 sf within the limits of the existing man-made coastal feature. The total disturbance below the HTL (upland limit of ACOE jurisdiction) was approximately 370 sf. A total of approximately 12 cy of fill material, including new construction, was placed below the HTL, of which 8 cy were placed within the limits of the coastal feature and <1 cy was placed below MHW.

Web-based maps of submerged aquatic vegetation (SAV) dated 2016 and 2021 from CRMC do not show SAV within the Seekonk River. Underwater inspection reports in the vicinity of the Washington Bridge did not report any observations of SAV. Shellfish surveys for the Seekonk River and upper portions of Narragansett Bay are not available because this area has been closed to shellfish harvesting since the 1970s. The Narragansett Bay Commission (NBC) conducts video monitoring within segments of the Upper Narragansett Bay as part of their water quality monitoring program. These surveys found clams, mussels, oysters, whelks, mantis shrimp, spider crabs, hermit crabs, and several fish species. While there have been efforts to improve water quality and restore shellfish populations in Narragansett Bay and its tributaries, the Seekonk River remains a challenging area for such initiatives due to its pollution legacy and ongoing runoff issues. The quality of shellfish beds in the Seekonk River is generally low, primarily due to historical and ongoing water quality issues. Following coordination with the NMFS, no time-of-year restrictions for shellfish were recommended for the bridge demolition work. Long-term adverse effects to the aquatic ecosystem and the adjacent shoreline feature are not anticipated.

4. Mitigation Measures

While the work trestle improvements were permitted after-the-fact, the improvements and current operations comply with the following requirements stipulated by the NMFS Greater Atlantic Fisheries Office (GARFO) for the demolition project as a whole:

General

Ensure all operators, employees, and contractors are aware of all FHWA environmental commitments when working in areas where EFH and ESA-listed species may be present.

Time of Year (TOY) Restrictions

Hydroacoustic and turbidity producing work occurring below MHW will be completed outside of the provided Time of Year Restriction from Feb 1 to June 30 any given year, to minimize adverse effects to winter flounder, river herring, hickory shad, and American eel (NOAA trust resources).

Conservation Measures

All demolition debris will be recovered and removed from the project site.

Turbidity control measures will be properly secured and monitored to ensure aquatic species are not entangled or trapped in the project area. Prevent construction debris and sediment from entering aquatic areas and remove all construction debris and excess/deteriorated materials and dispose of it in an upland area. Ensure that raw concrete does not contact the water; wet pours of concrete must be confined within sealed forms until the concrete is set or pre-cast members installed.

Any in-water lines, ropes, or chains must be made of materials and installed in a manner to minimize or avoid the risk of entanglement by using thick, heavy, and taut lines that do not loop or entangle. Lines can be enclosed in a rigid sleeve.

Install soil erosion, sediment, and turbidity controls and maintain them in effective operating conditions during construction. Remove controls upon completion of work, after all exposed soil and other fills, as well as any work waterward of ordinary high water or the high tide line, are permanently stabilized.

Based on coordination with the USACE, the agency will require compensatory mitigation for permanent impacts to jurisdictional areas. In May 2014, the USACE approved the Massachusetts Department of Fish and Game (DFG) to be the sponsor of a program to provide in-lieu fee compensatory mitigation associated with USACE permits under Section 404 of the Clean Water Act and/or 10 of the Rivers and Harbors Act of

1899 and related federal rule at 33 C.F.R. Part 332 (the federal Mitigation Rule). The current in-Lieu Fee Schedule for coastal areas is \$17.97 per square foot of impact. The applicant has provided DFG's ILFP a check in the amount of \$6,648.90.

5. CRMC Regulatory Compliance

According to the Activity Matrix for Type 4 Waters in Table 1, under Coastal Resources Management Program (CRMP) § 1.1.5.A, and in Table 2 under CRMP Section 1.1.5.B, the construction of a commercial structure (pier) requires the filing of a Category B. With respect to the activity matrices in Table 2, the work trestle improvements included grading of a shoreline feature. The sections of the CRMP that are applicable to this Category B assent application are addressed below.

CRMP § 1.3.1: Activities Under Council Jurisdiction in Tidal and Coastal Pond Waters, on Shoreline Features and Their Contiguous Areas

A. Category B Requirements

- a: Demonstrate the need for the proposed water activity or alteration;

BDPS LLC owns the property and has long-term common ownership and a long-term lease with American Equipment and Fabricating Corp. BDPS and American Equipment conduct many different water-dependent activities that contribute to Rhode Island's marine economy. If made permanent, the improvements to the existing work trestle will allow more efficient loading and offloading of pile driving rentals/foundation equipment for marine-based construction activities/clients performing work on Narragansett Bay and beyond. American Equipment also routinely loads and unloads supplies and equipment for vessels that service ships at the Port of Providence. BDPS offers barge storage both on-land and on-water for marine construction outfits that need job-based local solutions via crane-to-water access. Moran Environmental Recovery, another long-term tenant, utilizes the trestle access to test and deploy, 24-hour emergency marine environmental response equipment strategically located in the upper Bay.

- 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;

Not Applicable.

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

The tidal waters of the Seekonk River adjacent to the work trestle are designated by CRMC as Type 4 Multipurpose Waters (CRMP § 1.2.2.E). The navigation channel under the Washington Bridge and extending north within the Seekonk River is demarcated separately as a Type 6 Commercial Navigation Channel (CRMP § 1.2.2.G). The parcel at 100 Water Street is contained within the mixed-use Bold Harbor Point (BPH) Overlay District. The property contains several commercial buildings. The area of the project adjacent to the work trestle is comprised unpaved and largely unvegetated construction laydown area. Artificial shoreline stabilization structures (riprap embankment) characterize the entire length of shoreline within the project 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;

The trestle improvements were constructed on pre-existing elevated pile bents and will not impact currents or the depositional process along the shoreline.

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

The work trestle is elevated allowing limited angular sunlight beneath the structure. There are no tidal wetlands, submerged aquatic vegetation or shellfish beds within the work trestle limits.

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;

The public use of the waterway will not be impacted by the improvements to the work trestle. The alteration will not unreasonably interfere with, or significantly impact existing public access to, or use of, tidal waters and/or the shore.

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

The trestle is supported by pre-existing pile bents which are not significantly intrusive in the water column and therefore will not impact circulation, flushing, turbidity, and sedimentation.

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

The materials used for the improvements, including concrete, steel and treated timber are generally accepted in the marine environment.

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

Based on previous extensive coordination with RIHPHC for the adjacent Washington Bridge project, there are no known areas of historic or archaeological significance within the project area.

j. Demonstrate that the alteration or activity will not result in significant conflicts with water dependent uses and activities such as recreational boating, fishing, swimming, navigation, and commerce, and;

As stated in Section 2.1.8, the work trestle is located more than 400 feet from the navigation channel. Additionally, the short length of the work trestle is not anticipated to adversely impact other water dependent uses along this length of shoreline. All reasonable steps shall be taken to minimize environmental impacts and/or user conflict.

k. Demonstrate that measures have been taken to minimize any adverse scenic impact

The work trestle is located along a developed waterfront serving the marine-based construction industry in Narragansett Bay and beyond. The structure is compatible with the surrounding commercially developed landscape. All reasonable steps were taken to minimize any adverse scenic impact.

B. Filling, removing, or grading of shoreline features

In accordance with CRMP § 1.3.1.B.3: *The slope of the manmade shoreline feature where the landing was installed does not exceed 30%. All excess excavated materials, excess fill, excess construction materials, and debris from the work trestle improvements were removed from the site and were not disposed of in tidal*

waters or the coastal feature. The disturbed uplands adjacent to the trestle were stabilized with clean coarse gravel to prevent erosion.

C. Commercial Structures

In accordance with CRMP § 1.3.1.C.4.a:

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

See response above.

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

Not applicable

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

*Plans contained in **Appendix G** are stamped and signed by a registered professional engineer.*

(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.

The structural perimeter limit with coordinates is shown on project plans (Appendix G)

(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.

The work trestle is designed to load and offload pile driving rentals/foundation equipment as well as supplies and equipment for vessels that service ships at the Port of Providence. The applicant does not intend to berth vessels at the trestle.

In accordance with CRMP § 1.3.1.C.4.b: All new or existing commercial marine facilities (CMF) as defined in § 1.1.2 of this Part shall perform fitness of purpose inspections in accordance with the CRMC "Guidelines for Fitness of Purpose Investigations and Certifications." The addition of new structural components or systems on existing CMFs that are structurally independent of the existing components or systems shall be considered as "new."

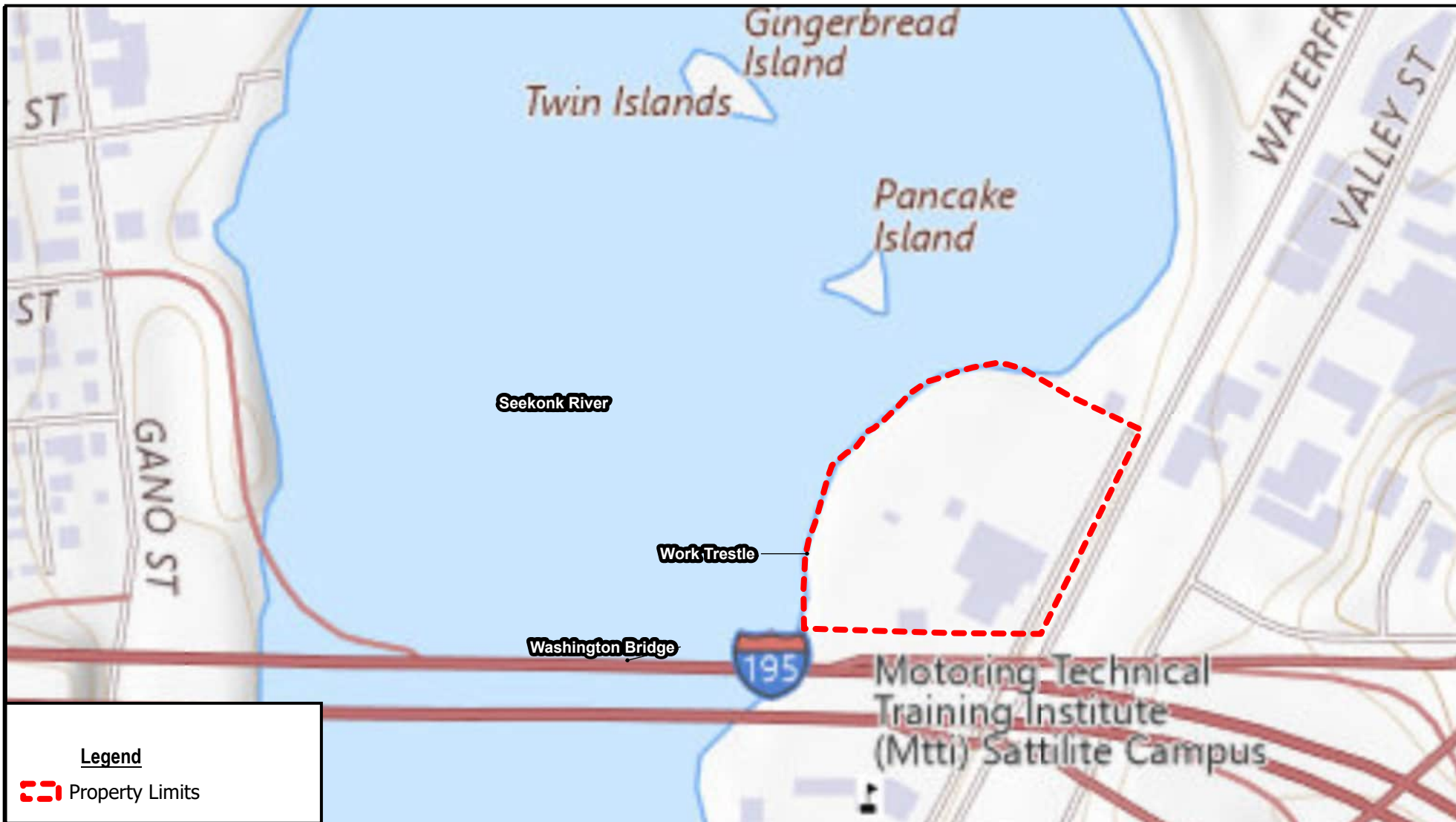
The applicant will comply with this standard if deemed appropriate by the CRMC given the scope of the work trestle improvements.

6. Conclusion

This assent application for RI Coastal Resources Management Council (CRMC) approval is being submitted to seek authorization to permanently retain recent improvements to an existing work trestle which were approved as temporary work under CRMC Assent No. A2025-02-013 and USACE File Number NAE-2020-01204. The improvements to the existing work trestle were undertaken to facilitate the demolition of Washington Bridge (Westbound). The trestle is located on private property at 100 Water Street in East Providence along the Seekonk River just north of the bridge crossing. The work trestle serves a critical role in supporting marine operations for the demolition work including transport of equipment and land-side processing of demolition debris and would continue to serve marine-based construction operations performed by the Applicant upon conclusion of the bridge demolition project. The impacts resulting from

these actions are relatively minor in time and extent and will not result in adverse environmental impacts or use conflicts. It is our belief that the work described in this application complies with all applicable CRMC goals and policies, does not require a Variance or Special Exemption. No new point source discharges to shoreline features or tidal waters are proposed. For the reasons stated above and presented in preceding sections, the Applicant respectfully requests the expeditious review of this application and the ultimate issuance of coastal assent.

Appendix A. Project Figures



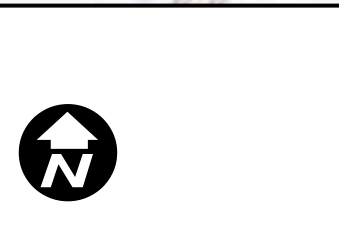
Legend

Property Limits

PROJECT AREA

1 inch = 250 feet

0 125 250 500 Feet



Source: USGS Topo; USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road data; Natural Earth Data; U.S. Department of State HIU; NOAA National Centers for Environmental Information. Data refreshed October 3, 2025.

Prepared for:

Prepared by:
Jacobs

FIGURE 1 - PROJECT LOCATION MAP


Work Trestle Improvements - American Equipment & Fabricating Corp
100 Water St, East Providence, Providence County, Rhode Island

OCTOBER 2025

FIGURE
1



Legend

 Property Limits





PROJECT AREA

Source: World Imagery: Maxar, Microsoft

1 inch = 250 feet

0 125 250 500 Feet

Prepared for:



Prepared by:
Jacobs

FIGURE 2 - PROPOSED IMPROVEMENTS MAP

Work Trestle Improvements - American Equipment & Fabricating Corp
100 Water St, East Providence, Providence County, Rhode Island

OCTOBER 2025

FIGURE 2

FIGURE 3 - CRMC/RIDEM FRESHWATER JURISDICTION MAP

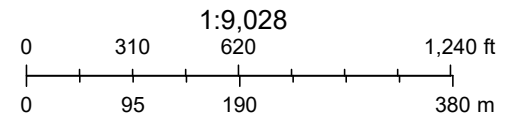


Legend

RI Municipal Boundaries

Wetland Jurisdiction

CRMC DEM



Prepared for:



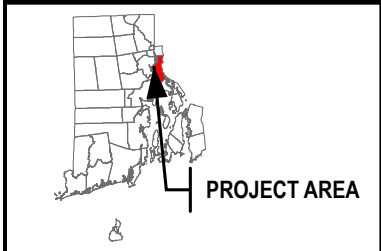
Prepared by:

Jacobs



Legend

- Multi-Purpose Water
- Type 6 Waters - Navigation Channel
- Property Limits



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, RIDEM Environmental Resource Map, RI CRMC Water Use Categories

1 inch = 350 feet

0 175 350 700 Feet

Prepared for:

 Prepared by:
Jacobs

FIGURE 4 - CRMC WATER TYPE CLASSIFICATION MAP
 Work Trestle Improvements - American Equipment & Fabricating Corp
 100 Water St, East Providence, Providence County, Rhode Island

OCTOBER 2025
FIGURE
4

Figure 5 - National Flood Hazard Layer FIRMette



71°23'31"W 41°49'23"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

71°22'54"W 41°48'57"N

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- | | | |
|------------------------------------|--|--|
| SPECIAL FLOOD HAZARD AREAS | | Without Base Flood Elevation (BFE)
<i>Zone A, V, A99</i> |
| | | With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i> |
| | | Regulatory Floodway |
| OTHER AREAS OF FLOOD HAZARD | | 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i> |
| | | Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i> |
| | | Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i> |
| | | Area with Flood Risk due to Levee <i>Zone D</i> |
| OTHER AREAS | | NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i> |
| | | Effective LOMRs |
| GENERAL STRUCTURES | | Area of Undetermined Flood Hazard <i>Zone D</i> |
| | | Channel, Culvert, or Storm Sewer |
| | | Levee, Dike, or Floodwall |
| OTHER FEATURES | | 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation |
| | | 17.5 |
| | | Coastal Transect |
| | | Base Flood Elevation Line (BFE) |
| | | Limit of Study |
| MAP PANELS | | Jurisdiction Boundary |
| | | Coastal Transect Baseline |
| | | Profile Baseline |
| | | Hydrographic Feature |
| | | Digital Data Available |
| | | No Digital Data Available |
| | | Unmapped |
| | | The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location. |

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 12/2/2024 at 3:43 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

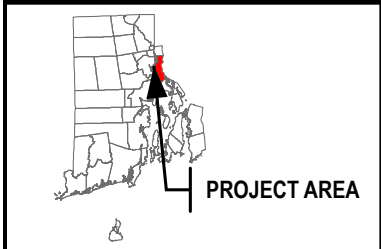


Legend

Property Limits

Soil Types

- FtA: Fortress sand, 0 to 3 percent slopes
- MU: Merrimac-Urban land complex
- PD: Paxton-Urban land complex
- UD: Udorthents-Urban land complex
- Ur: Urban land
- W: Water
- Ws: Water, saline



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, NRCS Web Soil Survey

1 inch = 350 feet

0 175 350 700 Feet

Prepared for:
 AE&F
 Prepared by:
Jacobs

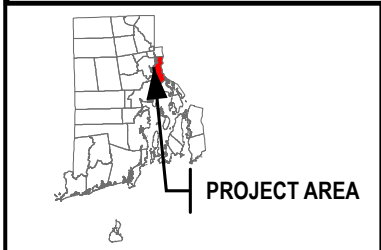
FIGURE 6 - SOILS MAP
 Work Trestle Improvements - American Equipment & Fabricating Corp
 100 Water St, East Providence, Providence County, Rhode Island

OCTOBER 2025
FIGURE
6



Legend

- Natural Heritage Area
- Property Limits



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, RIGIS, Natural Heritage Areas (2025)

1 inch = 600 feet

0 300 600 1,200 Feet

Prepared for:

 Prepared by:
Jacobs

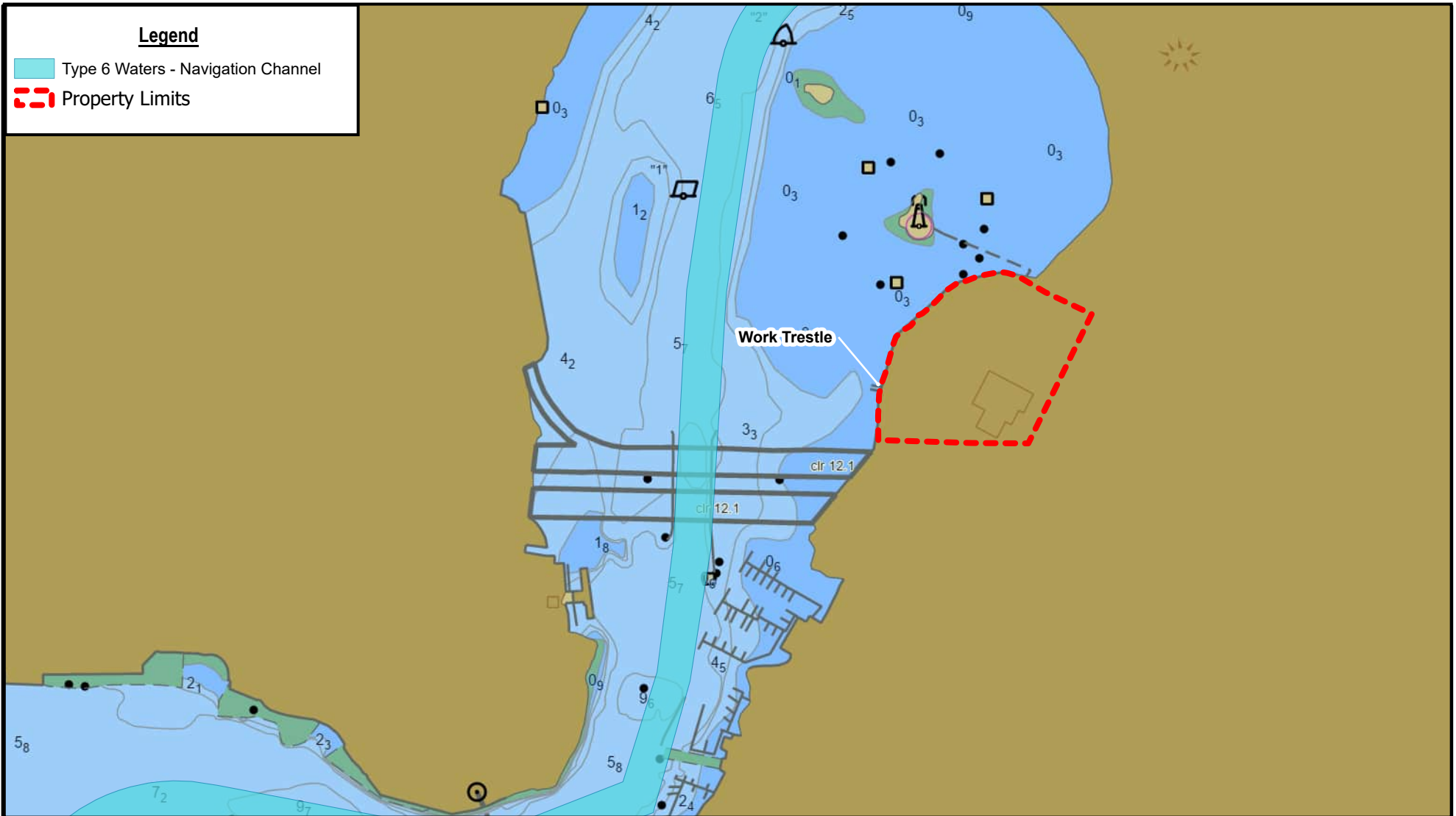
FIGURE 7 - NATURAL HERITAGE MAP
 Work Trestle Improvements - American Equipment & Fabricating Corp
 100 Water St, East Providence, Providence County, Rhode Island

OCTOBER 2025

FIGURE
 7

Legend

- Type 6 Waters - Navigation Channel
- Property Limits



PROJECT AREA

1 inch = 400 feet



Source: USGSTopo: USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road data; Natural Earth Data; U.S. Department of State HIU; NOAA National Centers for Environmental Information. Data refreshed October 3, 2025. S57: , NOAA ENC®

Prepared for:



Prepared by:
Jacobs

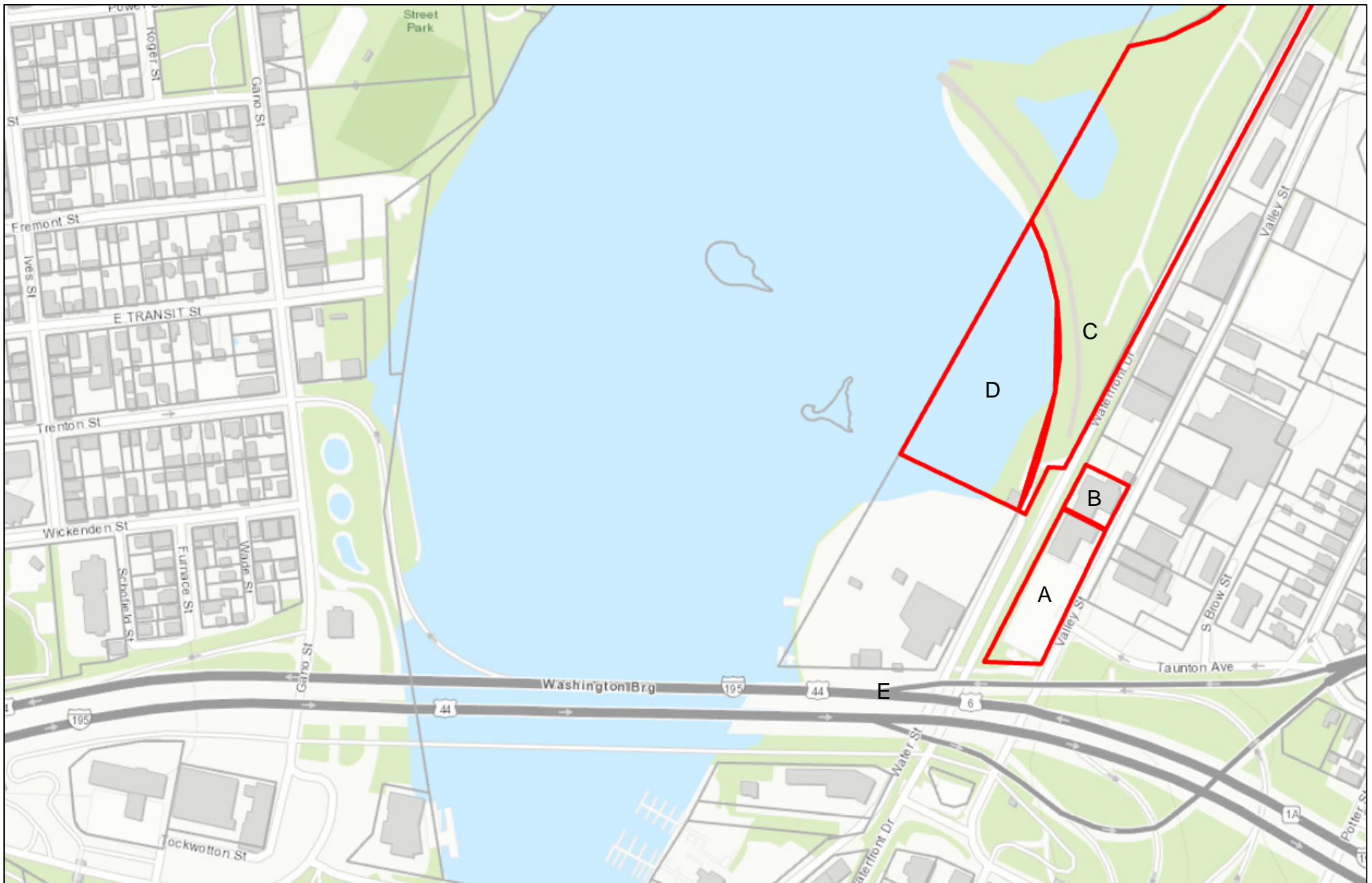
FIGURE 8 - NAVIGATIONAL CHART MAP

Work Trestle Improvements - American Equipment & Fabricating Corp
100 Water St, East Providence, Providence County, Rhode Island

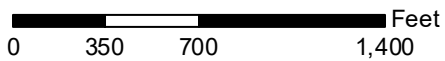
OCTOBER 2025

**FIGURE
8**

Appendix B. List of Adjacent Property Owners



East Providence: Abutting Property Owners to 100 Water St



Prepared for



Prepared by
Jacobs



East Providence: List of Abutting Property Owners

ID	Address	Owner	Owner Address	Lot ID
A	62-78 Valley St	Narragansett Realty Corporation	1249 South River Rd Ste 204, Cranbury, NJ	016-01-003-00
B	84 Valley St	Broad Properties LLC C/O Ahmed El Idrissi	PO Box 6003, Warwick, RI 02887	016-01-004-00
C	0 Waterman Ave	State Of RI C/O RIDOT	2 Capital Hill, Providence, RI 02903	105-05-017-10
D	200 Water St	Diaz Holdings LLC	1129 W Linden St, Allentown, PA 18102	016-01-002-00
E	Not Applicable	RIDOT	Two Capital Hill, Providence, RI 02903	ROW

Appendix C. Previous CRMC Assents



1979-08-032

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

COASTAL RESOURCES MANAGEMENT COUNCIL
83 Park Street
Providence, R.I. 02903

C.L. Guild
100-Water Steet
East Providence, RI

DATE October 25, 1979

Dear C.L. Guild:

AN EXAMINATION HAS BEEN MADE OF THE PROPERTY REQUESTED IN YOUR APPLICATION AND/OR COMMUNICATION.

DATE: 8/21/79

LOCATION: 100 Water Street

PLAT NUMBER: 1 LOT NUMBER: 329

CITY/TOWN: East Providence

EXAMINATION SHOWS THAT:

APPROVAL MUST BE OBTAINED FROM THE COASTAL RESOURCES MANAGEMENT COUNCIL (forms enclosed)

THE COASTAL RESOURCES MANAGEMENT COUNCIL WILL NOT INTERPOSE ANY OBJECTION TO THE WORK PROPOSED. SAID WORK IS THE CONSTRUCTION OF A 30' x 60' SINGLE STORY ADDITION TO AN EXISTING BUILDING. THIS ADDITION IS ON THE EAST SIDE OF THE BUILDING. NO MATERIAL SHALL BE PLACED IN COASTAL WATERS. ALL WORK SHALL BE COMPLETED BY 10/25/80.

INSPECTED BY: N. Pisani

DATE: 8/21/79

INSPECTION FORM ATTACHED

John A. Lyons
CHAIRMAN
COASTAL RESOURCES MANAGEMENT COUNCIL

RHODE ISLAND COASTAL RESOURCES MANAGEMENT COUNCIL
ENGINEER'S FIELD REPORT

Date of Preparation	File No.	Date
Street	City/Town	
100 Water Street	East Providence	
Owner's Name	Plat No.	Lot No.
C.L. Guild	1	329
Address	Telephone No.	
7 Stone Tower Lane, Barrington, Rhode Island	245-6432	
Contractor	Address	Telephone No.
Names of Adjacent Waterways		
Seekonk River		

Nearest Utility Pole # _____

Project Type: Construct and maintain a 30' x 60' single story addition to an existing industrial type building.

Preapplication CRMC Permit Application _____

Review for other agency _____ (specify _____)

Complaint _____ (specify _____)

Project completion follow up _____

Name(s) of investigator(s)

N. Pisani	Date 8/21/79	Time approx. 3:00 p.m.
	Date _____	Time _____
	Date _____	Time _____

1. Elevation of Proposed Activities:

The elevation of the area of the proposed addition is about 10' - 15' above MSI.

2. Corroboration of Application Engineering Drawings (distances, etc.):

The submitted plan is a site plan which is accurate.

3. Corroboration of Information in Office Report:

Not available.

This area borders an A12 flood zone which has a projected 200 year flood level of 16' above MSL.

4. Geologic and Hydrologic Characteristics (note evidence of erosion):

The area of the proposed addition is a flat, gravel paved area which is used as an industrial work area. The addition site is over 200' from the shore as is the building to which it will be added. The shore in this area is well-protected from storm wave action.

5. Shoreline Protection Facilities Present (describe):

The shore in this area is primarily bulkheaded with sheet piling and riprap.

6. Photographs Taken (describe):

None.

7. Persons Present Other than Investigator (s):

J. Lyons, J. Beattie.

8. Summary of Information and Views Exchanged:

None.

9. Recommendations:

There is no engineering objection to this proposal. It appears to be outside CRMC 200' jurisdiction.

Because the addition is small in comparison to the existing structure, regulations which require elevation to the 100 year flood elevation do not pertain.

Signature (s)

Nicholas A. Pisani 10/25/79

COASTAL RESOURCES MANAGEMENT COUNCIL

60 DAVIS STREET
PROVIDENCE, RI 02908

1984-11-024

Application for State Assent to perform work regulated by the provisions of Chapter 279 of the Public Laws of 1978 as amended.

TO BE ASSIGNED BY DIV. OF COASTAL RESOURCES

PLEASE TYPE OR PRINT		File No. <i>* 84-11-24</i>	Application Date
Location No.	100 WATER STREET	City/Town	EAST PROVIDENCE
Owner's Name	AMERICAN PILE DRIVING CORPORATION	Plat No.	1
		Lot No.	329
Address	100 WATER STREET EAST PROVIDENCE, R.I.	Telephone No.	401-438-2600
Contractor	SAME	Address	SAME
		Telephone No.	
Name of Waterway	SEEKONK RIVER	Estimated cost of Project	* APPLICANT TO PROVIDE
		Fee	NONE
Have the extensions of riparian boundary lines been established to determine the area of riparian rights?			Yes <input checked="" type="checkbox"/>
Proof of riparian ownership (written statement from tax assessor) <i>N/A</i>			
Name and address of adjacent property owners whose property adjoins the waterway.			
<i>STATE OF RHODE ISLAND</i>			

Describe accurately the work proposed
Use additional sheets of paper if necessary and attach to this form.)

Remove remains of abandoned barges and determine the wooden bulkhead and other loose shoreline debris. Remove previously filled area by excavating the shoreline back to a designated harbor line along the ^{north} western side of the property. Grade shoreline to a gentle slope and stabilize using marsh grass and upland vegetation. Install erosion preventive device to assist temporarily in shore stabilization. Debris unable to be reused or sold shall be hauled to the State Central Landfill in Johnston.

Note:

Owner's Signature

See reverse side-consult information booklet-application must be fully completed.

DEBRIS REPORT

Owner: American Pile Driving Corp.
 100 Water St.
 East Providence, R.I.
 02914

File #2

Structure Number	Location	Total Cu. Ft.	Estimated Cost of Removal (1981)
Vessels number 36 to 42	East Providence Plat 1 Lot 329	38,400	\$ 186,111

Photo #2-A is a view of the debris site from across the river. It is difficult to tell how many of the six wrecked barges identified by the Corp of Engineers in 1978 are still present. Two are visible just to the right of center in the picture, at the corner of the wharf.

barges also

DIVISION OF COASTAL RESOURCES

File No: _____

TELEPHONE CALL/OFFICE VISIT RECORD

Date: 11/30/84

OWNER/APPLICANT: Amer. Pile Driving TOWN: Providence

ADDRESS: _____

TELEPHONE: _____

CALLER/PERSON CALLED/OFFICE VISITOR: George Seavy

ADDRESS: _____

TELEPHONE: _____

SUBJECT OF CALL: Contact Jim Fester / Air & Hazard

Bay Campus / Wednesday 9^{AM} 2808

Ray Aldridge - Water Quality Statement
NOT A problem.

Blackstone Valley File

ITEMS REQUESTED/SENT:

SENT TO: _____

DATE: _____

SIGNED: _____



November 2, 1984

Mr. C. W. Aldrich, Jr.
American Pile Driving Corporation
100 Water Street
East Providence RI 02914

Dear "Win"

As we discussed by phone, I have briefly described on a CRMC application form the work proposed on your shoreline area. Please look this over and see if you and your Board agree with it. If so, we will finalize it for your signatures and submit formally to the Council for approval.

Please call if you have any questions.

Sincerely

George L. Beavey
Marine Resources Specialist
COASTAL RESOURCES CENTER

GLS:jk
Enclosure

*Ken - FYI
I recently sent these
materials to Jeff Bridges at Corps of Eng
also since their approval will be required
soon. Hope to get formal application in the works
George*

1987-09-026



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

COASTAL RESOURCES MANAGEMENT COUNCIL

Oliver H. Stedman Government Center
Tower Hill Road
Wake Field, R.I. 02879

November 2, 1987

A G R Properties, Inc.
100 Water Street
East Providence, RI 02914

RE: CRMC File Number 87-9-26 -- Removal of remnant timber barges fronting shoreline. Plat 1, lot 15, 16, 17, 22, 100 Water Street, East Providence.

Dear Sirs:

A site inspection and review of plans submitted to this office for the above cited project indicates it 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 submitted into this office and provided the following stipulations are adhered to.

A. For the purpose of this permit, the coastal feature shall be the top of the Riverbank/Barges, and the inland edge of the coastal feature shall be the top of the Riverbank/or Seaward Barge Line.

B. The approved site plans shall be those entitled "Plan of AGR Properties, Inc. 100 Water Street, East Providence", dated 8/3/87, by A G R Properties, Inc. Except/unless as stipulated all details and specifications thereon shall be strictly adhered to. Any and all changes in design such as for piling embedment depth etc, must be submitted to CRMC for review prior to any construction.

C. All site grades shall be returned to the original grade unless indicated on approved plan and approved.

D. All excess excavated materials, excess soils, excess construction materials, and debris (including any destructed materials) shall be removed from the site and disposed of at an inland landfill or a suitable and legal upland location. No materials shall be deposited on the coastal feature, within 50 feet of the inland edge of the coastal feature, or in coastal waters.

E. All areas of exposed soil which are disturbed by construction and related activities shall be reestablished as immediately as is physically possible so as to minimize erosion and sedimentation. If the season is not conducive to immediate revegetation, all exposed soils shall be temporarily stabilized with hay mulch or similar material. Soil stabilization methods shall be employed during, as well as after, the construction phase to the maximum extent possible.

AGR Properties, Inc.
CRMC File Number 87-9-26
November 2, 1987
Page Two

F. No stockpiling or disposal of soils, construction materials, or debris shall occur on the coastal feature, within 50 feet of the inland edge of the coastal feature, or in coastal waters.

G. All existing vegetation on the riverbank shall be maintained in its existing natural condition.

H. Staff will monitor this project on an intermittent basis. Additional erosion control measures may be imposed, where necessary, based upon the on-site determination of the staff.

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

J. Any additional alteration or construction within 200 feet inland of the coastal feature, on the coastal feature, or in coastal waters must be reviewed by the CRMC prior to the initiation of the activity.

A copy of this Administrative Assent shall be kept on site during construction.

Applicant agrees that as a condition to the granting of this assent, 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.

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

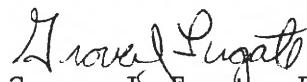
Plans for any future alteration of the shoreline or construction or alteration within the 200' zone of CRMC jurisdiction or in coastal waters must be submitted for review to the CRMC prior to commencing such activity.

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

Please be advised that all work must be completed within three years of the date of this letter.

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,



Grover J. Fugate, Executive Director
Coastal Resources Management Council

RECEIVED
SEP 4 1987
COASTAL RESOURCES
MANAGEMENT COUNCIL



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

1987-12-037

COASTAL RESOURCES MANAGEMENT COUNCIL
Oliver H. Stedman Government Center
Tower Hill Road
Wakefield, R.I. 02879

ASSENT

File Number: 87-12-37

Assent Number: B87-12-37

Meeting Date: August 12, 1988

Whereas, **AGR PROPERTIES, INC.**
100 Water Street
of East Providence, RI 02915

has applied to the Coastal Resources Management Council for assent to: construct and maintain approximately 660.l.f. of riprap revetment, and to remove and dispose of parts of old barges currently in the Seekonk River, and hereby represents that THEY are the owners of the riparian rights attached to the property involved and submitted plans of the work to be done.

Now, said Council, having fully considered said application in accordance with all the regulations as set forth in the Administrative Procedures Act does hereby authorize said applicant, subject to the provisions of Title 46, Chapter 23 of the General Laws of Rhode Island, 1956, as amended, and all laws which are or may be in force applicable thereto: construct and maintain approximately 660.l.f. of riprap revetment, and to remove and dispose of parts of old barges currently in the Seekonk River; located at 100 Water Street, East Providence, RI Plat No. 1, Lot 15, 16, 17 and 22, in accordance with said plans submitted to this Council and approved by this Council. All work being permitted must be completed on or before August 1, 1992, after which date this assent is null and void, (unless written notice requesting an extension is received by CRMC sixty (60) days prior to expiration date).

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

Nothing in this assent shall be construed to impair the legal rights of this granting authority or of any person. By this assent the granting authority by no manner, shape, or form assumes any liability or responsibility implied, or in fact, for the stability or permanence of said project; nor by this assent is there any liability implied or in fact assumed or imposed on the granting authority. Further, the granting authority by its representatives or duly authorized agents shall have the right to inspect said project at all times including, but not limited to, the construction, completion, and all times thereafter.

This Assent is granted with the specific proviso that the construction authorized therein will be maintained in good condition by the owner thereof, his heirs, successors, or assigns for a period of fifty (50) years from the date thereof, after which time this permission shall terminate necessitating either complete removal or a new application.

A copy of this Assent shall be kept on site during construction.

Plans for future alteration of the shoreline or construction or alteration within the CRMC jurisdiction should be submitted to the CRMC for review prior to commencing such activity.

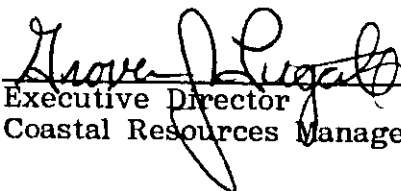
All local, state or federal ordinances and regulations must be complied with.

This assent is granted subject to the following stipulations:

(Stipulations set forth below):

(A) (B) (C) (D)

In Witness Whereof, said Coastal Resources Management Council have hereto set their hands and seal this first day of August in the year nineteen hundred eighty-nine.


Executive Director
Coastal Resources Management Council

ASSENT SUBJECT TO STIPULATIONS CIRCLED:

A. Please be advised that as a further conditions of this Assent, it is hereby stipulated that you and/or your agents shall comply at all times with Federal and State Water Quality Standards and other State standards and regulations regarding water quality, and shall exercise such supervision over and control of these pier facilities to prevent the dumping or discarding or refuse, sanitary wastes and other pollutants in the tidal waters, either from vessels docked at said pier or from land adjacent thereto.

B. In accordance with a decision of the Coastal Resources Management Council on October 9, 1973, this Assent is granted with the proviso that it is subject to the imposition of a usage fee to be established by the Coastal Resources Management Council.

C. No work shall be done under this Assent until the required Federal Permit has been obtained.

D. Additional Stipulations, Standards, Prohibitions, and Policies. (See attached sheets).

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

1. The Superior Property Rights of the State of Rhode Island and Providence Plantations 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. Permits issued by the CRMC are issued for a finite period of time, 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 upon expiration.

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.

ADDITIONAL STIPULATIONS:

- A. For the purpose of this permit, the coastal feature shall be the manmade shoreline and the inland edge of the coastal feature shall be the manmade bank.
- B. The approved site plan(s) shall be those entitled "AGR Properties, Inc., Suggested Improvements to Waterfront Property, Drawing #86-450-1031 E", dated 6/22/88 by John K. Maynard, P.E. Except/unless as stipulated/modified herein, all details and specifications thereon shall be strictly adhered to. Any and all changes require written approval from this office.
- C. All site grades shall be returned to the original grade unless indicated on approved plan and approved.
- D. All excess excavated materials, excess soils, excess construction materials, and debris (including any destructed materials) shall be removed from the site and disposed of at an inland landfill or a suitable and legal upland location.
- E. All fill materials shall be clean, free of debris and rubble, and free of materials which may cause pollution of surface waters or groundwater.
- F. Excavation and grading shall be limited to the area of the approved activity only. Excess earthwork beyond that approved by the approved plans and stipulations of this assent is not permitted.
- G. No stockpiling or disposal of soils, construction materials, or debris shall occur on the coastal feature, within 50 feet of the inland edge of the coastal feature, or in coastal waters.

H. Staff will monitor this project on an intermittent basis. Additional erosion control measures may be imposed, where necessary, based upon the on-site determination of the staff.

I. The ends of the revetment must tie into and support the adjacent riverbank. The toe of the revetment at each end shall not extend beyond the existing riverbank toe.

J. The sunken barges on site are completely removed from tidal waters. All destructed materials are to be disposed of at a suitable upland site.

K. A floating boom shall be placed around the work area to capture all destructed materials additional measures may be necessary should staff feel the boom is inadequate.

L. The applicant shall inform staff a minimum of three (3) days prior to commencing removal of the barges.

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

N. Any additional alteration or construction within 200 feet inland of the coastal feature, on the coastal feature, or in coastal waters must be reviewed by the CRMC prior to the initiation of the activity.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
INTER-OFFICE MEMO

TO: Grover Fugate, Executive Director
DATE: June 22, 1989

DEPT: Coastal Resources Management Council

FROM: *Edward S. Szymanski*
Edward S. Szymanski, P.E., Chief
Division of Water Resources
Town: East Providence
File No.: 87-12-37

DEPT: Environmental Management

SUBJECT: The request of AGR Properties to construct and maintain a rip rap revetment along the existing shoreline at 100 Water Street, East Providence, Rhode Island.

We have reviewed the subject application and site plans entitled "Proposed Rip Rap Revetment" sheets 1 and 2 of 2, dated April, 1989. The waters in the area are classified SC.

It is our opinion that said project will not violate applicable water quality criteria for the area provided that:

1. Material used for construction is clean, free of matter which could cause pollution of the waters of the State.
2. Proper procedures are followed to prevent excessive turbidity in Seekonk River during construction.
3. No sewage, refuse or waste of any kind shall be discharged into the waters of the State.

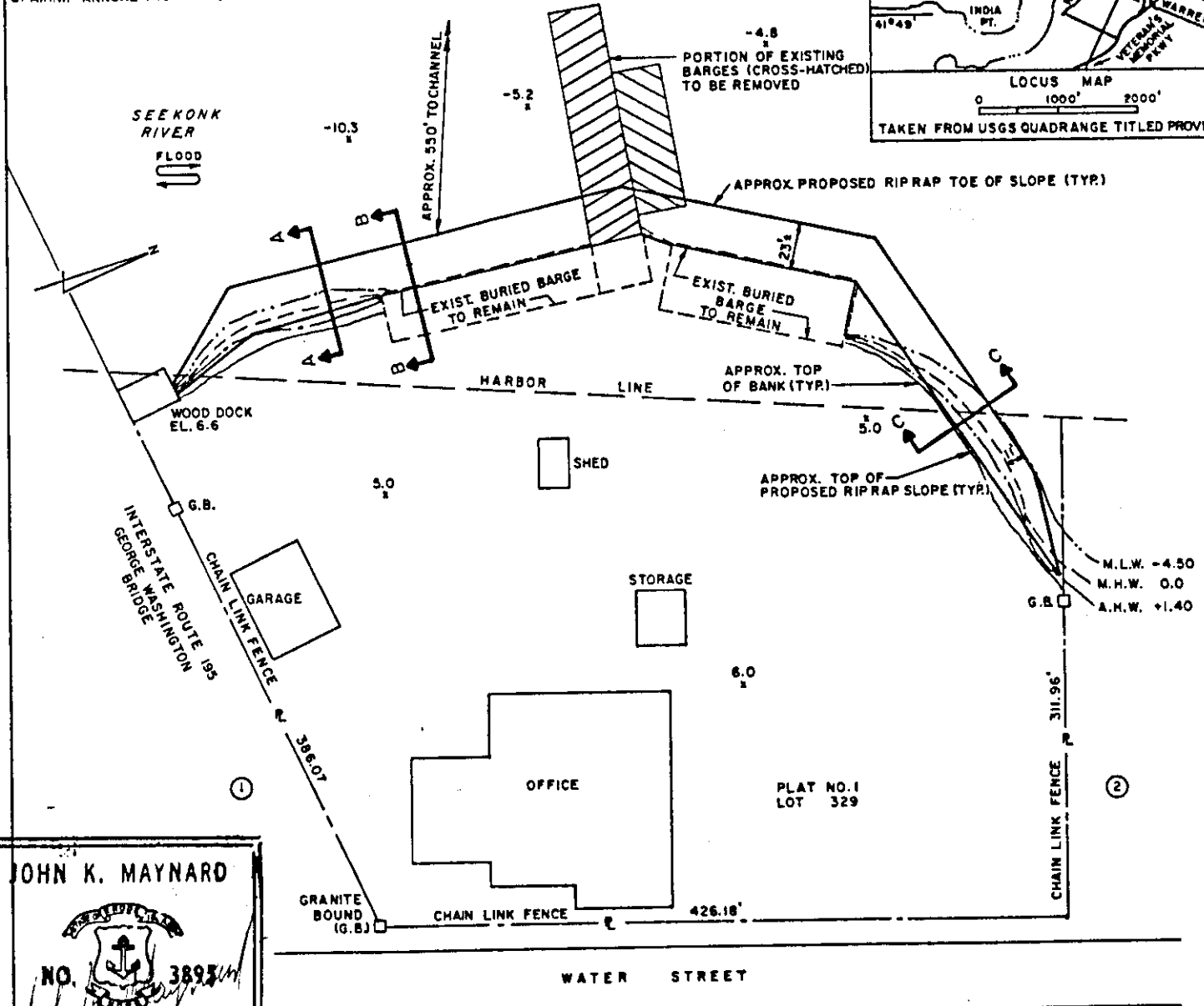
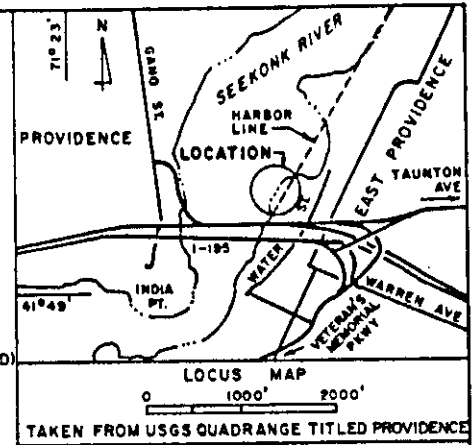
This is the State's water quality certification for this project. The Director, RI Department of Environmental Management, may, upon notice to the Executive Director of the RI Coastal Resources Management Council, and the affected party, automatically suspend or revoke the water quality certification if the parties violate any term or condition of the certification.

ESS/SCA/cmh

cc: Mr. Dave Killoy, Section Chief
Regulatory Branch CENED-OZ-R
U.S. Army Corps of Engineers, New England Division
424 Trapelo Road
Waltham, MA 02254-9149

NOTES:

1. PROPERTY LINE SURVEY TAKEN FROM WATERMAN ENGINEERING CO., DRAWING TITLED, "MAP OF LAND IN EAST PROVIDENCE, RHODE ISLAND", DATED MAY, 1971, REV. APR., 1982
2. TOPOGRAPHY AND SOUNDINGS BY C.L. GUILD.
3. SOUNDINGS OBTAINED USING LEAD LINE METHOD.
4. APPROX. 900CY OF R.I.D.O.T. CLASS C RIP RAP, APPROX. 300CY OF RIP RAP BEDDING AND APPROX. 1500CY OF MISCELLANEOUS FILL, TO BE USED FOR REVETMENT.
5. A.H.W. = ANNUAL HIGH WATER (SPRING HIGH TIDE), FROM NOAA TIDE TABLES.



JOHN K. MAYNARD



NO. 3893

REGISTERED

PROFESSIONAL ENGINEER

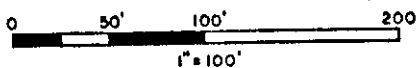
PURPOSE: WATERFRONT PROPERTY IMPROVEMENTS

DATUM: MEAN HIGH WATER (M.H.W.)

ADJACENT PROPERTY OWNERS:

- ① STATE OF RHODE ISLAND
- ② WRIB-CARTER BROADCASTING CO.

PLAN VIEW

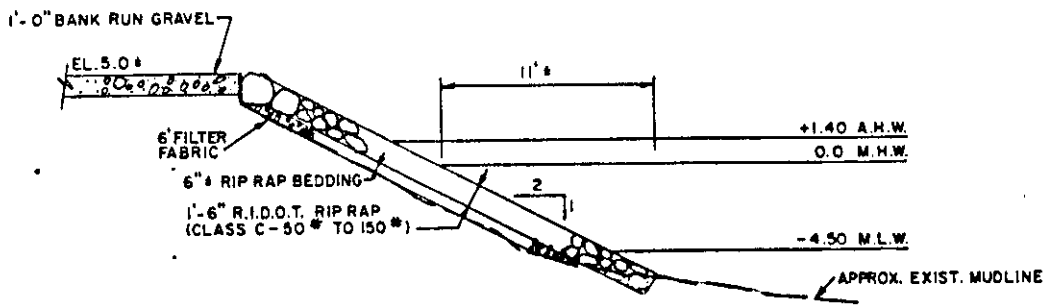


A.G.R. PROPERTIES INC.
100 WATER ST.
EAST PROVIDENCE, RI 02914

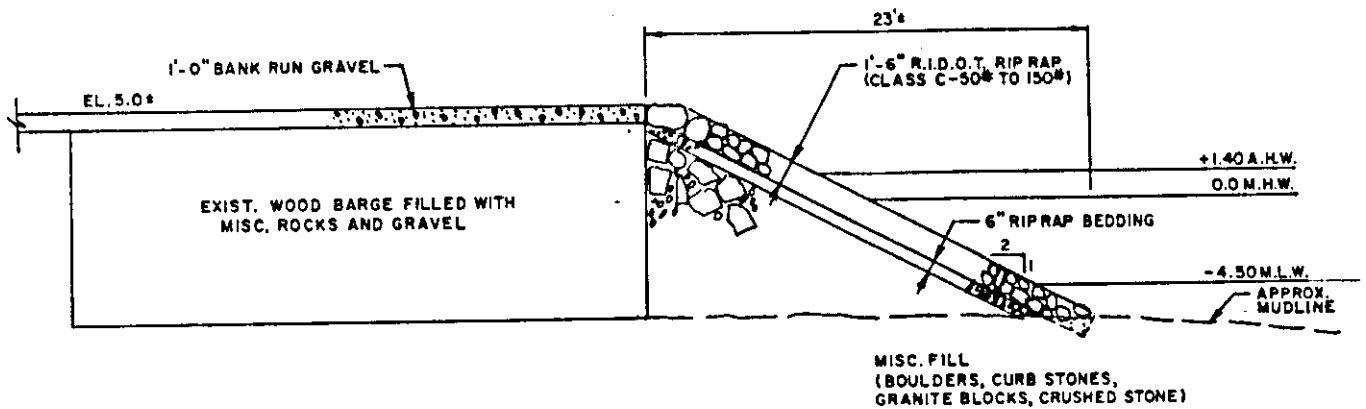
PROPOSED RIPRAP REVETMENT

IN: SEEKONK RIVER
AT: EAST PROVIDENCE
COUNTY OF: PROVIDENCE
APPLICATION BY: CHARLES L. GUILD

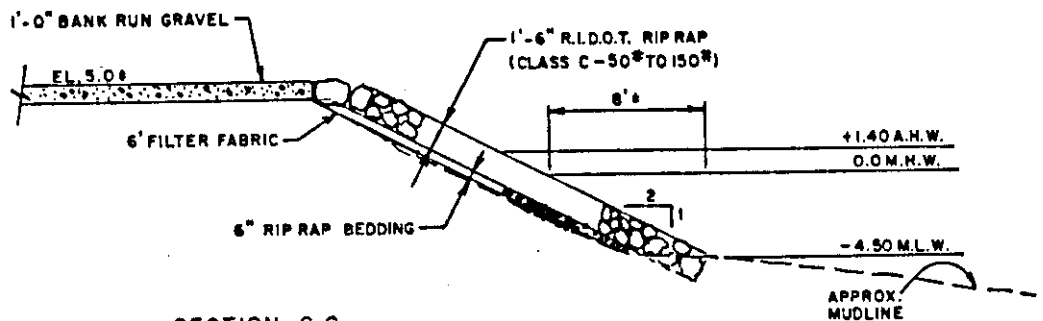
SHEET 1 OF 2 DATE: APRIL, 1989



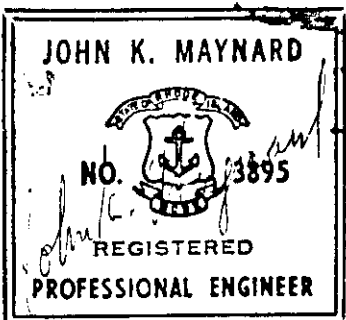
SECTION A-A



SECTION B-B



SECTION C-C



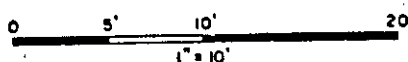
PURPOSE: WATERFRONT PROPERTY IMPROVEMENTS

DATUM: MEAN HIGH WATER (M.H.W.)

ADJACENT PROPERTY OWNERS:

- ① STATE OF RHODE ISLAND
- ② WRIB-CARTER BROADCASTING CO.

SECTIONS



AG.R. PROPERTIES INC.
100 WATER ST.
EAST PROVIDENCE, RI 02914

PROPOSED RIP RAP REVETMENT

IN: SEEKONK RIVER
AT: EAST PROVIDENCE
COUNTY OF: PROVIDENCE
APPLICATION BY: CHARLES L. GUILD



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

1988-10-034

COASTAL RESOURCES MANAGEMENT COUNCIL

Oliver H. Stedman Government Center
Tower Hill Road
Wakefield, R.I. 02879

November 4, 1988

AGR Properties, Inc.
100 Water Street
East Providence, RI 02915

RE: CRMC File No. A88-10-34, to maintain "as built" a wash stand to wash and clean trucks, drill rigs, etc., located at 100 Water Street, East Providence, RI 02915, Plat 1 Lot 15, 16, 17, 22.

Dear Sir:

A site inspection and review of plans submitted to this office for the above cited project indicates it 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 submitted into this office and provided the following stipulations are adhered to.

- A. For the purpose of this permit, the coastal feature shall be the man made shoreline and riverbank, and the inland edge of the coastal feature shall be the top of the man made shoreline and riverbank.
- B. All applicable policies, prohibitions, and standards of the RICRMP shall be upheld.
- C. Any additional alteration or construction within 200 feet inland of the coastal feature, on the coastal feature, or in coastal waters must be reviewed by the CRMC prior to the initiation of the activity.

A copy of this Administrative Assent shall be kept on site during construction.

Applicant agrees that as a condition to the granting of this assent, 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.

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

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.

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

Please be advised that all work must be completed within three years of the date of this letter.

This Assent is granted with the specific proviso that the construction authorized therein will be maintained in good condition by the owner thereof, his heirs, successors, or assigns for a period of fifty (50) years from the date thereof, after which time this permission shall terminate necessitating either complete removal or a new application.

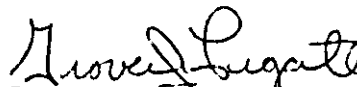
ATTENTION: ALL STRUCTURES IN THE TIDAL, COASTAL, OR NAVIGABLE WATERS OF THE STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS ARE SUBJECT TO:

1. The Superior Property Rights of the State of Rhode Island and Providence Plantations 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. Permits issued by the CRMC are issued for a finite period of time, 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 upon expiration.

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.

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,



Grover J. Fugate, Executive Director
- Coastal Resources Management Council



1990-11-016

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

COASTAL RESOURCES MANAGEMENT COUNCIL

Oliver H. Stedman Government Center
Tower Hill Road
Wake Field, R.I. 02879

January 7, 1991

AGR Properties, Inc.
100 Water Street
East Providence, RI 02914

RE: CRMC Administrative Assent #90-11-16 to install 2 fuel dispensers connected by approved piping to an 8,000 gallon underground compartment tank consisting of a 5,000 gallon gas compartment and 3,000 gallon diesel compartment. Installation of (2) 300 gallon above ground waste oil tanks. Project located at 100 Water Street, East Providence, RI, Plat #1, Lots 15, 16, 17, and 22.

Dear Sir:

A site inspection and review of plans submitted to this office for the above cited project indicates it 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 submitted into this office and provided the following stipulations are adhered to.

A. For the purpose of this permit, the coastal feature shall be the manmade shoreline, and the inland edge of the coastal feature shall be the inland edge of the manmade shoreline.

B. The approved site plan(s) shall be those entitled AGR Properties, Inc., dated 8/1/90, by E.G.. Except/unless as stipulated/modified herein, all details and specifications thereon shall be strictly adhered to. Any and all changes require written approval from this office.

C. In accordance with Rhode Island General Laws, Chapters 46-12, 42-17.1, 42-35 and 23-19.1, a permit for underground storage facilities must be obtained from the R.I. Dept. of Environmental Management, Division of Groundwater and Freshwater Wetlands. This must be obtained prior to any work on site.

D. All site grades shall be returned to the original grade unless indicated on approved plan and approved.

E. All excess excavated materials, excess soils, excess construction materials, and debris (including any destructed materials) shall be removed from the site and disposed of at an inland landfill or a suitable and legal upland location. No materials shall be deposited on the coastal feature, within 200 feet of the inland edge of the coastal feature, or in coastal waters.

F. All areas of exposed soil which are disturbed by construction and related activities shall be revegetated as immediately as is physically possible so as to minimize erosion and sedimentation. If the season is not conducive to immediate revegetation, all exposed soils shall be temporarily stabilized with hay mulch or similar material. Soil stabilization methods shall be employed during, as well as after, the construction phase to the maximum extent possible.

G. Excavation and grading shall be limited to the area of the approved activity only. Excess earthwork beyond that approved by the approved plans and stipulations of this assent is not permitted.

H. There shall be no stockpiling or disposal of soils, construction materials, within 200 feet of the inland edge of the coastal feature, or in coastal waters.

I. A setback (ref. CRMP Sect. 140) of 50 feet in width as measured landward from the inland edge of the coastal feature shall be maintained; No significant activity or alteration within the Setback shall occur within this setback unless the appropriate Variance (ref. CRMC Sect. 120) is obtained from the CRMC.

J. Prior to initiation of any grading, construction, or earthwork activity, a line of staked haybales shall be placed along the downslope perimeter of the proposed area of construction. (This line shall not be located on a coastal feature nor within a stipulated buffer zone.) Bales shall be "toed in" 4 inches, where possible, to prevent the underwash of sediments. This line shall be maintained by the replacement of bales as needed and by the proper upland disposal of accumulated sediments. This line shall be effectively maintained until permanent site revegetation is established. No soils nor materials shall be allowed to enter beyond this line, neither temporarily nor permanently.

K. Staff will monitor this project on an intermittent basis. Additional erosion control measures may be imposed, where necessary, based upon the on-site determination of the staff.

L. Any pumping of groundwater, which may be necessary for dewatering, shall be discharged into sediment traps consisting of staked hay bale rings enclosing crushed stone to disperse inflow velocity. Hay bales shall be "toed in" 4 to 6 inches into the ground to prevent underwash of sediments. These devices shall be maintained by removal and proper disposal of accumulated sediments and by replacement of bales and stone as needed. The devices shall not be located on any coastal feature nor in any designated buffer zone unless specifically allowed. If necessary, a matting device shall be used below the traps. The full removal of these devices (bales, stone, and sediment) shall occur upon construction completion.

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

N. Any additional alteration or construction within 200 feet inland of the coastal feature, on the coastal feature, or in coastal waters must be reviewed by the CRMC prior to the initiation of the activity.

O. The fuel storage tanks shall be adequately anchored to prevent floatation/displacement caused by flood waters.

A copy of this Administrative Assent shall be kept on site during construction.

Applicant agrees that as a condition to the granting of this assent, 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.

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

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.

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

Please be advised that all work must be completed within three years of the date of this letter (unless written application requesting an extension is received by CRMC sixty (60) days prior to expiration date).

This Assent is granted with the specific proviso that the construction authorized therein will be maintained in good condition by the owner thereof, his heirs, successors, or assigns for a period of fifty (50) years from the date thereof, after which time this permission shall terminate necessitating either complete removal or a new application.

CRMC Administrative Assent 90-11-16
AGR Properties, Inc.
January 7, 1991
Page 4.

Permits issued by the CRMC are issued for a finite period of time, 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.

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

1. The Superior Property Rights of the State of Rhode Island and Providence Plantations 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.

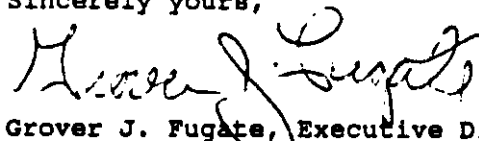
THE SUBMERGED AND SUBMERSIBLE LANDS OF THE TIDAL, COASTAL, AND NAVIGABLE WATERS OF THE STATE ARE OWNED BY THE STATE AND HELD IN TRUST FOR THE PUBLIC. CONVEYANCE OF THESE LANDS IS ILLEGAL; TITLES PURPORTING TO TRANSFER SUCH LANDS ARE VOID.

ASSENT MAY BE SUBJECT TO STIPULATION "A" CIRCLED BELOW:

A. In accordance with a decision of the Coastal Resources Management Council on October 9, 1973, this Assent is granted with the proviso 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,

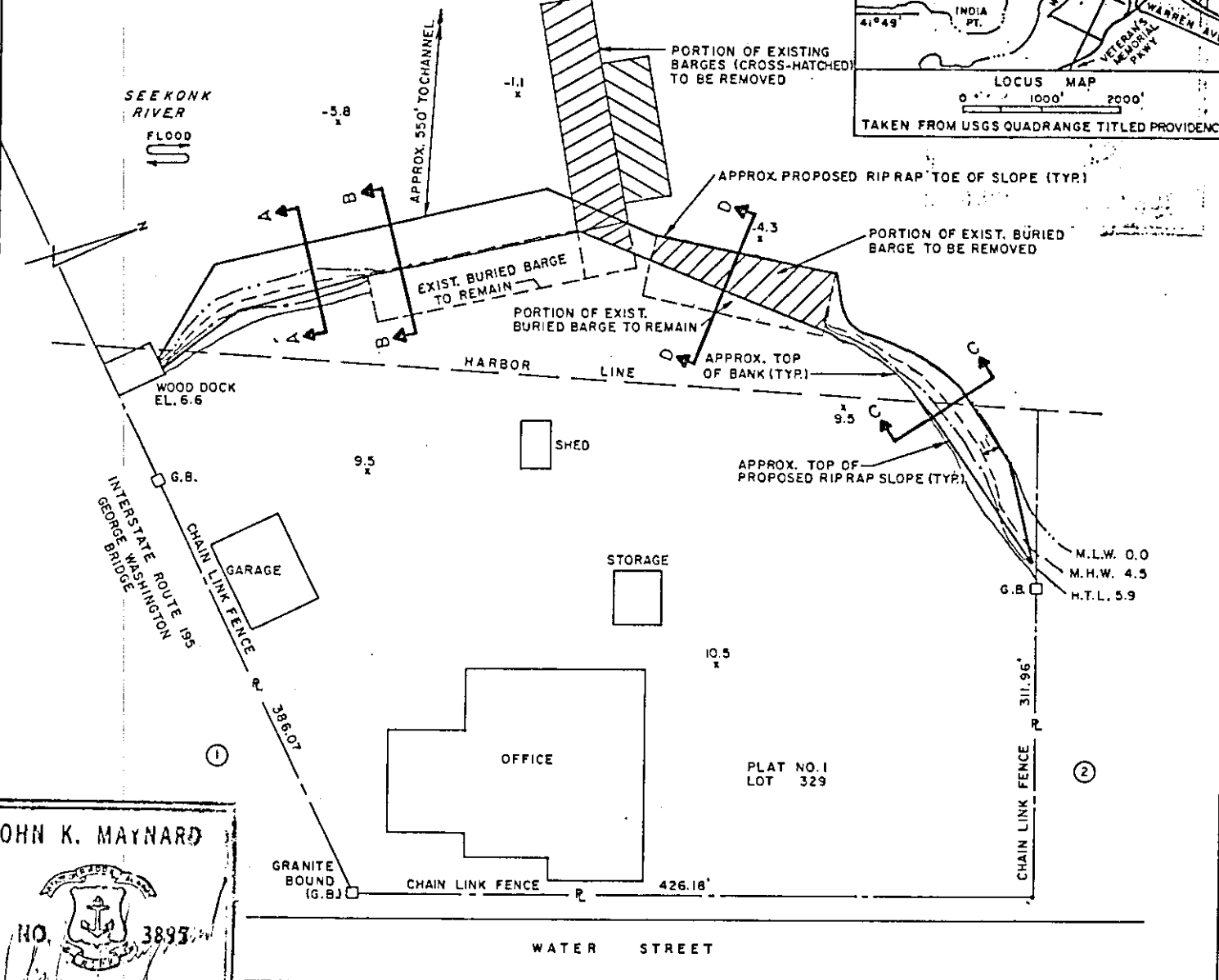
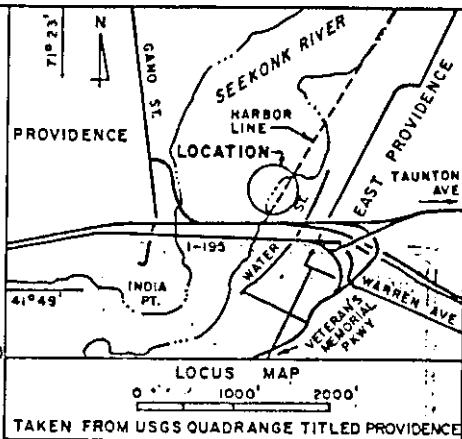


Grover J. Fugate, Executive Director
Coastal Resources Management Council

GJF:mlf

NOTES:

1. PROPERTY LINE SURVEY TAKEN FROM WATERMAN ENGINEERING CO., DRAWING TITLED, "MAP OF LAND IN EAST PROVIDENCE, RHODE ISLAND", DATED MAY, 1971, REV. APR., 1982
2. TOPOGRAPHY AND SOUNDINGS BY C.L. GUILD.
3. SOUNDINGS OBTAINED USING LEAD LINE METHOD.
4. APPROX. ⁸⁵⁰ ~~900~~ CY OF R.I.D.O.T. CLASS C RIP RAP, APPROX. ³⁵⁰ ~~300~~ CY OF RIP RAP BEDDING AND APPROX. ¹¹⁰⁰ ~~1500~~ CY OF MISCELLANEOUS FILL TO BE USED FOR REVETMENT.
H.T.L. HIGH TIDE LEVEL
5. A.H.W. = ANNUAL HIGH WATER (SPRING HIGH TIDE), FROM NOAA TIDE TABLES.



JOHN K. MAYNARD

 REGISTERED PROFESSIONAL ENGINEER

PURPOSE: WATERFRONT PROPERTY IMPROVEMENTS

DATUM: MEAN LOW WATER (M.L.W.)

ADJACENT PROPERTY OWNERS:

① STATE OF RHODE ISLAND

② WRIB-CARTER BROADCASTING CO.

PLAN VIEW

0 50' 100' 200'
 1" = 100'

A.G.R. PROPERTIES INC.
 100 WATER ST.
 EAST PROVIDENCE, RI 02914

PROPOSED RIPRAP REVETMENT

IN: SEEKONK RIVER

AT: EAST PROVIDENCE

COUNTY OF: PROVIDENCE

APPLICATION BY: CHARLES L. GUILD

SHEET 1 OF 3 DATE: APRIL, 1989

RECEIVED

NOV 2 1990

COASTAL RESOURCES
MANAGEMENT COUNCIL



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

COASTAL RESOURCES MANAGEMENT COUNCIL

Oliver H. Stedman Government Center
4808 Tower Hill Road
Wakefield, R.I. 02879-1900
(401) 277-2476

ASSENT

File Number: 97-1-49 Assent Number: A97-1-49

Whereas,

AGR PROPERTIES, INC.
100 WATER STREET
EAST PROVIDENCE, RI 02914

of

has applied to the Coastal Resources Management Council for assent for: installation of infiltration system to reduce recurring stormwater flooding problem; construct 6 inch high asphalt berm along front property line (Water Street), 275 linear feet total, and hereby represents that THEY are the owners of the riparian rights attached to the property involved and submitted plans of the work to be done.

Now, said Council, having fully considered said application in accordance with all the regulations as set forth in the Administrative Procedures Act does hereby authorize said applicant, subject to the provisions of Title 46, Chapter 23 of the General Laws of Rhode Island, 1956, as amended, and all laws which are or may be in force applicable thereto: **installation of infiltration system to reduce recurring stormwater flooding problem; construct 6 inch high asphalt berm along front property line (Water Street), 275 linear feet total, located at 100 Water Street, East Providence, Plat 1, Lot 15, 16, 17, and 22**, in accordance with said plans submitted to this Council and approved by this Council. All work being permitted must be completed on or before FEBRUARY 3, 2000, after which date this assent is null and void, (unless written application requesting an extension is received by CRMC sixty (60) days prior to expiration date).

Applicant agrees that as a condition to the granting of this assent, members of the Coastal Resources Management Council or its staff shall have access to applicant's 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

AGR Properties, Inc.
CRMC Administrative Assent A97-1-49
February 3, 1997
Page 2

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.

Nothing in this assent shall be construed to impair the legal rights of this granting authority or of any person. By this assent the granting authority by no manner, shape, or form assumes any liability or responsibility implied, or in fact, for the stability or permanence of said project; nor by this assent is there any liability implied or in fact assumed or imposed on the granting authority. Further, the granting authority by its representatives or duly authorized agents shall have the right to inspect said project at all times including, but not limited to, the construction, completion, and all times thereafter.

This Assent is granted with the specific proviso that the construction authorized therein will be maintained in good condition by the owner thereof, his heirs, successors, or assigns for a period of fifty (50) years from the date thereof, after which time this permission shall terminate necessitating either complete removal or a new application.

Permits issued by the CRMC are issued for a finite period of time, 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.

A copy of the legal decision may be acquired by contacting the CRMC office in writing.

A copy of this Assent shall be kept on site during construction.

Application for future alteration of the shoreline or other construction or alteration within the CRMC jurisdiction shall be submitted to the CRMC for review prior to commencing such activity.

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

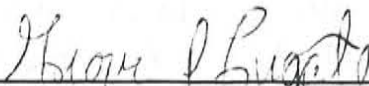
All local, state or federal ordinances and regulations must be complied with.

Please be advised that as a further conditions of this Assent, it is hereby stipulated that you and/or your agents shall comply at all times with Federal and State Water Quality Standards and other State standards and regulations regarding water quality, and shall exercise such supervision over and control of these facilities to prevent the dumping or discarding or refuse, sanitary wastes and other pollutants in the tidal waters, either from vessels docked at said facilities or from land adjacent thereto.

No work that involves alteration to wetlands or waters of the United States, shall be done under this Assent until the required Federal Permit has been obtained.

Non-compliance with this assent shall result in legal action and/or revocation of this permit.

In Witness Whereof, said Coastal Resources Management Council have hereto set their hands and seal this third day of February in the year nineteen hundred ninety-seven.



Grover J. Fugate, Executive Director
Coastal Resources Management Council

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 the approved plans will require a separate application and review. 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.

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

1. The Superior Property Rights of the State of Rhode Island and Providence Plantations 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 PROVISO THAT IT IS SUBJECT TO THE IMPOSITION OF A USAGE FEE TO BE ESTABLISHED BY THE COASTAL RESOURCES MANAGEMENT COUNCIL.

SPECIFIC STIPULATIONS OF APPROVAL:

A. The applicant shall record this assent in its entirety in the land evidence records of the City of EAST PROVIDENCE within thirty (30) days of the date of assent issuance. Certification by the Town Clerk's office that this stipulation has been complied with shall be furnished to Coastal Resources Management Council by the applicant within fifteen (15) days thereafter. Failure to comply with provision will render this assent null and void.

B. For the purpose of this permit, the coastal feature shall be the riprap revetment; and the inland edge of the coastal feature shall be the top of the revetment.

C. The approved plan shall be those entitled "CRMC Plan for AGR Properties, Inc., 100 Water Street...", dated 10/15/96, stamped by K. Karbassi, P.E.. 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.

D. The applicant shall notify CRMC staff at least forty-eight (48) hours in advance of the approximate date of the start of construction.

E. This assent requires a setback (Ref. CRMP Section 140) of 50' minimum feet in width as measured landward from the inland edge of the coastal feature .

F. No alterations (vegetative or otherwise) or activities are allowed on the coastal feature(s) or in the waterway adjacent to the site.

Earthwork Stipulations:

G. The standards and specifications set forth in the most recent RI Soil Erosion and Sediment Control Handbook (RISESCH) shall be strictly adhered to.

H. Prior to initiation of any grading, construction, or earthwork activity, a line of staked haybales and/or silt fence in accordance with RISESCH Standard "ST" shall be placed along the downslope perimeter of the proposed area of construction. Bales and/or silt fence shall be "toed in" 4 inches to prevent the underwash of sediments. This line shall be maintained by the replacement of bales as needed and by the proper upland disposal of accumulated sediments until permanent site revegetation is established. No soils nor any other materials shall be allowed to enter beyond this line, neither temporarily nor permanently.

- I. Upon successful stabilization of exposed soils all haybales and stakes shall be removed from site and disposed of at a suitable, legal upland location.
- J. There shall be no stockpiling or disposal of soils, construction materials, debris, etc., on the coastal feature, within 50' feet of the inland edge of the coastal feature, in coastal waters, or in any areas designated as a CRMC setback or coastal buffer zone.
- K. All excess excavated materials, excess soils, excess construction materials, and debris shall be removed from the site and disposed of at an inland landfill or a suitable and legal upland location outside of CRMC jurisdiction. No materials shall be deposited on the coastal feature, within 50' feet of the inland edge of the coastal feature, in coastal waters, or in any areas designated as a CRMC setback or coastal buffer zone.
- L. All excavated material shall be cast on the upslope side of the excavation so as to minimize sedimentation.
- M. All fill materials shall be clean, free of debris and rubble, and free of materials which may cause pollution of surface waters or groundwater.
- N. All areas of exposed soil which are disturbed by construction and related activities shall be revegetated as immediately as is physically possible so as to minimize erosion and sedimentation. If the season is not conducive to immediate revegetation, all exposed soils shall be temporarily stabilized with hay mulch, jute mat netting or similar erosion control materials. Soil stabilization methods shall be employed during, as well as after, the construction phase to the maximum extent possible.
- O. Excavation and grading shall be limited to the area approved. Excess earthwork beyond that authorized by this assent is not permitted.
- P. There shall be no discharge or disposal of hazardous wastes or hazardous materials which may be associated with construction machinery, etc. on the site or in the waterway. All used oil, lubricants, construction chemicals, etc. shall be disposed of in full compliance with applicable State and Federal regulations.
- Q. The pretreatment structures (catch basins) should be checked/cleaned of accumulated sediments on a bi-annual basis. Sediment removed from the structure(s) shall be disposed of at a suitable legal upland disposal location.
- R. Approval from Rhode Island Department of Environmental Management (Underground Injection Control Section) shall be obtained prior to initiation of construction.



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

COASTAL RESOURCES MANAGEMENT COUNCIL
Oliver H. Stedman Government Center
4808 Tower Hill Road
Wakefield, R.I. 02879-1900
(401) 277-2476

2014-08-042

include this

ASSENT

File Number: 97-1-49 Assent Number: A97-1-49

Whereas, **AGR PROPERTIES, INC.**
100 WATER STREET
of **EAST PROVIDENCE, RI 02914**

has applied to the Coastal Resources Management Council for assent for: installation of infiltration system to reduce recurring stormwater flooding problem; construct 6 inch high asphalt berm along front property line (Water Street), 275 linear feet total, and hereby represents that **THEY** are the owners of the riparian rights attached to the property involved and submitted plans of the work to be done.

Now, said Council, having fully considered said application in accordance with all the regulations as set forth in the Administrative Procedures Act does hereby authorize said applicant, subject to the provisions of Title 46, Chapter 23 of the General Laws of Rhode Island, 1956, as amended, and all laws which are or may be in force applicable thereto: **installation of infiltration system to reduce recurring stormwater flooding problem; construct 6 inch high asphalt berm along front property line (Water Street), 275 linear feet total, located at 100 Water Street, East Providence, Plat 1, Lot 15, 16, 17, and 22, in accordance with said plans submitted to this Council and approved by this Council. All work being permitted must be completed on or before FEBRUARY 3, 2000, after which date this assent is null and void, (unless written application requesting an extension is received by CRMC sixty (60) days prior to expiration date).**

Applicant agrees that as a condition to the granting of this assent, members of the Coastal Resources Management Council or its staff shall have access to applicant's 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

AGR Properties, Inc.
CRMC Administrative Assent A97-1-49
February 3, 1997
Page 2

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.

Nothing in this assent shall be construed to impair the legal rights of this granting authority or of any person. By this assent the granting authority by no manner, shape, or form assumes any liability or responsibility implied, or in fact, for the stability or permanence of said project; nor by this assent is there any liability implied or in fact assumed or imposed on the granting authority. Further, the granting authority by its representatives or duly authorized agents shall have the right to inspect said project at all times including, but not limited to, the construction, completion, and all times thereafter.

This Assent is granted with the specific proviso that the construction authorized therein will be maintained in good condition by the owner thereof, his heirs, successors, or assigns for a period of fifty (50) years from the date thereof, after which time this permission shall terminate necessitating either complete removal or a new application.

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

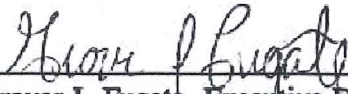
Please be advised that as a further conditions of this Assent, it is hereby stipulated that you and/or your agents shall comply at all times with Federal and State Water Quality Standards and other State standards and regulations regarding water quality, and shall exercise such supervision over and control of these facilities to prevent the dumping or discarding or refuse, sanitary wastes and other pollutants in the tidal waters, either from vessels docked at said facilities or from land adjacent thereto.

AGR Properties, Inc.
CRMC Administrative Assent A97-1-49
February 3, 1997
Page 3

No work that involves alteration to wetlands or waters of the United States, shall be done under this Assent until the required Federal Permit has been obtained.

Non-compliance with this assent shall result in legal action and/or revocation of this permit.

In Witness Whereof, said Coastal Resources Management Council have hereto set their hands and seal this third day of February in the year nineteen hundred ninety-seven.



Grover J. Fugate, Executive Director
Coastal Resources Management Council

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 the approved plans will require a separate application and review. 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.

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3. The Police Powers of the State of Rhode Island and the United States to regulate Structures in the Tidal, Coastal, or Navigable Waters.

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AGR Properties, Inc.
CRMC Administrative Assent A97-1-49
February 3, 1997
Page 4

THE PROVISIO THAT IT IS SUBJECT TO THE IMPOSITION OF A USAGE FEE TO BE ESTABLISHED BY THE COASTAL RESOURCES MANAGEMENT COUNCIL.

SPECIFIC STIPULATIONS OF APPROVAL:

A. The applicant shall record this assent in its entirety in the land evidence records of the City of EAST PROVIDENCE within thirty (30) days of the date of assent issuance. Certification by the Town Clerk's office that this stipulation has been complied with shall be furnished to Coastal Resources Management Council by the applicant within fifteen (15) days thereafter. Failure to comply with provision will render this assent null and void.

B. For the purpose of this permit, the coastal feature shall be the riprap revetment; and the inland edge of the coastal feature shall be the top of the revetment.

C. The approved plan shall be those entitled "CRMC Plan for AGR Properties, Inc., 100 Water Street...", dated 10/15/96, stamped by K. Karbassi, P.E.. 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.

D. The applicant shall notify CRMC staff at least forty-eight (48) hours in advance of the approximate date of the start of construction.

E. This assent requires a setback (Ref. CRMP Section 140) of 50' minimum feet in width as measured landward from the inland edge of the coastal feature .

F. No alterations (vegetative or otherwise) or activities are allowed on the coastal feature(s) or in the waterway adjacent to the site.

Earthwork Stipulations:

G. The standards and specifications set forth in the most recent RI Soil Erosion and Sediment Control Handbook (RISESCH) shall be strictly adhered to.

H. Prior to initiation of any grading, construction, or earthwork activity, a line of staked haybales and/or silt fence in accordance with RISESCH Standard "ST" shall be placed along the downslope perimeter of the proposed area of construction. Bales and/or silt fence shall be "toed in" 4 inches to prevent the underwash of sediments. This line shall be maintained by the replacement of bales as needed and by the proper upland disposal of accumulated sediments until permanent site revegetation is established. No soils nor any other materials shall be allowed to enter beyond this line, neither temporarily nor permanently.

AGR Properties, Inc.
CRMC Administrative Assent A97-1-49
February 3, 1997
Page 5

- I. Upon successful stabilization of exposed soils all haybales and stakes shall be removed from site and disposed of at a suitable, legal upland location.
- J. There shall be no stockpiling or disposal of soils, construction materials, debris, etc., on the coastal feature, within 50' feet of the inland edge of the coastal feature, in coastal waters, or in any areas designated as a CRMC setback or coastal buffer zone.
- K. All excess excavated materials, excess soils, excess construction materials, and debris shall be removed from the site and disposed of at an inland landfill or a suitable and legal upland location outside of CRMC jurisdiction. No materials shall be deposited on the coastal feature, within 50' feet of the inland edge of the coastal feature, in coastal waters, or in any areas designated as a CRMC setback or coastal buffer zone.
- L. All excavated material shall be cast on the upslope side of the excavation so as to minimize sedimentation.
- M. All fill materials shall be clean, free of debris and rubble, and free of materials which may cause pollution of surface waters or groundwater.
- N. All areas of exposed soil which are disturbed by construction and related activities shall be revegetated as immediately as is physically possible so as to minimize erosion and sedimentation. If the season is not conducive to immediate revegetation, all exposed soils shall be temporarily stabilized with hay mulch, jute mat netting or similar erosion control materials. Soil stabilization methods shall be employed during, as well as after, the construction phase to the maximum extent possible.
- O. Excavation and grading shall be limited to the area approved. Excess earthwork beyond that authorized by this assent is not permitted.
- P. There shall be no discharge or disposal of hazardous wastes or hazardous materials which may be associated with construction machinery, etc. on the site or in the waterway. All used oil, lubricants, construction chemicals, etc. shall be disposed of in full compliance with applicable State and Federal regulations.
- Q. The pretreatment structures (catch basins) should be checked/cleaned of accumulated sediments on a bi-annual basis. Sediment removed from the structure(s) shall be disposed of at a suitable legal upland disposal location.
- R. Approval from Rhode Island Department of Environmental Management (Underground Injection Control Section) shall be obtained prior to initiation of construction.

Recorded Mar. 3/1997 12:11:40 PM

/jmm

Talene B. Perry
CITY CLERK



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

ASSENT

CRMC File No.: 2015-01-019

CRMC Assent No.: A2015-01-019

Whereas, **American Equipment & Fabricating Corporation**
 of **100 Water Street**
East Providence, RI 02914

has applied to the Coastal Resources Management Council for assent to: construct a 6,000 s.f. commercial building; install a vegetative swale and narrow buffer zone for environmental protection and stormwater treatment; and represents that they are the owner(s) of the riparian rights attached to the property involved and submitted plans of the work to be done.

Now, said Council, having fully considered said application in accordance with all the regulations as set forth in the Administrative Procedures Act does hereby authorize said applicant, subject to the provisions of Title 46, Chapter 23 of the General Laws of Rhode Island, 1956, as amended, and all laws which are or may be in force applicable thereto: **construct a 6,000 s.f. commercial building; install a vegetative swale and narrow buffer zone for environmental protection and stormwater treatment located at plat 16, lot 1; 100 Water Street, East Providence, RI**, in accordance with said plans submitted to this Council and approved by this Council. In accordance with revisions to RIGL 46-23-6.3 Expiration Tolling Periods (as amended effective June 26, 2013), all work being permitted must be completed on or before July 1, 2018 after which date this assent is null and void, (unless written application requesting an extension is received by CRMC sixty (60) days prior to expiration date).

Applicant agrees that as a condition to the granting of this assent, members of the Coastal Resources Management Council or its staff shall have access to applicant's 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.

Nothing in this assent shall be construed to impair the legal rights of this granting authority or of any person. By this assent the granting authority by no manner, shape, or form assumes any liability or responsibility implied, or in fact, for the stability or permanence of said project; nor by this assent is

American Equipment & Fabricating Corporation
CRMC Assent No. A2015-01-019
February 16, 2015
Page Two

there any liability implied or in fact assumed or imposed on the granting authority. Further, the granting authority by its representatives or duly authorized agents shall have the right to inspect said project at all times including, but not limited to, the construction, completion, and all times thereafter.

This Assent is granted with the specific proviso that the construction authorized therein will be maintained in good condition by the owner thereof, his heirs, successors, or assigns for a period of fifty (50) years from the date thereof, after which time this permission shall terminate necessitating either complete removal or a new application.

Permits issued by the CRMC are issued for a finite period of time, 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.

If this matter appeared before the full Council, a copy of the legal decision from this proceeding may be acquired by contacting the CRMC office in writing.

A copy of this Assent shall be kept on site during construction.

Application for future alteration of the shoreline or other construction or alteration within the CRMC jurisdiction shall be submitted to the CRMC for review prior to commencing such activity.

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 as a further conditions of this Assent, it is hereby stipulated that you and/or your agents shall comply at all times with Federal and State Water Quality Standards and other State standards and regulations regarding water quality, and shall exercise such supervision over and control of these facilities to prevent the dumping or discarding or refuse, sanitary wastes and other pollutants in the tidal waters, either from vessels docked at said facilities or from land adjacent thereto.

No work that involves alteration to wetlands or waters of the United States shall be done under this Assent until the required Federal Permit has been obtained.

Non-compliance with this assent shall result in legal action and/or revocation of this permit.

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 the approved plans will require a separate application and review. 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.

American Equipment & Fabricating Corporation
CRMC Assent No. A2015-01-019
February 16, 2015
Page Three

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 AND PROVIDENCE PLANTATIONS ARE SUBJECT TO:

1. The Superior Property Rights of the State of Rhode Island and Providence Plantations 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.

SPECIFIC STIPULATIONS OF APPROVAL

General Stipulations

A. The applicant shall record this assent in its entirety in the land evidence records of the City of East Providence within thirty (30) days of the date of assent issuance. Certification by the Town Clerk's office that this stipulation has been complied with shall be furnished to Coastal Resources Management Council in the form of a *copy* of the recorded assent by the applicant within fifteen (15) days thereafter. Failure to comply with provision may render this assent null and void.

B. For the purpose of this permit, the coastal feature shall be the riprap revetment; and the inland edge of the coastal feature shall be the top of the riprap revetment.

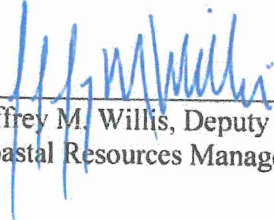
C. The approved site plans shall be those entitled "American Equipment & Fabricating Corp., CRMC Assent Submission..." by Waterman Engineering Corp, last revised January 2015. Except as stipulated or modified herein, all details and specifications thereon shall be strictly adhered to. Any and all changes require written approval from this office.

D. Vegetated Swale: The seed mix utilized for the vegetated swale shall utilize appropriate grasses specified for "open channel" areas in the RI Stormwater Installation and Design Standards Manual, December 2010. The design engineer shall provide a suitable seed specification. The construction and maintenance specifications provided on the CRMC approved plans shall be adhered to.

American Equipment & Fabricating Corporation
CRMC Assent No. A2015-01-019
February 16, 2015
Page Four

- E. **Buffer (vegetated setback):** The buffer zone (noted as a vegetated setback) to be established between the vegetated swale and the shoreline revetment shall be planted with native shrubs from a CRMC approved list. Bayberry (*Morella pensylvanica*) and Groundsel-bush (*Baccharis hamifolia*) is recommended for this site. Plantings shall be provided in a single line spaced 5 feet on center.
- F. **Compliance Schedule:** The vegetated swale and buffer planting shall be completed within 30 days of completing the construction of the proposed commercial building and/or by the end of the 2015 growing season. The applicant shall notify CRMC staff at 783-3370 immediately upon completion of the swale and buffer plantings to allow for a compliance inspection.
- G. **Erosion and Sediment Controls:** Erosion and sediment controls shall be installed and maintained as per the CRMC approved site plan. These controls shall be properly installed prior to construction and site disturbance and maintained throughout the construction period.
- H. Following buffer planting, all vegetation in the coastal buffer zone is to remain in a permanently undisturbed condition. Any and all activities or alterations within the coastal buffer zone not specifically addressed herein including mowing, pruning, trimming, thinning, require written authorization from the CRMC.
- I. The site shall be connected to and serviced by municipal sewers.

In Witness Whereof, said Coastal Resources Management Council have hereto set their hands and seal this 16th day of February in the year two-thousand-and-fifteen.



Jeffrey M. Willis, Deputy Director
Coastal Resources Management Council

/kc

RECORDED
2015 Mar 26 11:37A
EAST PROVIDENCE, R.I.
KIM A. CASCI-PALANGIO
CITY CLERK



State of Rhode Island
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

ASSENT
Amended 03-13-2025

CRMC File No.: 2025-02-013

CRMC Assent No.: A2025-02-013

Whereas,
of

Department of Transportation
Attn: Alisa Richardson
360 Lincoln Avenue
Warwick, RI 02888

has applied to the Coastal Resources Management Council for assent to: Demolition of the remaining landside pier structures (piers 1 and 2 in Providence and piers 11, 12, and 13 in East Providence. Improvements to a work trestle (as-built) with in a privately-owned staging area adjacent to the Right-of-Way in East Providence; Expansion of the temporary East Providence staging area included in the previous assent to facilitate construction access to and from the work trestle; and Establishment of temporary mooring for the ringer barge just upriver of the bridge crossing, and represents that they are the owner(s) of the riparian rights attached to the property involved and submitted plans of the work to be done.

Now, said Council, having fully considered said application in accordance with all the regulations as set forth in the Administrative Procedures Act does hereby authorize said applicant, subject to the provisions of Title 46, Chapter 23 of the General Laws of Rhode Island, 1956, as amended, and all laws which are or may be in force applicable thereto: **Demolition of the remaining landside pier structures (piers 1, 2 and *3 in Providence and piers *10, 11, 12, and 13 in East Providence. Improvements to a work trestle (as-built) with in a privately-owned staging area adjacent to the Right-of-Way in East Providence; Expansion of the temporary East Providence staging area included in the previous assent to facilitate construction access to and from the work trestle; and Establishment of temporary mooring for the ringer barge just upriver of the bridge crossing; located at Washington Bridge/Landside Pier, Providence, RI,** in accordance with said plans submitted to this Council and approved by this Council. All work being permitted must be completed on or before **February 14, 2028**, after which date this assent is null and void, (unless written application requesting an extension is received by CRMC sixty (60) days prior to expiration date).

Applicant agrees that as a condition to the granting of this assent, members of the Coastal Resources Management Council or its staff shall have access to applicant's 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.

Nothing in this assent shall be construed to impair the legal rights of this granting authority or of any person. By this assent the granting authority by no manner, shape, or form assumes any liability or responsibility implied, or in fact, for the stability or permanence of said project; nor by this assent is there any liability implied or in fact assumed or imposed on the granting authority. Further, the granting authority by its representatives or duly authorized agents shall have the right to inspect said project at all times including, but not limited to, the construction, completion, and all times thereafter.

This Assent is granted with the specific proviso that the construction authorized therein will be maintained in good condition by the owner thereof, his heirs, successors, or assigns for a period of fifty (50) years from the date thereof, after which time this permission shall terminate necessitating either complete removal or a new application.

Permits issued by the CRMC are issued for a finite period of time, 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.

If this matter appeared before the full Council, a copy of the legal decision from this proceeding may be acquired by contacting the CRMC office in writing.

A copy of this Assent shall be kept on site during construction.

Application for future alteration of the shoreline or other construction or alteration within the CRMC jurisdiction shall be submitted to the CRMC for review prior to commencing such activity.

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 as a further conditions of this Assent, it is hereby stipulated that you and/or your agents shall comply at all times with Federal and State Water Quality Standards and other State standards and regulations regarding water quality, and shall exercise such supervision over and control of these facilities to prevent the dumping or discarding or refuse, sanitary wastes and other pollutants in the tidal waters, either from vessels docked at said facilities or from land adjacent thereto.

No work that involves alteration to wetlands or waters of the United States shall be done under this Assent until the required Federal Permit has been obtained.

Non-compliance with this assent shall result in legal action and/or revocation of this permit.

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 lands adjacent to tidal waters and/or access to these lands may be impacted or rendered unusable in the future due to sea level rise, storm surge, and shoreline erosion. Online resources including STORMTOOLS, Shoreline Change Maps, and Sea Levels Affecting Marshes Model (SLAMM) Maps can be accessed through the CRMC website (www.crmc.ri.gov). The Council recommends the use of these resources to evaluate the flood extent and inundation from sea level rise, storm surge and erosion and damages to land, aquatic life, loss of public access and other natural resources on and near the site of the above assent. The project life may be shortened by these processes and may require additional adaptation measure up to and including relocation of the project. By issuing this assent the granting authority neither explicitly nor implicitly assumes any liability or responsibility for the stability or permanence of said project under future climate and shoreline conditions.

SPECIFIC STIPULATIONS OF APPROVAL

General Stipulations

- A. For the purpose of this permit, the coastal feature shall be the coastal wetland and manmade shoreline (riprap revetment); and the inland edge of the coastal feature shall be the inland edge of the coastal wetland and manmade shoreline (riprap revetment).
- B. The approved plan shall be those entitled “Washington Bridge #700 Demolition, Landside Pier Demolition and Supportive Actions...,” sheets 1-21, dated December 2024, by Jacobs, Aetna Bridge, RIDOT, stamped by Donald Costello, P.E and *plans stamped CRMC approved dated 03-12-2025 sheets 1 and 2. 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. An Environmental Compliance Monitor (ECM) shall be designated to oversee project compliance with the CRMC Assent. The RE (Resident Engineer) shall ensure that one or more inspectors are available as necessary for the project, each inspector must be qualified in the required specialized environmental field (i.e. waste management, coastal wetlands, etc.). Each inspector must have the education and experience in each respective field to properly inspect the project and recommend corrective measures. The RE/ECM shall report onsite inspections at least once a week and on an as needed basis during all phases of the project likely to result in environmental impacts. A dated and signed report shall be completed for the record during each inspection. Each inspection shall identify any environmental issues of concern and any non-compliance with the CRMC Assent and other agency approvals (RI Department of Environmental Management, US Army Corps of Engineers and US Coast Guard). Subsequent reports shall describe actions and remedies undertaken to rectify these issues and restore project compliance with the CRMC Assent and the approved plans. Where compliance has not been properly achieved, the RE/ECM shall notify the CRMC on a timely basis. In addition, field reports shall be available to be forwarded to the CRMC upon request.
- D. The temporary work trestle located in East Providence to be used in conjunction with the temporary staging area shall be completely removed at the earliest of completion of all demolition work or the expiration date of this CRMC Assent. The temporary moorings for the ringer barge shall be removed at the earliest of the completion of work or the expiration date of this CRMC Assent.
- E. All necessary and pertinent approvals from RIDEM/ACOE and USCG shall be obtained prior to commencing work
- F. All demolition/work shall be in accordance with plan entitled “Stormwater Pollution Prevention Plan For: Washington Bridge #700 Demolition, Landside Pier Demolition and Supporting Actions...,” dated 1/28/2025 by Jacobs, stamped by Donald R. Costello, P.E.
- G. Demolition will be conducted in accordance with submitted documents entitled “Coastal Resources Management Council Category A Assent Application, Section 4. Proposed Project Activities and Associated Environmental Consequences...,” dated January 28, 2025, by Jacobs, stamped by Donald R. Costello, P.E.

Earthwork Stipulations

- A. The Permittee shall construct and maintain all soil erosion, runoff, and sediment control practices in accordance with the CRMC approved site plan (referenced herein).
- B. Prior to the initiation of site alterations or construction including the mobilization of construction vehicles, equipment or machinery, the Limit of Disturbance (LOD) shall be adequately delineated on site (by survey methods where appropriate). No equipment, access, equipment or material storage or other activities including construction vehicle parking shall occur beyond the Limit of Disturbance, even on a temporary basis.
- C. 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 soil sufficiently to prevent erosion and sedimentation.
- D. All discharges which result from dewatering operations must flow into pumping settling basins, portable sediment tanks or portable sediment bags which are properly 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).
- E. Temporary measures shall be installed to protect permanent or long-term stormwater control and treatment measures as they are installed and throughout the construction phase of the project so that they will function properly when they are brought online. Construction activity shall be restricted in areas where infiltration measures are proposed to prevent compaction. In cases where it is not possible to avoid the area, methods shall be taken to restore the infiltration capacity of the soils.
- F. All excavated material shall be cast on the upslope side of the excavation to minimize sedimentation. No excavated material shall be stockpiled beyond the Limit of Disturbance (LOD) or in unauthorized locations.
- G. All areas of disturbed soil which are impacted by construction, site work and related activities shall be temporarily stabilized throughout the site construction period. Soil stabilization may be achieved through appropriate temporary measures as described by the Rhode Island Soil Erosion and Sediment Control Handbook (as amended). Where the season is not conducive to the establishment of vegetative cover, other temporary measures shall be employed including the application of mulch and/or use of fiber rolls (erosion control blankets, etc.). Temporary erosion, runoff and sediment controls shall be employed and maintained until temporary or permanent vegetative cover can be achieved and/or site improvements such as approved buildings, roadways and parking areas are constructed resulting in a lack of exposed soil.

H. Stabilization of disturbed areas must, at a minimum, be initiated immediately whenever any clearing, grading, excavating or other earth disturbance activities have permanently ceased on any portion of the site, or temporarily ceased on any portion of the site and will not resume for a period exceeding 14 calendar days. Stabilization must be completed using vegetative stabilization measures or using alternative measures whenever vegetative measures are deemed impracticable or during periods of drought. All disturbed soils exposed prior to October 15th shall be seeded by that date. Any such areas which do not have adequate vegetative stabilization by November 15th must be stabilized through the use of non-vegetative erosion control measures. If work continues within any of these areas during the period from October 15th through April 15th, care must be taken to ensure that only the area required for that day's work is exposed, and all erodible soil must be restabilized within five (5) working days.

I. 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.

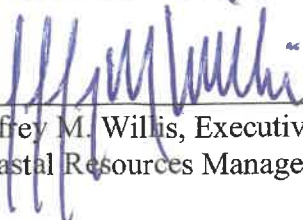
J. All excess excavated materials (soils, rock, gravel, etc.), excess construction materials, demolition debris, temporary erosion, runoff and sediment control measures, etc., shall be removed from the site for appropriate re-use and/or proper disposal at a suitable upland location or landfill. All toxic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

K. Upon the successful stabilization of exposed soils, all temporary (interim) erosion, runoff and sediment control measures as well as pollution prevention measures shall be appropriately decommissioned and removed from the site for re-use and/or for disposal at a suitable, legal upland location or landfill. All temporary sediment basins, sediment traps and channels, etc., shall be removed and/or restored in accordance with the approved site plans.

Building Stipulations

L. All pertinent requirements of the RI State Building Code as administered by the state/local building official shall be strictly adhered to.

In Witness Whereof, Coastal Resources Management Council has hereto set their hands and seal this **14th day of February in the year two-thousand-twenty-five.**



Jeffrey M. Willis, Executive Director
Coastal Resources Management Council



State of Rhode Island
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

ASSENT
 Amended 03-13-2025

CRMC File No.: 2025-02-013

CRMC Assent No.: A2025-02-013

Whereas,
 of

Department of Transportation
Attn: Alisa Richardson
360 Lincoln Avenue
Warwick, RI 02888

has applied to the Coastal Resources Management Council for assent to: Demolition of the remaining landside pier structures (piers 1 and 2 in Providence and piers 11, 12, and 13 in East Providence. Improvements to a work trestle (as-built) with in a privately-owned staging area adjacent to the Right-of-Way in East Providence; Expansion of the temporary East Providence staging area included in the previous assent to facilitate construction access to and from the work trestle; and Establishment of temporary mooring for the ringer barge just upriver of the bridge crossing, and represents that they are the owner(s) of the riparian rights attached to the property involved and submitted plans of the work to be done.

Now, said Council, having fully considered said application in accordance with all the regulations as set forth in the Administrative Procedures Act does hereby authorize said applicant, subject to the provisions of Title 46, Chapter 23 of the General Laws of Rhode Island, 1956, as amended, and all laws which are or may be in force applicable thereto: **Demolition of the remaining landside pier structures (piers 1, 2 and *3 in Providence and piers *10, 11, 12, and 13 in East Providence. Improvements to a work trestle (as-built) with in a privately-owned staging area adjacent to the Right-of-Way in East Providence; Expansion of the temporary East Providence staging area included in the previous assent to facilitate construction access to and from the work trestle; and Establishment of temporary mooring for the ringer barge just upriver of the bridge crossing; located at Washington Bridge/Landside Pier, Providence, RI,** in accordance with said plans submitted to this Council and approved by this Council. All work being permitted must be completed on or before **February 14, 2028**, after which date this assent is null and void, (unless written application requesting an extension is received by CRMC sixty (60) days prior to expiration date).

Applicant agrees that as a condition to the granting of this assent, members of the Coastal Resources Management Council or its staff shall have access to applicant's 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.

Nothing in this assent shall be construed to impair the legal rights of this granting authority or of any person. By this assent the granting authority by no manner, shape, or form assumes any liability or responsibility implied, or in fact, for the stability or permanence of said project; nor by this assent is there any liability implied or in fact assumed or imposed on the granting authority. Further, the granting authority by its representatives or duly authorized agents shall have the right to inspect said project at all times including, but not limited to, the construction, completion, and all times thereafter.

This Assent is granted with the specific proviso that the construction authorized therein will be maintained in good condition by the owner thereof, his heirs, successors, or assigns for a period of fifty (50) years from the date thereof, after which time this permission shall terminate necessitating either complete removal or a new application.

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

Please be advised that as a further conditions of this Assent, it is hereby stipulated that you and/or your agents shall comply at all times with Federal and State Water Quality Standards and other State standards and regulations regarding water quality, and shall exercise such supervision over and control of these facilities to prevent the dumping or discarding or refuse, sanitary wastes and other pollutants in the tidal waters, either from vessels docked at said facilities or from land adjacent thereto.

No work that involves alteration to wetlands or waters of the United States shall be done under this Assent until the required Federal Permit has been obtained.

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SPECIFIC STIPULATIONS OF APPROVAL

General Stipulations

- A. For the purpose of this permit, the coastal feature shall be the coastal wetland and manmade shoreline (riprap revetment); and the inland edge of the coastal feature shall be the inland edge of the coastal wetland and manmade shoreline (riprap revetment).
- B. The approved plan shall be those entitled “Washington Bridge #700 Demolition, Landside Pier Demolition and Supportive Actions...,” sheets 1-21, dated December 2024, by Jacobs, Aetna Bridge, RIDOT, stamped by Donald Costello, P.E and *plans stamped CRMC approved dated 03-12-2025 sheets 1 and 2. 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. An Environmental Compliance Monitor (ECM) shall be designated to oversee project compliance with the CRMC Assent. The RE (Resident Engineer) shall ensure that one or more inspectors are available as necessary for the project, each inspector must be qualified in the required specialized environmental field (i.e. waste management, coastal wetlands, etc.). Each inspector must have the education and experience in each respective field to properly inspect the project and recommend corrective measures. The RE/ECM shall report onsite inspections at least once a week and on an as needed basis during all phases of the project likely to result in environmental impacts. A dated and signed report shall be completed for the record during each inspection. Each inspection shall identify any environmental issues of concern and any non-compliance with the CRMC Assent and other agency approvals (RI Department of Environmental Management, US Army Corps of Engineers and US Coast Guard). Subsequent reports shall describe actions and remedies undertaken to rectify these issues and restore project compliance with the CRMC Assent and the approved plans. Where compliance has not been properly achieved, the RE/ECM shall notify the CRMC on a timely basis. In addition, field reports shall be available to be forwarded to the CRMC upon request.
- D. The temporary work trestle located in East Providence to be used in conjunction with the temporary staging area shall be completely removed at the earliest of completion of all demolition work or the expiration date of this CRMC Assent. The temporary moorings for the ringer barge shall be removed at the earliest of the completion of work or the expiration date of this CRMC Assent.
- E. All necessary and pertinent approvals from RIDEM/ACOE and USCG shall be obtained prior to commencing work
- F. All demolition/work shall be in accordance with plan entitled “Stormwater Pollution Prevention Plan For: Washington Bridge #700 Demolition, Landside Pier Demolition and Supporting Actions...,” dated 1/28/2025 by Jacobs, stamped by Donald R. Costello, P.E.
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Earthwork Stipulations

- A. The Permittee shall construct and maintain all soil erosion, runoff, and sediment control practices in accordance with the CRMC approved site plan (referenced herein).
- B. Prior to the initiation of site alterations or construction including the mobilization of construction vehicles, equipment or machinery, the Limit of Disturbance (LOD) shall be adequately delineated on site (by survey methods where appropriate). No equipment, access, equipment or material storage or other activities including construction vehicle parking shall occur beyond the Limit of Disturbance, even on a temporary basis.
- C. 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 soil sufficiently to prevent erosion and sedimentation.
- D. All discharges which result from dewatering operations must flow into pumping settling basins, portable sediment tanks or portable sediment bags which are properly 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).
- E. Temporary measures shall be installed to protect permanent or long-term stormwater control and treatment measures as they are installed and throughout the construction phase of the project so that they will function properly when they are brought online. Construction activity shall be restricted in areas where infiltration measures are proposed to prevent compaction. In cases where it is not possible to avoid the area, methods shall be taken to restore the infiltration capacity of the soils.
- F. All excavated material shall be cast on the upslope side of the excavation to minimize sedimentation. No excavated material shall be stockpiled beyond the Limit of Disturbance (LOD) or in unauthorized locations.
- G. All areas of disturbed soil which are impacted by construction, site work and related activities shall be temporarily stabilized throughout the site construction period. Soil stabilization may be achieved through appropriate temporary measures as described by the Rhode Island Soil Erosion and Sediment Control Handbook (as amended). Where the season is not conducive to the establishment of vegetative cover, other temporary measures shall be employed including the application of mulch and/or use of fiber rolls (erosion control blankets, etc.). Temporary erosion, runoff and sediment controls shall be employed and maintained until temporary or permanent vegetative cover can be achieved and/or site improvements such as approved buildings, roadways and parking areas are constructed resulting in a lack of exposed soil.

H. Stabilization of disturbed areas must, at a minimum, be initiated immediately whenever any clearing, grading, excavating or other earth disturbance activities have permanently ceased on any portion of the site, or temporarily ceased on any portion of the site and will not resume for a period exceeding 14 calendar days. Stabilization must be completed using vegetative stabilization measures or using alternative measures whenever vegetative measures are deemed impracticable or during periods of drought. All disturbed soils exposed prior to October 15th shall be seeded by that date. Any such areas which do not have adequate vegetative stabilization by November 15th must be stabilized through the use of non-vegetative erosion control measures. If work continues within any of these areas during the period from October 15th through April 15th, care must be taken to ensure that only the area required for that day's work is exposed, and all erodible soil must be restabilized within five (5) working days.

I. 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.

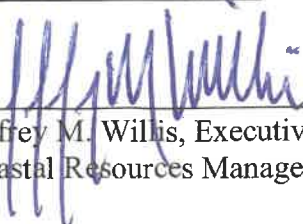
J. All excess excavated materials (soils, rock, gravel, etc.), excess construction materials, demolition debris, temporary erosion, runoff and sediment control measures, etc., shall be removed from the site for appropriate re-use and/or proper disposal at a suitable upland location or landfill. All toxic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

K. Upon the successful stabilization of exposed soils, all temporary (interim) erosion, runoff and sediment control measures as well as pollution prevention measures shall be appropriately decommissioned and removed from the site for re-use and/or for disposal at a suitable, legal upland location or landfill. All temporary sediment basins, sediment traps and channels, etc., shall be removed and/or restored in accordance with the approved site plans.

Building Stipulations

L. All pertinent requirements of the RI State Building Code as administered by the state/local building official shall be strictly adhered to.

In Witness Whereof, Coastal Resources Management Council has hereto set their hands and seal this **14th day of February in the year two-thousand-twenty-five.**



Jeffrey M. Willis, Executive Director
Coastal Resources Management Council

Appendix D. Coastal Hazard Application Worksheet

RICRMC COASTAL HAZARD ANALYSIS WORKSHEET

APPLICANT NAME:

PROJECT SITE ADDRESS:

STEP 1. PROJECT DESIGN LIFE

- A. For properties in a FEMA-designated **A**, or **X** Zone, provide the first floor elevation (FFE) of the proposed structure referenced to NAVD88, **OR** For properties in a FEMA-designated **V** or **Coastal A** Zone, please provide the elevation of the lowest horizontal structural member (LHSM) referenced to NAVD88. FFE **ft**
OR
LHSM elevation **ft**
- B. How long do you want your project to last? Identify the expected design life for the project (CRMC recommends a **minimum of 30 years**) Design Life: **yrs**
- C. Add the number of years you identified in 1B to the current year. (For example, if you are completing this form in the year 2020, and you want your project to last 30 years, your design life year will be 2050.) Design Life Year:

<input type="checkbox"/>	D. CHECK beneath the sea level rise (SLR) projection that matches or comes closest to project design life year.								
	Year	2030	2040	2050	2060	2070	2080	2090	2100
	SLR	0.71	1.11	1.60	2.29	3.17	4.19	5.35	6.47
		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Source: Sea Level Rise (SLR) Projections (Feb. 2022). NOAA High Curve, Newport, RI Tide Gauge. All values are expressed in feet relative to NAVD88. https://sealevel.nasa.gov/task-force-scenario-tool?psmsl_id=351

NOTE: The present National Tidal Datum Epoch (NTDE) is 1983 through 2001. The NOAA 2017 data use a baseline starting at 2000, and the NOAA 2022 data use a baseline starting at 2020. Between 1991 and 2020 there was an annual average of 4.03 mm/year of sea level rise at the Newport (8452660) tide station based on the trends data from the Permanent Service for Mean Sea Level (<https://www.psmsl.org/products/trends/>). Because the PSMSL trends are based on a minimum 30 years of data we will assume a similar trend applies to the shorter 20 year period of 2000 to 2020. Thus, there was approximately 8.06 cm (3.39 inches) of sea level rise during the period 2000 to 2020. Accordingly, the MHHW elevation of 3.85 feet at the Newport station (Epoch 1983-2001) would be adjusted an additional 3.39 inches to 4.13 feet MHHW. For reference, NAVD88 at Newport is 2.04 feet.

STEP 2. SITE ASSESSMENT

- A. Open RICRMC [Coastal Hazard Mapping Tool](#). Following the tutorial along the left side of the screen, enter the project site address and turn on the sea level layer closest to the number you circled in 1D.
- B. **ENTER** the STORMTOOLS SLR map layer closest to the SLR value you checked in Step 1D above. If the value falls between the available STORMTOOLS SLR map layers, round up to the closest of these sea level rise (SLR) numbers: 1ft, 2ft, 3ft, 5ft, 7ft, 10ft, or 12ft **ft**
- C. Does the STORMTOOLS SLR map layer you circled above expose your project site to future tidal inundation? **CHECK YES or NO** **YES**
 NO
- D. List any **roads or access routes** that are potentially inundated from SLR. To do this, ZOOM OUT from your project location, change BASEMAP on the viewer to “street view” – see Step 2A.

****Please be advised that CRMC staff may also review the implications of sea level rise in combination with nuisance storm flooding and discuss these potential project concerns with the applicant. Nuisance flooding impacts may be viewed in STORMTOOLS [here](#).**

STEP 3. STORMTOOLS DESIGN ELEVATION (SDE)

- A. Follow the tutorial included along the left panels of the viewer to enter the address of your project site. Select the tab across the top that corresponds to the sea level rise projection you identified in STEP 1
- B. Click on the map at project site to identify **STORMTOOLS Design Elevation (SDE)** from the pop up box. **Enter the SDE value:** **ft**

RICRMCCOASTAL HAZARD APPLICATION WORKSHEET

STEP 4. SHORELINE CHANGE

A. Using the *CRMC Shoreline Change maps*, indicate the transect number closest to your site, and erosion rate listed for that transect.

Transect Number: 1150
Erosion Rate: None **ft/year**

B. **CHECK** below the Projected Erosion Rate that corresponds to the design life you identified above.

Year	2050	2060	2070	2080	2090	2100
Projected Future Erosion Multiplier	1.34	1.45	1.57	1.70	1.84	2.00
	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Source: Projected Shoreline Change Rate multipliers. (Oakley et al., 2016)

C. COMPLETE EROSION SETBACK CALCULATION:

Historic shoreline change rate, STEP 4A	Design Life, STEP 1C	Projected Future Erosion Multiplier, STEP 4B	Erosion Setback (ft) 4A x 1C x 4B
None	x 15	x 1.34	= 20.1

NOTE: Setbacks are required per the CRMC Red Book, Section 1.1.9. A minimum setback of 50-feet is required, but a greater setback may be necessary and/or desirable based on this analysis.

STEP 5. OTHER SITE CONSIDERATIONS: CERI & SLAMM

A. Use the **Coastal Environmental Risk Index (CERI) map** (See Tab 5A on the viewer) to enter your address and **CHECK** the level of projected damage to your location, as indicated on the map that corresponds to the design life identified in STEP 1.

CERI Level: Moderate High Severe Extreme Inundated by 2100 Not applicable

B. **Sea Level Affecting Marshes Model (SLAMM)** (See Tab 5B on the Viewer) - This step is for Large Projects and Subdivisions only, six (6) or more units, as defined by the *CRMC Red Book Section 1.1.6.I(1)(f)*. This step may be skipped for other projects. Use the Sea Level Affecting Marshes Model (SLAMM) Maps to assess potential impacts to large projects and subdivisions from salt marsh migration resulting from projected sea level rise. CRMC SLAMM maps can be accessed [here](#). The CRMC recommends using the 3-foot SLR projection within SLAMM to assess future potential project impacts on migrating marshes. Does the SLAMM map that corresponds to the design life you identified in STEP 1 expose your project site to future salt marsh migration? **CHECK YES or NO**

YES **NO**

C. Consider and discuss with your design consultant other forces or factors that might impact the development, such as coastal habitats, shoreline features, public access, wastewater, storm water, depth to water table/groundwater dynamics, saltwater intrusion, or other issues not listed above. In addition, pressure from rising sea levels will result in rising subsurface groundwater levels ultimately effecting wells and septic systems.

STEP 6: DESIGN EVALUATION

A. Using Chapter 7 of the RI Shoreline Change SAMP as a guide, investigate mitigation options for the exposure identified above and include that in the final application.

This fully completed Coastal Hazard Application Guidance worksheet must accompany the application. If you are a design or engineering professional, please print and sign here that you have discussed the findings of this worksheet with the Owner.

DESIGN/ENGINEER SIGNATURE: _____

Donald R. Costello

Digitally signed by Donald Costello
Date: 2025.11.05 13:24:35-05'00'

DATE: _____

OWNER'S SIGNATURE: _____

Charles E Booth III

DATE: _____

12/2/2025

Appendix E. USFWS – Official Species List



United States Department of the Interior



FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 3301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104

In Reply Refer To:

10/29/2025 15:03:30 UTC

Project Code: 2026-0009833

Project Name: Work Trestle Improvements - American Equipment & Fabricating Corp

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

Updated 4/12/2023 - Please review this letter each time you request an Official Species List, we will continue to update it with additional information and links to websites may change.

About Official Species Lists

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Federal and non-Federal project proponents have responsibilities under the Act to consider effects on listed species.

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested by returning to an existing project's page in IPaC.

Endangered Species Act Project Review

Please visit the “**New England Field Office Endangered Species Project Review and Consultation**” website for step-by-step instructions on how to consider effects on listed

species and prepare and submit a project review package if necessary:

<https://www.fws.gov/office/new-england-ecological-services/endangered-species-project-review>

NOTE Please do not use the **Consultation Package Builder** tool in IPaC except in specific situations following coordination with our office. Please follow the project review guidance on our website instead and reference your **Project Code** in all correspondence.

Northern Long-eared Bat - (Updated 4/12/2023) The Service published a final rule to reclassify the northern long-eared bat (NLEB) as endangered on November 30, 2022. The final rule went into effect on March 31, 2023. You may utilize the **Northern Long-eared Bat Rangewide Determination Key** available in IPaC. More information about this Determination Key and the Interim Consultation Framework are available on the northern long-eared bat species page:

<https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis>

For projects that previously utilized the 4(d) Determination Key, the change in the species' status may trigger the need to re-initiate consultation for any actions that are not completed and for which the Federal action agency retains discretion once the new listing determination becomes effective. If your project was not completed by March 31, 2023, and may result in incidental take of NLEB, please reach out to our office at newengland@fws.gov to see if reinitiation is necessary.

Additional Info About Section 7 of the Act

Under section 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to determine whether projects may affect threatened and endangered species and/or designated critical habitat. If a Federal agency, or its non-Federal representative, determines that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Federal agency also may need to consider proposed species and proposed critical habitat in the consultation. 50 CFR 402.14(c)(1) specifies the information required for consultation under the Act regardless of the format of the evaluation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<https://www.fws.gov/service/section-7-consultations>

In addition to consultation requirements under Section 7(a)(2) of the ESA, please note that under sections 7(a)(1) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species. Please contact NEFO if you would like more information.

Candidate species that appear on the enclosed species list have no current protections under the ESA. The species' occurrence on an official species list does not convey a requirement to

consider impacts to this species as you would a proposed, threatened, or endangered species. The ESA does not provide for interagency consultations on candidate species under section 7, however, the Service recommends that all project proponents incorporate measures into projects to benefit candidate species and their habitats wherever possible.

Migratory Birds

In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see:

<https://www.fws.gov/program/migratory-bird-permit>

<https://www.fws.gov/library/collections/bald-and-golden-eagle-management>

Please feel free to contact us at newengland@fws.gov with your **Project Code** in the subject line if you need more information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat.

Attachment(s): Official Species List

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 3301-5094
(603) 223-2541

PROJECT SUMMARY

Project Code: 2026-0009833

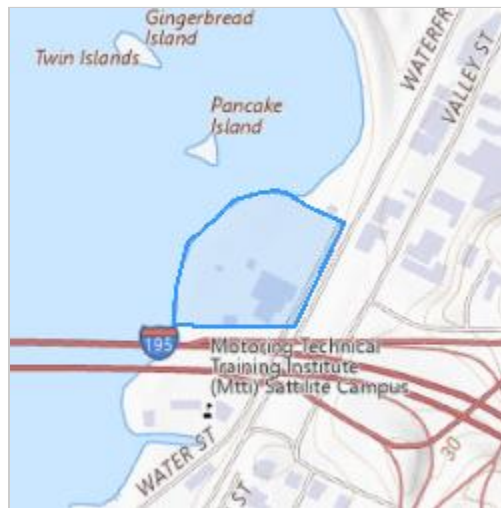
Project Name: Work Trestle Improvements - American Equipment & Fabricating Corp

Project Type: Commercial Development

Project Description: To accommodate a proposal to obtain authorization from both CRMC and the US Army Corps of Engineers to allow the work trestle on the American Drilling and Equipment property to remain in place permanently.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.8200479,-71.38415859750458,14z>



Counties: Providence County, Rhode Island

ENDANGERED SPECIES ACT SPECIES

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Jacob Sultan
Address: 120 Saint James Avenue
Address Line 2: 5th Floor
City: Boston
State: MA
Zip: 02116
Email: jacob.sultan@jacobs.com
Phone: 9786047445

Appendix F. Photographic Log

PHOTOGRAPHIC LOG

Site Location: 100 Water Street East Providence, RI

BDPS LLC
Work Trestle Improvements

Photo No. 1	Date: July 2024
----------------	--------------------

Direction Photo Taken:
Southwest

Description:
View of work trestle
(foreground) prior to deck
and landing improvements.



Photo No. 2	Date: Oct 2024
----------------	-------------------

Direction Photo Taken:
Southwest

Description:
View of work trestle following
improvements to deck and
landing.



PHOTOGRAPHIC LOG

Site Location: 100 Water Street East Providence, RI

BDPS LLC
Work Trestle Improvements

Photo No. 3	Date: Oct 2025
----------------	-------------------

Direction Photo Taken:
Southwest

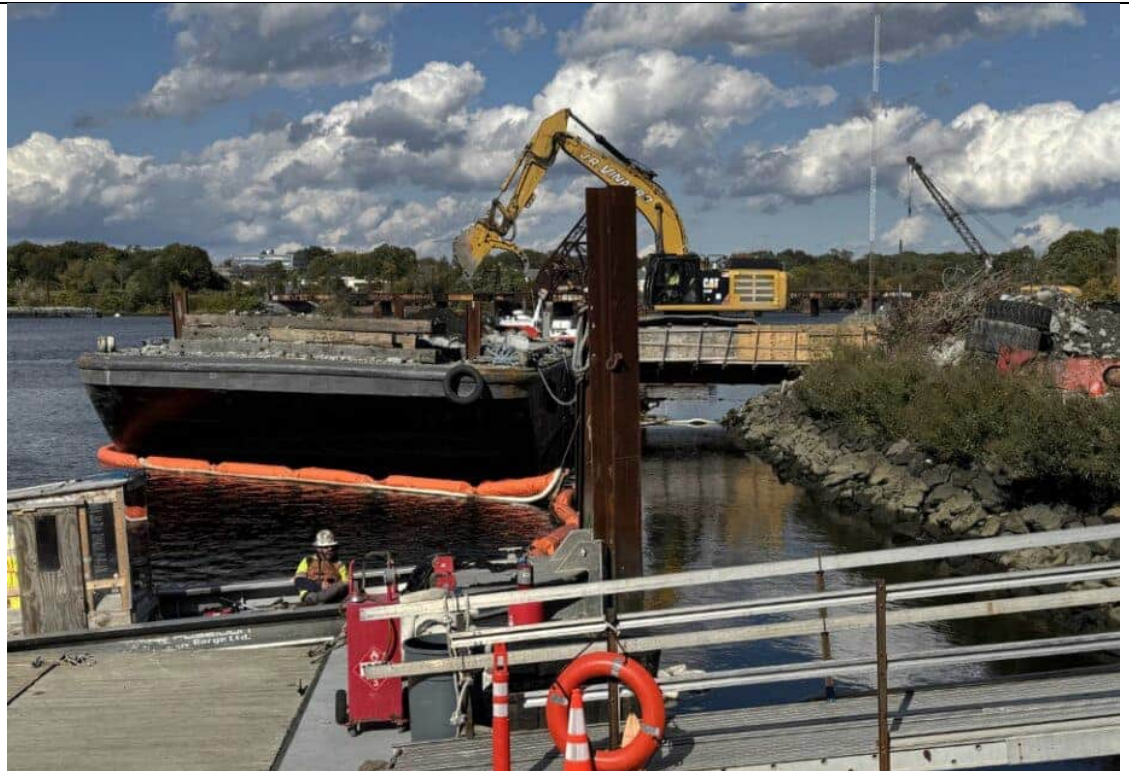
Description:
Recovered Washington
Bridge pier demolition debris
being off-loaded for proper
disposal.



Photo No. 4	Date: Oct 2025
----------------	-------------------

Direction Photo Taken:
North

Description:
View of trestle from southern
edge of property.



PHOTOGRAPHIC LOG

Site Location: 100 Water Street East Providence, RI

BDPS LLC
Work Trestle Improvements

Photo No.
5

Date:
Nov 2025

Direction Photo Taken:
West

Description:
View under work trestle at
low tide.



Photo No.
6

Date:
Nov 2025

Direction Photo Taken:
South

Description:
View of shoreline at work
trestle landing.



PHOTOGRAPHIC LOG

Site Location: 100 Water Street East Providence, RI

BDPS LLC
Work Trestle Improvements

Photo No. 7	Date: Nov 2025
----------------	-------------------

Direction Photo Taken:
East

Description:
Rail system along northern
face of trestle.



Photo No. 8	Date: 10/30/24
----------------	-------------------

Direction Photo Taken:
West

Description:
Approach to work trestle
from staging area.

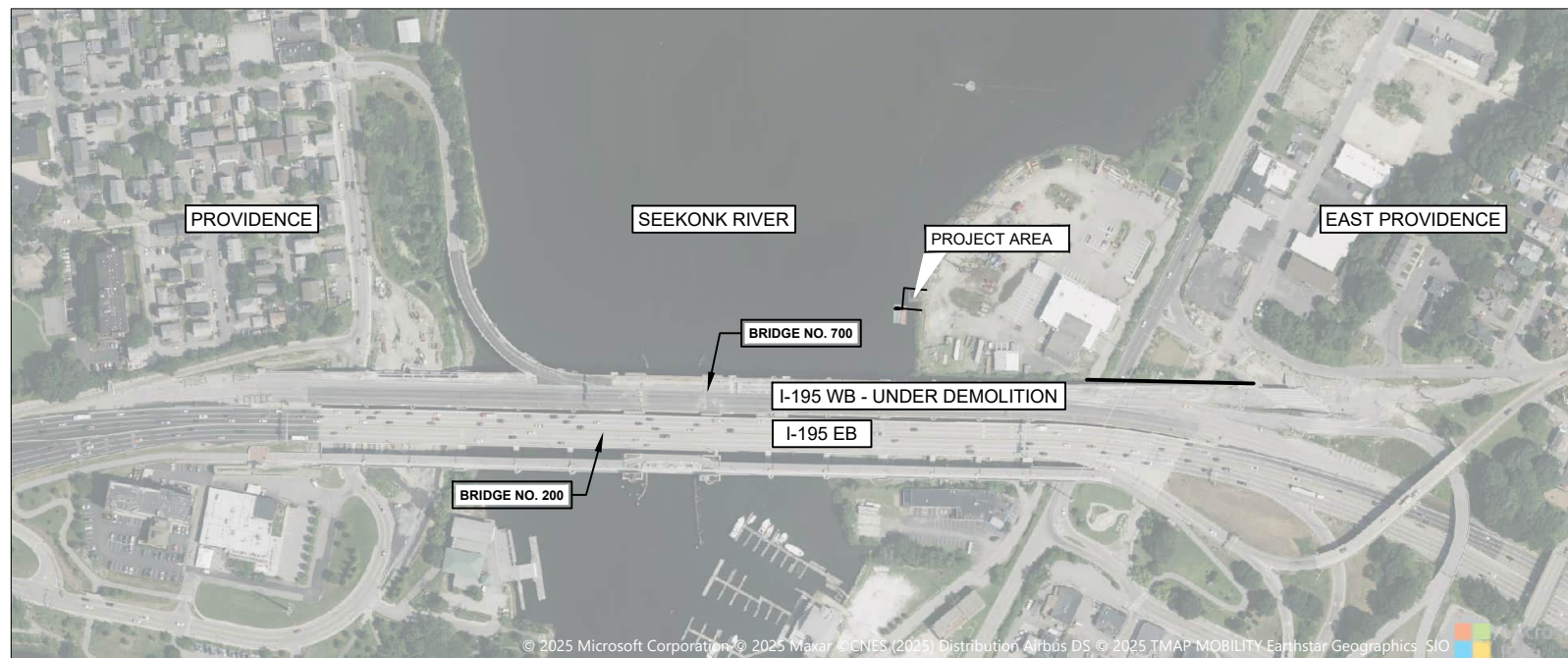


Appendix G. Project Plans

PROPERTY OF BDPS, LLC EXISTING CONDITIONS TRESTLE PERMIT

CITY OF EAST PROVIDENCE
COUNTY OF PROVIDENCE

SHEET NO.	DESCRIPTION
1	COVER SHEET AND GENERAL NOTES
2	SURVEY PLAN AND EXISTING LAYOUT
3	TRESTLE PLAN
4	TRESTLE PROFILE
5	TRESTLE FRAMING PLAN
6	SECTION AND DETAILS



LAYOUT PLAN
SCALE: 1"=200'

GENERAL NOTES

- LANDSIDE TOPOGRAPHY AND EXISTING CONDITIONS PLAN INFORMATION FOR THE PROPOSED AREA IS DEVELOPED FROM THE SURVEY PERFORMED, PREPARED AND PROVIDED BY NARRAGANSETT ENGINEERING INC., DATED 11/05/2025. REFER TO DRAWING SHEET 2 FOR SURVEY PLAN. ALL DIMENSIONS ARE IN FEET AND DECIMAL FEET. ELEVATIONS ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).
- CRMC WATER TYPE CLASSIFICATION AT THE PROPOSED SITE IS TYPE 4 PER RHODE ISLAND CRMC.
- WORK TRESTLE IMPROVEMENT TO THE DECK AND LANDSIDE FOOTING WERE AUTHORIZED AS TEMPORARY IMPROVEMENTS PER CRMC ASSENT A2025-02-013 ISSUED FEBRUARY 2025 AND USACE FILE NUMBER NAE-2020-01204 ISSUED IN JUNE 2025. CRMC ASSENT 1987-12-037 ISSUED IN DECEMBER OF 1987 AUTHORIZED THE EXISTING SHORELINE IMPROVEMENTS, INCLUDING THE EXISTING RIPRAP REVETMENT BORDERING THE SEEKONK RIVER.
- AS-BUILT DIMENSIONS AND MATERIALS IDENTIFIED ON THESE SHEETS FOR THE TRESTLE ARE FROM DRAWINGS AND CALCULATIONS DEVELOPED BY TRANSITION ENGINEERING INC., DATED 9/26/2024 TO AETNA BRIDGE COMPANY. THE DESIGN LOADS ARE BASED ON A CAT 390 EXCAVATOR.
- LOCATION OF WORK TRESTLE IS NOT IN A HIGH FETCH AREA PER REQUIREMENTS IN CRMC § 1.3.1.D.12

Jacobs
100 Great Meadow Road, Suite 707
Wethersfield, CT 06109

DESIGNED BY: MAA
CHECKED BY: MDA
DATE: NOVEMBER 2025
SHEET: 1
OF: 6

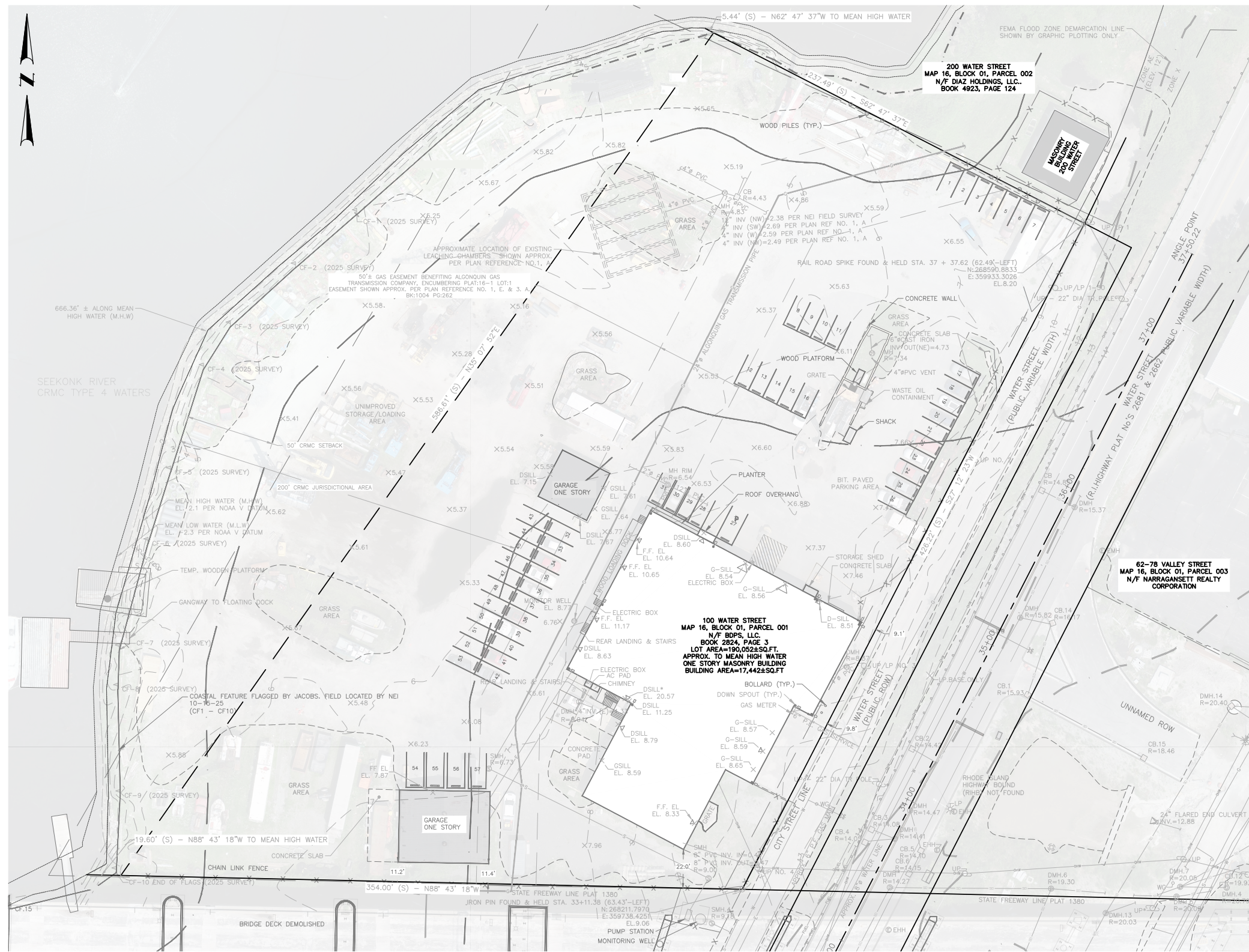
SCALE AS NOTED

REVISIONS			REVISIONS		
NO.	DATE	BY	NO.	DATE	BY

PROPERTY OF BDPS, LLC

EAST PROVIDENCE EXISTING CONDITIONS RHODE ISLAND

COVER SHEET AND GENERAL NOTES



- PLAN REFERENCES:**
NOTES / REFERENCES
- REFERENCE IS MADE TO THE FOLLOWING MAPS AND PLANS OF RECORD:
 - PLAN ENTITLED 'BOUNDARY & TOPOGRAPHIC SURVEY PLAN' A.P. 16, BLOCK 1, PARCEL 1, 100 WATER STREET, EAST PROVIDENCE, RHODE ISLAND 02914, AMERICAN EQUIPMENT & FABRICATING CORP. PROJECT NO. 14-066, SCALE 1"=40' DATE 05/28/14 DRAWN BY BJT STAMPED 1-21-15
 - R.I. HIGHWAY PLATS No. 2681, 2662, 1732, 1400 & 1380.
 - PLAN ENTITLED 'BOUNDARY & TOPOGRAPHIC SURVEY PLAN' A.P. 16, BLOCK 2, PARCELS 1, 2 & 3 AND A.P. 16, BLOCK 3, PARCEL 2 WATER ST., MAURAN AVE. & WATERFRONT DR. EAST PROVIDENCE, RHODE ISLAND ALBERTINO MILHO 288 WARREN AVENUE EAST PROVIDENCE, RHODE ISLAND 02914 PROJECT NO. 12-048 SCALE: 1" = 30' DATE: 09/11/12 BY WATERMAN ENGINEERING CO.
 - PLAN ENTITLED 'LAND BELONGING TO TRISTAN BURGESS IN SEEKONK, MASS. BY J. HOWE JULY, 1854 SCALE: 100 FT. TO AN INCH' WHICH IS RECORDED WITH THE LAND EVIDENCE RECORDS AT THE CITY OF EAST PROVIDENCE, RHODE ISLAND IN PLAT BOOK 1, PAGE 1.
PLAN ENTITLED 'AS BUILT ALGONQUIN GAS TRANSMISSION COMPANY BOSTON, MASSACHUSETTS G-12-24' EXTENSION OF MANCHESTER STREET LATERAL STA. 212+00 TO 224+00 DATE: 5/28/92 DWG. NO. L.8032 BY MAGUIRE GROUP, INC.'
 - REFERENCE IS MADE TO THE FOLLOWING CITY OF EAST PROVIDENCE LAND EVIDENCE RECORDS REGARDING RECORDED TITLE TO THE PREMISES SURVEYED:
 - MAP 16, BLOCK 1, PARCEL 1 - BDPS, LLC - VOLUME 2824, PAGE 3
 - THESE PREMISES MAY BE SUBJECT TO THE FOLLOWING EASEMENTS, RIGHTS OF WAY OR AGREEMENTS OF RECORD:
 - EASEMENT GRANTED TO THE ALGONQUIN GAS TRANSMISSION COMPANY AS DESCRIBED IN VOLUME 1004, PAGE 262 AND SHOWN ON PLAN REF. 1 (E).
 - EASEMENTS MAY EXIST REGARDING THE LOCATION OF THE GUY WIRES AS THEY CURRENTLY EXIST (NO RECORDS FOUND.)
 - AN EASEMENT MAY EXIST REGARDING THE LOCATION OF THE WATER SERVICE TO 200 WATER STREET AS IT CURRENTLY EXISTS (NO RECORDS FOUND.)
 - THESE PREMISES ARE SITUATED IN A BHP ZONE (BOLD POINT HARBOR SPECIAL DEVELOPMENT SUB-DISTRICT).
 - THESE PREMISES ARE SITUATED IN A ZONE 'VE' (EL. 12) AS DESIGNATED ON THE 'NATIONAL FLOOD INSURANCE PROGRAM, FIRM FLOOD INSURANCE RATE MAP PROVIDENCE COUNTY, RHODE ISLAND (ALL JURISDICTIONS) PANEL 309 OF 451 CITY OF EAST PROVIDENCE MAP NUMBER 44007C0309J EFFECTIVE DATE: SEPTEMBER 18, 2013. FEDERAL EMERGENCY MANAGEMENT AGENCY.'
 - ANY UTILITIES SHOWN ON THIS PLAN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING PLANS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN COMPRISE ALL SUCH OR ABANDONED. THE SURVEYOR DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM ALL AVAILABLE INFORMATION. (PLEASE CALL DIG SAFE AT LEAST 72 HOURS PRIOR TO CONSTRUCTION AT PHONE NO. 1-888-DIG-SAFE AND/OR LOCAL UTILITY COMPANIES.)
 - THE HORIZONTAL DATUM FOR THIS PROJECT IS THE R.I.S.P.C.S. (NAD 83) AND THE VERTICAL DATUM FOR THIS PROJECT IS NAVD 88. ELEVATIONS WERE ESTABLISHED FROM DATA TRANSMITTED FROM MTS REFERENCE STATIONS USING THE MTS RTK NETWORK VIA LEICA GPS1200 SERIES & CARLSON SURVEYOR SERIES GPS ANTENNAS/RECEIVERS CONTROL POINTS OBSERVED WITH LEICA GPS1200 SERIES & CARLSON SURVEYOR+ DATA COLLECTOR.
 - THE HARBOR LINES SEAWARD OF THE MEAN HIGH-WATER LINE SHOWN ARE THOUGHT TO BE EXTINGUISHED BY THE RHODE ISLAND GENERAL ASSEMBLY.

COASTAL FEATURE FLAGGING:

FLAGGING PERFORMED BY JACOBS (CRAIG WOOD PWS) IN OCTOBER 2025
 - FIELD LOCATED BY NARRAGANSETT ENGINEERING INC. VIA GPS ON OCTOBER 26, 2025
 - FLAG LINE CF-1 TO CF-10

NOTES

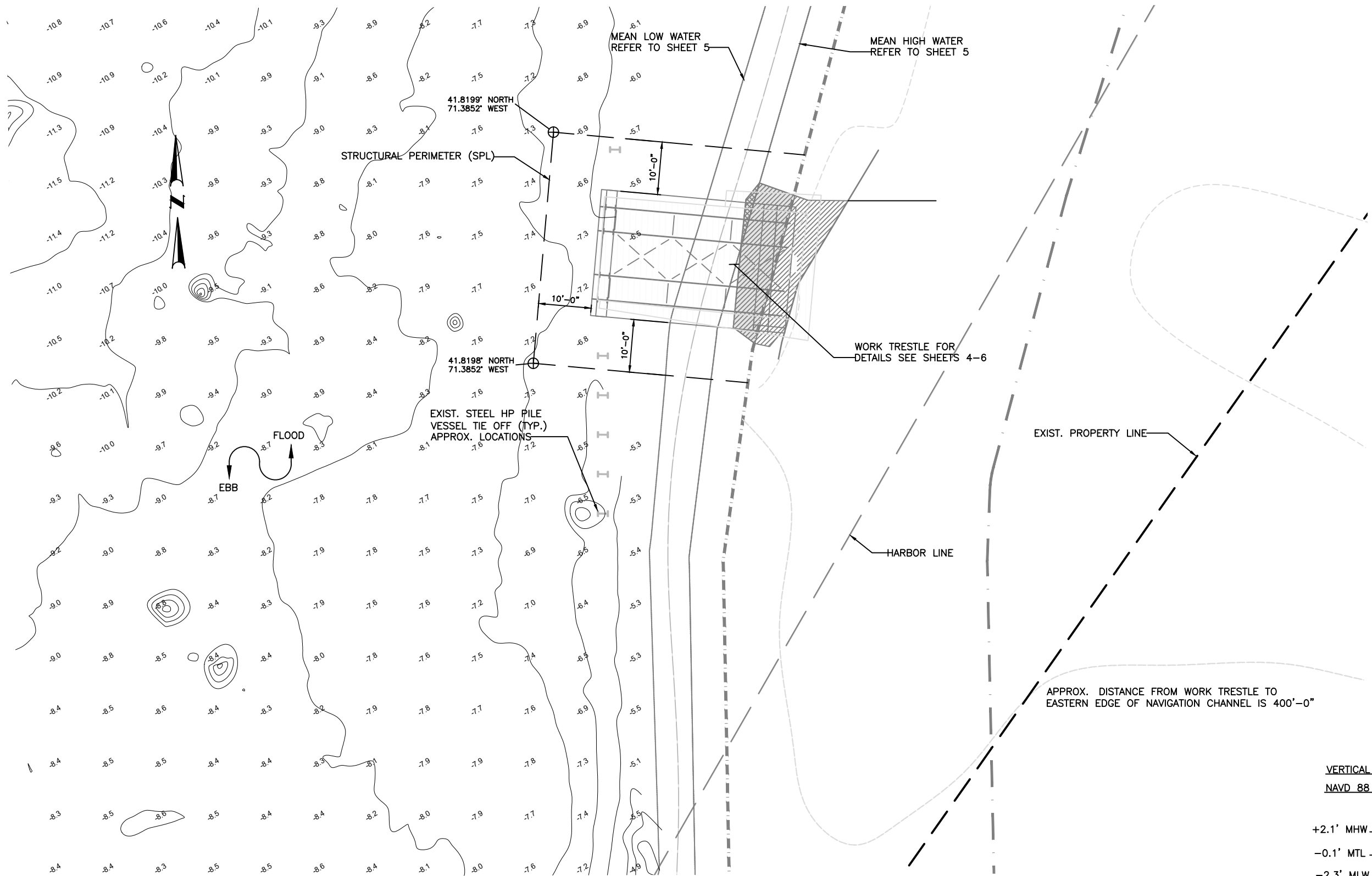
- THIS PLAN IS BASED OFF OF DRAWINGS PREPARED BY NARRAGANSETT ENGINEERING INC. DATED NOVEMBER 14, 2025



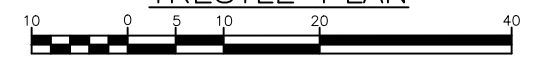
JACOBS
 100 Great Meadow Road, Suite 707
 Wethersfield, CT 06109

DESIGNED BY:	MAA	SCALE AS NOTED					
CHECKED BY:	MDA						
DATE:	NOVEMBER 2025	REVISIONS		REVISIONS			
SHEET:	2	NO.	DATE	BY	NO.	DATE	BY
OF:	6						

PROPERTY OF BDPS, LLC
 EAST PROVIDENCE EXISTING CONDITIONS RHODE ISLAND
SURVEY PLAN AND EXISTING LAYOUT



TRESTLE PLAN



*ORIGINAL SHEET SIZE IS 22"x34"

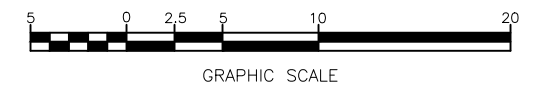
NOTES

1. TOPOGRAPHY AND EXISTING CONDITIONS INFORMATION ARE BASED ON THE FIELD SURVEY DRAWING DEVELOPED BY NARRAGANSETT ENGINEERING INC. DATED NOVEMBER 5, 2025.

VERTICAL DATUM CONVERSION

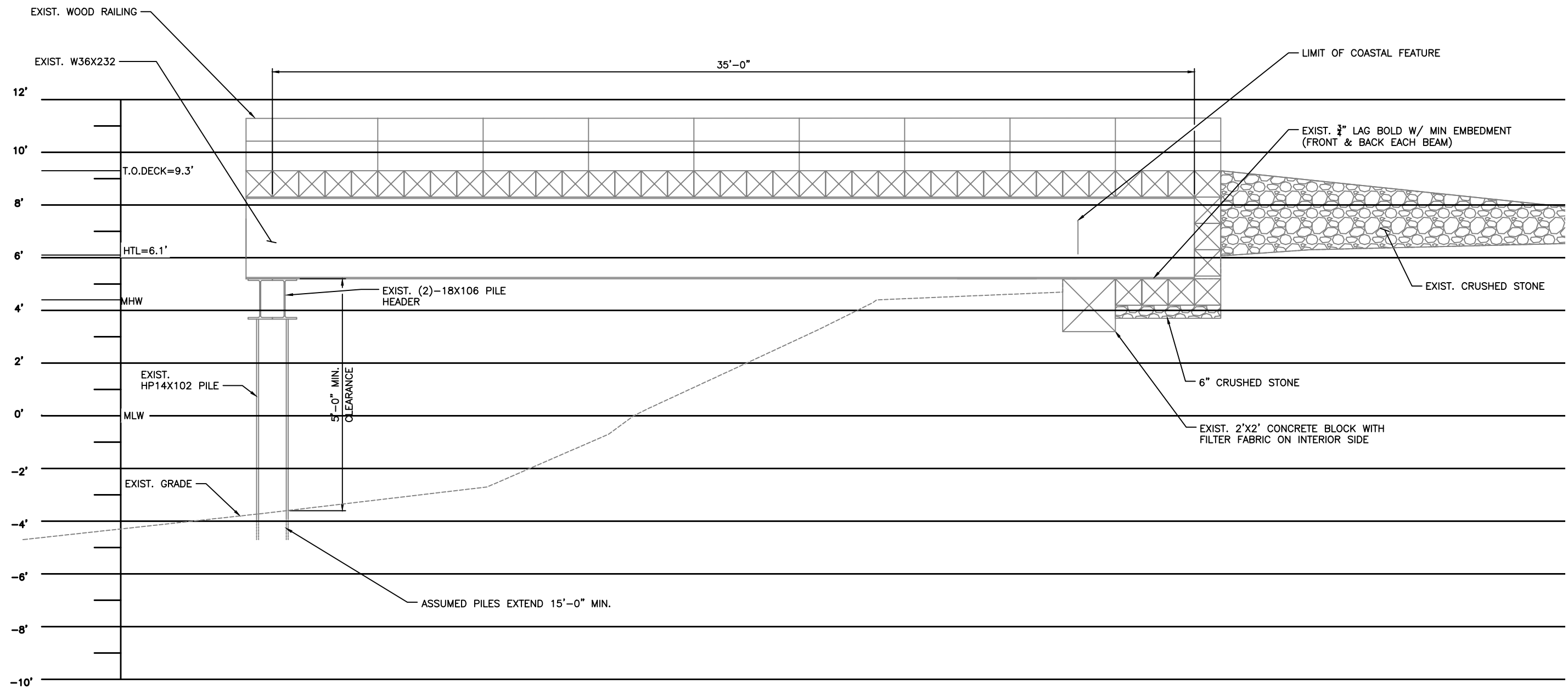
NAVD 88 DATUM	MLW DATUM
+2.1' MHW	EL. 4.4' MHW
-0.1' MTL	EL. 2.2' MTL
-2.3' MLW	EL. 0' MLW

VERTICAL DATUM



DESIGNED BY:	MAA	SCALE AS NOTED					
CHECKED BY:	MDA						
DATE:	NOVEMBER 2025	REVISIONS			REVISIONS		
SHEET:	3	NO.	DATE	BY	NO.	DATE	BY
OF:	6						

PROPERTY OF BDPS, LLC
EAST PROVIDENCE EXISTING CONDITIONS RHODE ISLAND
TRESTLE PLAN



TRESTLE PROFILE

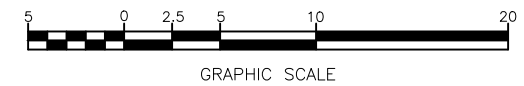


- NOTES:
- TRESTLE WORK IMPROVEMENTS ARE MODELED BASED ON DRAWINGS DEVELOPED BY TRANSITION ENGINEERING INC. DATED 9/26/2024
 - SEDIMENT AT RIVER BOTTOM IS SANDY MUCK

VERTICAL DATUM CONVERSION

NAVD 88 DATUM	MLW DATUM
+2.1' MHW	EL. 4.4' MHW
-0.1' MTL	EL. 2.2' MTL
-2.3' MLW	EL. 0' MLW

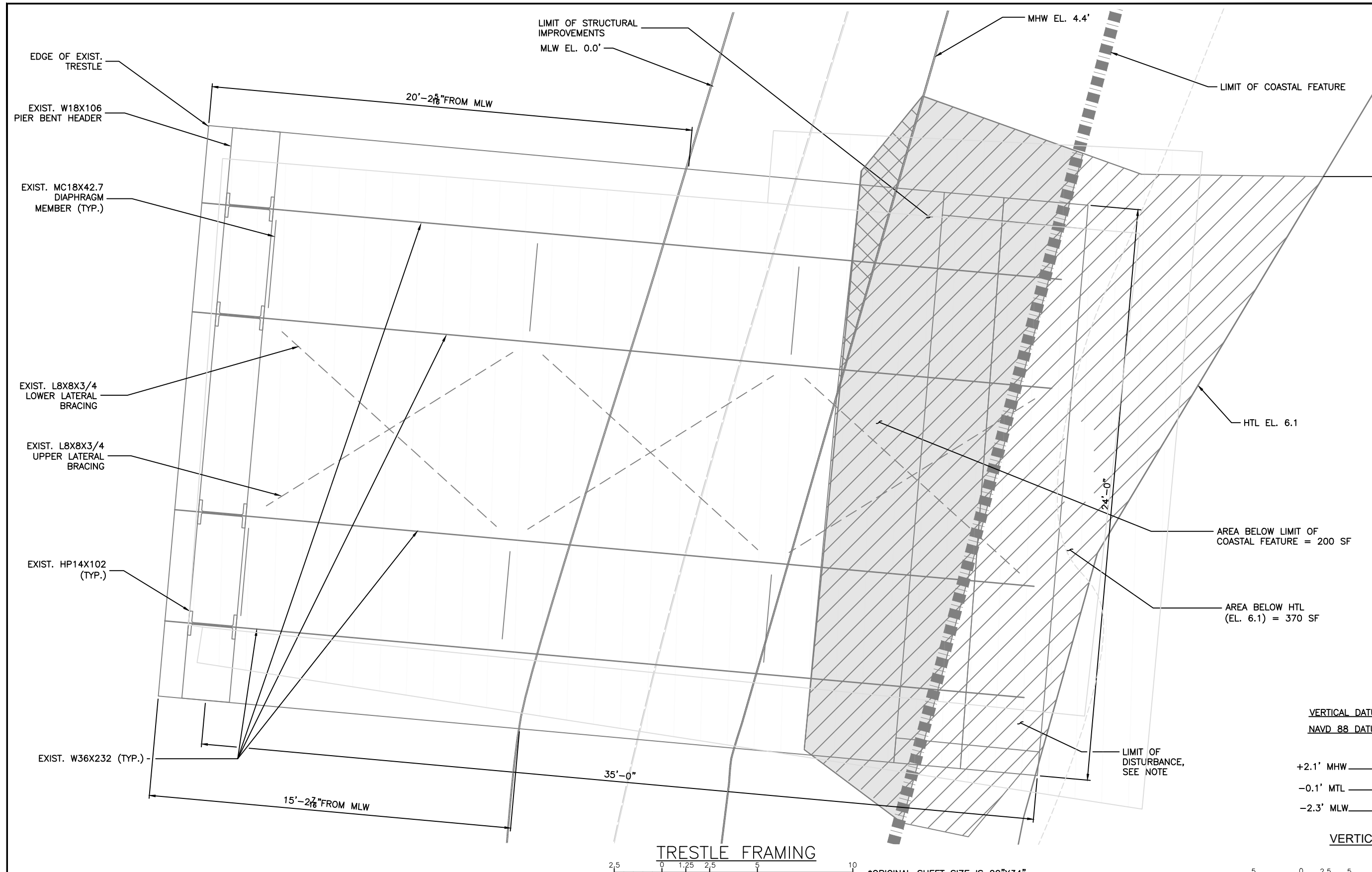
VERTICAL DATUM



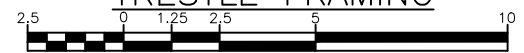
Jacobs
100 Great Meadow Road, Suite 707
Wethersfield, CT 06109

DESIGNED BY:	MAA	SCALE AS NOTED					
CHECKED BY:	MDA						
DATE:	NOVEMBER 2025	REVISIONS			REVISIONS		
SHEET:	4	NO.	DATE	BY	NO.	DATE	BY
OF:	6						

PROPERTY OF BDPS, LLC
EAST PROVIDENCE EXISTING CONDITIONS RHODE ISLAND
TRESTLE PROFILE



TRESTLE FRAMING



*ORIGINAL SHEET SIZE IS 22"X34"



VERTICAL DATUM CONVERSION
 NAVD 88 DATUM MLW DATUM

+2.1' MHW	EL. 4.4' MHW
-0.1' MTL	EL. 2.2' MTL
-2.3' MLW	EL. 0' MLW

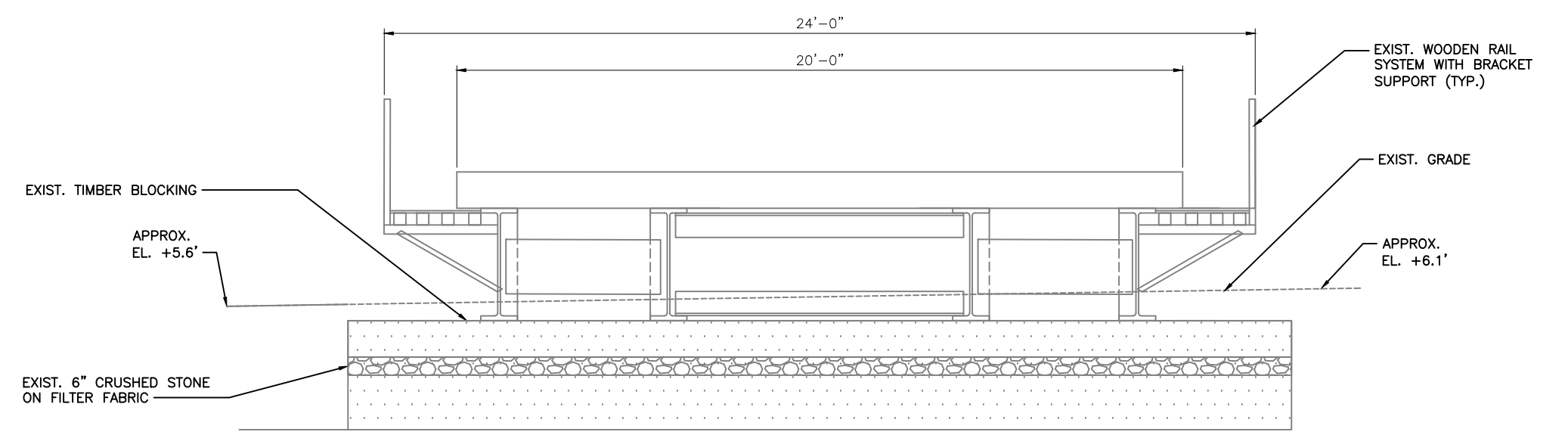
VERTICAL DATUM

- NOTES:
 1. DISTURBANCE IDENTIFIED WAS COMPLETED WHEN THIS TRESTLE WAS UPGRADED UNDER A PREVIOUS ASSENT.

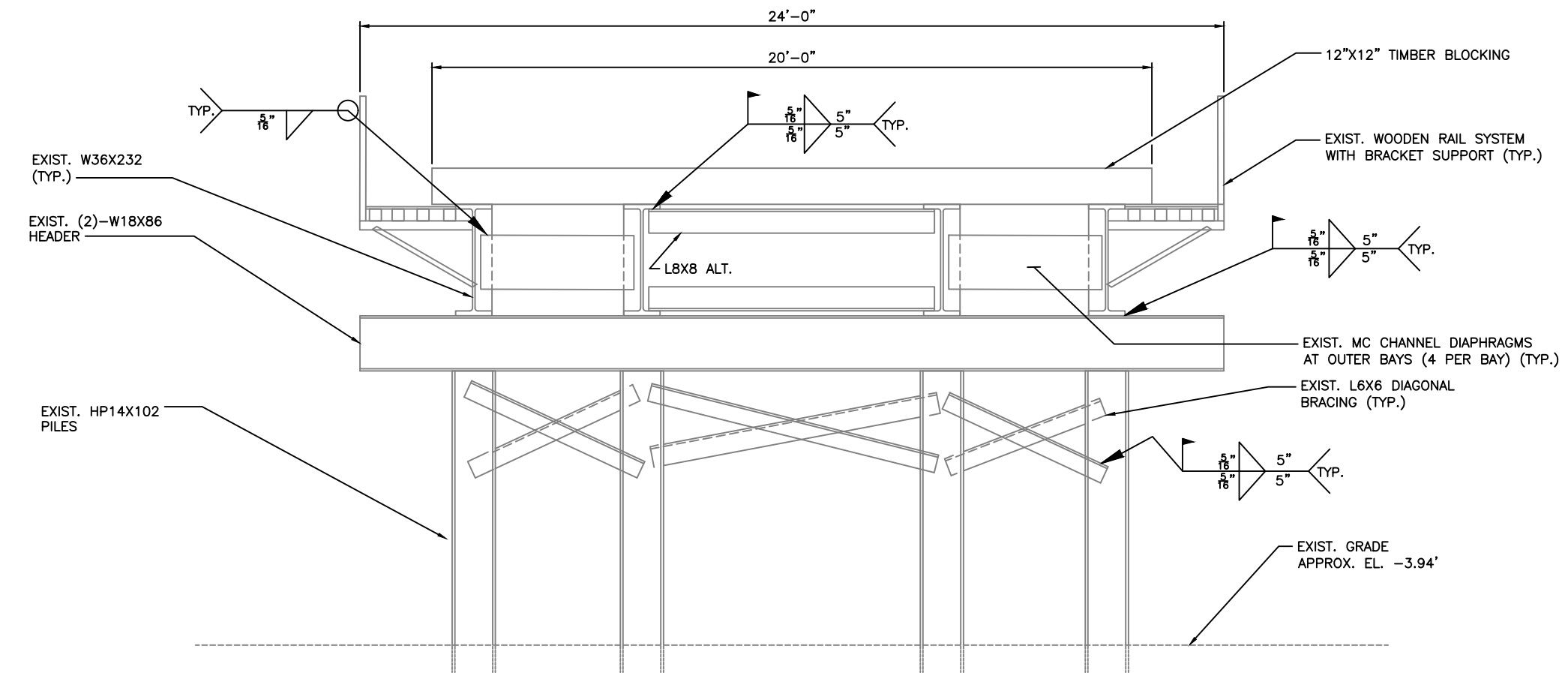


DESIGNED BY: MAA	SCALE AS NOTED
CHECKED BY: MDA	REVISIONS
DATE: NOVEMBER 2025	NO. DATE BY
SHEET: 5	NO. DATE BY
OF: 6	NO. DATE BY

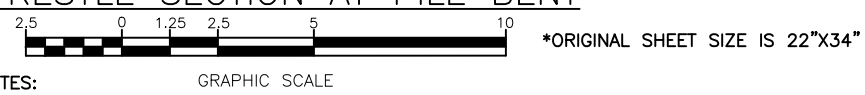
PROPERTY OF BDPS, LLC
 EAST PROVIDENCE EXISTING CONDITIONS RHODE ISLAND
TRESTLE FRAMING PLAN



TRESTLE SECTION AT LANDSIDE



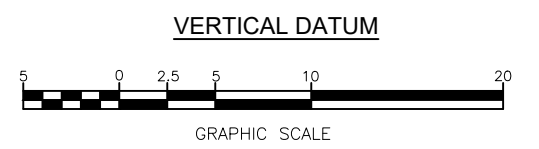
TRESTLE SECTION AT PILE BENT



- NOTES:
- TRESTLE WORK IMPROVEMENTS ARE MODELED BASED ON FIELD SURVEY AND DRAWINGS DEVELOPED BY TRANSITION ENGINEERING INC. DATED 9/26/2024.
 - ALL TRESTLE COMPONENTS ARE EXISTING AND TO REMAIN IN PLACE

VERTICAL DATUM CONVERSION

NAVD 88 DATUM	MLW DATUM
+2.1' MHW	EL. 4.4' MHW
-0.1' MTL	EL. 2.2' MTL
-2.3' MLW	EL. 0' MLW



Jacobs
100 Great Meadow Road, Suite 707
Wethersfield, CT 06109

DESIGNED BY:	MAA	SCALE AS NOTED			
CHECKED BY:	MDA				
DATE:	NOVEMBER 2025	REVISIONS		REVISIONS	
SHEET:	6	NO.	DATE	NO.	DATE
OF:	6				

PROPERTY OF BDPS, LLC
EAST PROVIDENCE EXISTING CONDITIONS RHODE ISLAND
SECTION AND DETAILS

Appendix H. Miscellaneous Agency Correspondence



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
GREATER ATLANTIC REGIONAL FISHERIES OFFICE
55 Great Republic Drive
Gloucester, MA 01930

January 31, 2025

Ms. Nicole Lineberry
Principal Environmental Scientist
Natural Resources Unit, Environmental Division
Rhode Island Department of Transportation
360 Lincoln Avenue
Warwick, RI 02888

Re: Washington Bridge North #700 Demolition

Dear Ms. Lineberry:

We have reviewed the proposed changes for the Washington Bridge North #700 demolition project in Providence and East Providence, Rhode Island. This project was originally submitted and approved on May 20, 2024 under the Federal Highway Administration (FHWA) Programmatic Essential Fish Habitat Consultation and General Concurrence for Select Transportation Actions in the NMFS Greater Atlantic Region (2024). The project scope, at that time, was to use spud barges to remove the superstructure of the bridge only while keeping the bridge's piers in place to be reused during the replacement of the bridge. However, after approval under the FHWA programmatic agreement, the Rhode Island Department of Transportation (RIDOT) determined that complete demolition of the bridge substructure (ie. the piers) is also necessary to accommodate the future replacement of the bridge. The remaining pier structures do not conform to current design standards, and therefore are now proposed to be demolished and eventually replaced. The proposed demolition work described herein exceeds the thresholds identified in the FHWA programmatic and consequently requires reinitiation of an individual EFH consultation. We previously met with RIDOT, the Rhode Island Department of Environmental Management (RIDEM), the U.S. Army Corps of Engineers (USACE) and other resource agencies on September 3, 2024 to discuss the proposed changes to the project, and on January 6, 2025, we received an email from you reinitiating Essential Fish Habitat (EFH) consultation due to the proposed changes.

The project proposes removing the in-water pier structures (piers 4 through 9 along with piers 1R, 2R, and 3R associated with the Gano Street Boat Ramp) to the mudline, and protecting the existing fendering system between Piers 6 and 7 with sheet piling. To reduce project costs and schedule delays associated with cofferdams, the goal is to conduct the pier demolition work in the wet within the allowed in-water work window (July 1 to January 31) with the use of silt curtains for sediment control. The in-water pier demolition would be accomplished by a hydraulic ram working from a barge with debris removal completed by an excavator equipped with a grapple or bucket. Due to limited visibility, the hydraulic-ram work would be completed by operator feel. Divers would be deployed to inspect the riverbed for final debris removal. All bridge demolition work will be performed from construction spud barges. You indicated in the EFH assessment that this work will result in 34,424 square feet (SF) of temporary impacts and



265 SF of permanent impacts for a total of 34,689 SF of impacts to the Seekonk River and its habitats.

The Magnuson-Stevens Fishery Conservation and Management Act (MSA) and the Fish and Wildlife Coordination Act (FWCA) require federal agencies to consult with one another on projects such as this. Insofar as a project involves EFH, as this project does, this process is guided by the requirements of our EFH regulation at 50 CFR 600.920, which mandates the preparation of EFH assessments and generally outlines your agency's obligations in this consultation procedure. Additionally, a distinct and further EFH consultation must be reinitiated pursuant to 50 CFR 600.920(l) if new information becomes available or the project is revised in such a manner that affects the basis for the previous EFH conservation recommendations. Since full removal of the bridge piers was not proposed at the time of previous EFH consultation, reinitiation of EFH consultation is required. Based on our preliminary assessment, we have determined the proposed changes, since the May 2024 FHWA programmatic EFH consultation will cause adverse effects to fisheries habitats, and we offer the following comments and conservation recommendations for your consideration.

General Comments

The Seekonk River provides valuable habitat for a number of species with designated EFH. The project area has been designated as EFH under the MSA for 17 species including winter flounder, Atlantic cod, windowpane flounder, summer flounder and scup. Prey species like quahogs are present, and alewife and blueback herring are also sometimes present in the project area during migration periods. The substrates in the project area are primarily silt, mud and sand. The proposed project would have adverse effects on EFH and prey species from turbidity impacts and disturbance.

Turbidity Impacts

Piers 1R, 2R, 3R, and 4 through 9 would be removed to the mudline, and Piers 3 and 10 are anticipated to be removed to the top of the pedestal located at the coastal feature and left in place. Those piers that will be removed to the mudline will be demolished using a hoe-ram. Hoe-ramming is a method used in bridge demolition for the controlled breaking of concrete or rock. This method will use a hydraulic breaker (hoe-ram) attached to heavy construction machinery, like an excavator or backhoe, that provides mobility and support for the hoe-ram attachment. Operators position the hoe ram over the target concrete or rock structure, and the tool applies high-frequency, concentrated impacts to break the material into manageable pieces.

You indicated that hoe-ramming will be conducted by "operator feel," such that the operator will move the hoe-ram until they make contact with the concrete pier, and that this work will be aided with a sonar depth finder mounted to a skiff. The demolition will be completed in a series of segments with debris removal occurring simultaneously with a Cat. 374 excavator with a skeleton bucket operating from a separate work barge. Divers will then retrieve debris from the river and placed on a barge for transport to the staging area for removal and disposal or recycling at an upland processing site.

Additionally, piers 5 and 9 tremie concrete and sheet piling are exposed and will therefore be removed to the mudline using underwater cutting of the steel sheet piling. You noted that a

dedicated crew will be assigned to manage turbidity curtains throughout demolition. Turbidity curtains will be installed around the pier being demolished and up to the barge conducting demolition. Curtains will be around the pier being demolished, then moved to the next pier. These demolition activities will likely generate turbidity in the water column and riverbed.

The project area provides habitat for winter flounder spawning and juvenile development. Winter flounder eggs, once deposited on the substrate, are vulnerable to sedimentation effects in less than 1 mm of sediment. Decreased hatching success of winter flounder eggs is observed when covered in as little as 1 mm of sediment and burial in sediments greater than 2.5 mm may cause no hatch (Berry *et al.* 2011). Elevated turbidity can also impact fish species through greater utilization of energy, gill tissue damage and mortality. Egg and larval life stages may be more sensitive to suspended sediments, resulting in both lethal and sub-lethal impacts (Newcombe and Jensen 1996). To avoid such impacts, suspended sediment should be minimized during periods when these sensitive life stages are present.

Winter flounder are an important commercial and recreational species whose stocks have significantly declined in southern New England. The winter flounder commercial fishery was once a highly productive industry with annual harvests up to 40.3 million pounds. Since the early 1980s, landings have steadily declined (ASMFC, 2021). The 2020 southern New England and Mid-Atlantic stock assessments indicate the stock is overfished, and in 2019 spawning stock biomass was estimated to be 3,959 metric tons, which is only 32% of the biomass target (Northeast Fisheries Science Center, 2020). The stock status of this commercially and ecologically important fish underscores the importance of protecting winter flounder EFH. You indicated that turbidity curtains will be used throughout construction, and that a time of year restriction would be adhered to during the winter flounder spawning periods. We support the project team's use of these best management practices for the protection of sensitive life stages of winter flounder. Additionally, we support conducting a post-demolition bathymetric survey to ensure that all fallen debris is removed from the river bottom, and that substrates and habitats are returned to pre-construction conditions.

The Seekonk River also provides a migratory pathway, spawning, nursery and forage habitat for diadromous fish such as river herring, inclusive of both alewife (*Alosa pseudoharengus*) and blueback herring (*Alosa aestivalis*), hickory shad (*Alosa mediocris*), striped bass (*Morone saxatilis*), and American eel (*Anguilla rostrata*). These species use estuarine systems, including the Seekonk River, to reach freshwater streams and rivers for migrating, spawning, and nursery functions. River herring have complex life cycles where individuals spend most of their lives at sea then migrate great distances to return to freshwater rivers to spawn during the late winter and spring. American shad (stocks north of Cape Hatteras, N.C.), alewife, and blueback herring are believed to be repeat spawners, generally returning to their natal rivers to spawn (Collette and Klein-MacPhee 2002). Given their dependence on both freshwater and marine environments, these diadromous species face a unique set of challenges that have led to significant declines in their populations. Stocks of both species of river herring remain depleted after decades of investment in their recovery (ASMFC, 2024). The Atlantic striped bass stock is considered overfished but is not experiencing overfishing (ASMFC, 2022). American eel remain in a depleted stock status, with insufficient data to determine if they are experiencing overfishing (ASMFC, 2023). Alosines are important forage for several species managed by the New England Fishery Management Council as they provide trophic linkages between freshwater/estuarine and

marine food webs. Maintaining unimpeded connectivity of marine habitats to Narragansett Bay and its tributaries is essential for the survival of these species in New England. As such, it is vital that construction activities, equipment and sediment controls do not obstruct the river in any ways that inhibit migratory fish passage for diadromous species.

EFH Conservation Recommendations

Section 305(b)(2) of the MSA requires all federal agencies to consult with NMFS on any action authorized, funded, or undertaken by that agency that may adversely affect EFH. The Seekonk River has been identified as EFH under the MSA for 17 federally-managed species. We recommend pursuant to Section 305(b)(4)(A) of the MSA that you adopt the following EFH conservation recommendations:

1. Hydroacoustic and turbidity producing work should be completed outside of the provided Time of Year Restriction from Feb 1 to June 30 any given year, to minimize adverse effects to winter flounder, river herring, hickory shad, and American eel (NOAA trust resources).
2. If the TOY restriction above cannot be followed, then cofferdams should be used to minimize sedimentation and acoustic impacts within the surrounding areas and allow for demolition of piers and superstructure components in the dry.
3. Protective shielding or a debris containment system should be used to prevent any debris from falling into the open water. All demolition debris should be recovered and removed from the project site.
4. Sediment controls (e.g. cofferdams) should not encroach >25% of the width of the river from OHW from Feb. 1 to June 30 to protect upstream diadromous fish passage and spawning winter flounder.

Please note that Section 305(b)(4)(B) of the MSA requires you to provide us with a detailed written response to these EFH conservation recommendations, including a description of measures you adopt for avoiding, mitigating or offsetting the impact of the project on EFH. In the case of a response that is inconsistent with our recommendations, Section 305(b)(4)(B) of the MSA also indicates that you must explain your reasons for not following the recommendations. Included in such reasoning would be the scientific justification for any disagreements with us over the anticipated effects of the proposed action and the measures needed to avoid, minimize, mitigate or offset such effects pursuant to 50 CFR 600.920(k). Please also note that a distinct and further EFH consultation must be reinitiated pursuant to 50 CFR 600.920(l) if new information becomes available or the project is revised in such a manner that affects the basis for the above EFH conservation recommendations.

Endangered Species Act

Threatened and endangered species under our jurisdiction may be present in the action area, and consultation pursuant to section 7 of the Endangered Species Act of 1973 is required. If you have any questions regarding the status of this consultation, please contact Roosevelt Mesa at 978-281-9186 or roosevelt.mesa@noaa.gov.

Conclusion

In summary, due to the potential for adverse effects to NMFS trust resources, we recommend the above measures to avoid, minimize and mitigate permanent impacts to EFH. We look forward to working with you on this matter and providing continued guidance on the avoidance, minimization and mitigation of adverse effects to federally-managed species and their habitats. If you have any questions regarding information in this letter, please contact Sabrina Pereira at sabrina.pereira@noaa.gov.

Sincerely,



Louis A. Chiarella
Assistant Regional Administrator
for Habitat and Ecosystem Services

cc: Michael D'Alessandro, FHWA
Carlos Padilla, FHWA
Matthew Hackett, USACE
Eric Schneider, RIDEM
Roosevelt Mesa, NOAA PRD

References

- Atlantic States Marine Fisheries Commission. 2021. <http://www.asmfmc.org/species/winter-flounder>
- ASMFC. 2022. Atlantic Striped Bass Stock Assessment Update. Atlantic States Marine Fisheries Commission, Arlington, VA. 191 p.
- ASMFC. 2024. River Herring benchmark Stock Assessment and Peer Review Report. Atlantic States Marine Fisheries Commission, Arlington, VA.
- Auster, P.J. 1998. A conceptual model of the impacts of fishing gear on the integrity of fish habitats. *Conservation Biology* 12:1198-1203.
- Auster, P.J. and R. Langton. 1999. The effects of fishing on fish habitat. *American Fisheries Society Symposium* 22:150-187.
- Berry, W.J., Rubenstein, N.I., Hinchey, E.K., Klein-Mac-Phee, G. and Clarke, D.G. 2011. Assessment of dredging-induced sedimentation effects on winter flounder (*Pseudopleuronectes americanus*) hatching success: results of laboratory investigations. Proceedings of the Western Dredging Association Technical Conference and Texas A&M Dredging Seminar. Nashville, TN June 5-8, 2011.
- NEFSC. 2020. Southern New England Mid-Atlantic Winter Flounder 2020 Assessment Update Report, Northeast Fisheries Science Center, Woods Hole, Massachusetts
- Newcombe, C.P. and Jenson, O.T. 1996. Channel suspended sediment and fisheries: a synthesis for quantitative assessment of risk and impact. *North American Journal of Fisheries Management* 16(4):693-727.
- Nizinski, M. S. 2002. Sand lances, Family Ammodytidae. In B. B. Collette, & G. Klein-MacPhee (Eds.), *Bigelow and Schroeder's Fishes of the Gulf of Maine*, 3rd ed. (pp. 496–505). Washington, DC: Smithsonian Institution Press.

Appendix A. Verification Form (updated December 10, 2020)

Federal Highway Administration (FHWA) or the applicable state Department of Transportation (DOT) shall submit a signed version of this completed form, together with any project plans, maps, supporting analyses, etc., to NOAA's National Marine Fisheries Service (NMFS), Greater Atlantic Regional Fisheries Office, Protected Resources Division (GARFO PRD) at nmfs.gar.esa.section7@noaa.gov with "FHWA GARFO NLAA Program: [Project Title or Number]" in the subject line. **Note:** project design contractors and/or consultants may assist in preparing the form, but only FHWA/DOT staff shall sign off on it on the final page.

Project Activity Type (check all that apply to the entire action):

- 1. Bridge repair, demolition, or replacement project
- 2. Culvert repair or replacement project
- 3. Dock, pier, or waterway access project (includes construction, demolition, and repairs)
- 4. Slope stabilization project

Transportation Project Information

Name of Project:	Washington Bridge North #700 Demolition		
Reinitiation (Yes/No):	Yes		
State DOT/Program:	RIDOT		
DOT ID Code:	PTSID 2608T		
Contact Person:	Nicole Lineberry		
Phone:	401-921-1945	Email:	nicole.leporacci@dot.ri.gov
Project Latitude (e.g., 42.625884):	41.819680		
Project Longitude (e.g., -70.646114):	-71.388534		
Maximum Water Depth (m)	9.0		
Anticipated Project Start Date:	7/1/25	Anticipated Project End Date:	12/31/25
City/Town:	Providence/East	Water body:	Seekonk River
Project/Action Description and Purpose:	<p>Project Purpose/Description: The Rhode Island Department of Transportation (RIDOT) is advancing final design and construction to demolish the existing Washington Bridge North No. 070001 (hereinafter Washington Bridge No. 700). This facility spans the Seekonk River and, until recently, carried Interstate Route 195 (I-195) Westbound from East Providence to Providence. In December 2023 critical deficiencies were identified in certain structural components that, in the interest of public health and safety, required that RIDOT close the bridge to all vehicular traffic. At the time the bridge closure was put in place, a RIDOT contract to repair/rehabilitate the existing bridge (Bridge Group 57T-10: I-195 Washington North Phase 2, RI Contract No. 2021-DB-020) was underway, through which the critical deficiencies in the structure were identified. Through subsequent evaluations and analysis of alternatives, the Department has determined that the existing Washington Bridge No. 700 is beyond repair and must be replaced. The first phase of this project will be the demolition of the existing structure. The purpose of the proposed bridge project is to restore this critical link in the surface transportation system to full functionality as expeditiously as possible. The primary purpose of the demolition project is to accommodate the future replacement of this critical infrastructure asset. Demolition and replacement of this asset will have immediate positive impacts to safety, resilience, and economic benefits which are currently compromised. To this end, the Department has advanced the Washington Bridge No. 700 demolition through best value design-build (DB) procurement. A request</p>		

ESA-listed species and/or critical habitats in the action area (Check all that apply)

<input checked="" type="checkbox"/>	Atlantic sturgeon (all DPSs)	<input checked="" type="checkbox"/>	Kemp's ridley sea turtle
<input type="checkbox"/>	Atlantic sturgeon critical habitat Indicate which DPS (GOM, NYB, Chesapeake Bay DPSs): Select DPS	<input checked="" type="checkbox"/>	Loggerhead sea turtle (Northwest Atlantic DPS)
<input checked="" type="checkbox"/>	Shortnose sturgeon	<input checked="" type="checkbox"/>	Leatherback sea turtle
<input type="checkbox"/>	Atlantic salmon (GOM DPS)	<input checked="" type="checkbox"/>	North Atlantic right whale
<input type="checkbox"/>	Atlantic salmon critical habitat (GOM DPS)	<input type="checkbox"/>	North Atlantic right whale critical habitat
<input checked="" type="checkbox"/>	Green sea turtle (North Atlantic DPS)	<input checked="" type="checkbox"/>	Fin whale

* Please consult GARFO PRD's ESA Section 7 Mapper for ESA-listed species and critical habitat information for your action area at: <https://www.fisheries.noaa.gov/new-england-mid-atlantic/consultations/section-7-species-critical-habitat-information-maps-greater>.

The following stressors are applicable to the action:

- Underwater Noise
- Impingement/Entrainment and Entanglement
- Water Quality/Turbidity
- Habitat Alteration
- Vessel Traffic

Impacts Table

Habitat Alteration		
	Permanent (acres)	Temporary (acres)
Sand (saline)		0.79
Silt/Mud/Clay (saline)		0.79
Hard bottom (saline)		
Submerged Aquatic Vegetation (SAV) (saline)		
Sand (freshwater)		
Silt/Mud/Clay (freshwater)		
Hard bottom (freshwater)		
Submerged Aquatic Vegetation (SAV) (freshwater)		
Total amount of habitat alteration	0.79	
In-water Construction Impacts		
	Amount in meters	
Width of water body in action area (m)	260.0	
Stressor category that extends furthest distance into water body (e.g.; underwater noise, turbidity plume)	underwater noise - hoe-ram	
Maximum extent of stressor into the water body (m)	1,313.8	

Project Design Criteria (PDC) Checklist

FHWA/DOT shall incorporate all general PDCs and all applicable PDCs in the appropriate stressor categories. For any PDCs that are not incorporated, additional justification is required for a project to be eligible for the NLAA Program. FHWA/DOT shall check the corresponding box for each PDC that is, or will be, incorporated into the project or indicate if not applicable.

GENERAL PDCs			
Yes	N/A	PDC #	PDC Description
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1.	Ensure all operators, employees, and contractors are aware of all FHWA environmental commitments, including these PDC, when working in areas where ESA-listed species may be present or in critical habitat.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2.	No portion of the proposed action will individually or cumulatively have an adverse effect on ESA-listed species or critical habitat.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	3.	No portion of the proposed action that may affect the GOM DPS of Atlantic salmon will occur in the tidally influenced portion of rivers/streams where their presence is possible from <u>April 10 through November 7</u> . The range of the GOM DPS only occurs in Maine. Note: If the project will occur within the geographic range of the GOM DPS Atlantic salmon but their presence is not expected following the best available commercial scientific data, the work window does not need to be applied. Please attach best available information (i.e. local fisheries biologist correspondence).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4.	No portion of the proposed action that may affect shortnose or Atlantic sturgeon will occur in areas identified as spawning grounds as follows: i. Gulf of Maine: Apr 1-Aug 31 ii. Southern New England/New York Bight: Mar 15-Aug 31 iii. Chesapeake Bay: Mar 15-Jul 1 and Sep 15-Nov 1 Note: If river specific information exists that provides better or more refined time of year information, those dates may be substituted with NMFS approval.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	5.	No portion of the proposed action that may affect shortnose or Atlantic sturgeon will occur in areas identified as overwintering grounds where dense aggregations are known to occur as follows: i. Gulf of Maine: Oct 15-Apr 30 ii. Southern New England/New York Bight: Nov 1-Mar 15 iii. Chesapeake Bay: Nov 1-Mar 15 Note: If river specific information exists that provides better or more refined time of year information, those dates may be substituted with NMFS approval.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	6.	Within designated critical habitat for Atlantic sturgeon, no work will affect hard bottom substrate (e.g., rock, cobble, gravel, limestone, boulder, etc.) in low salinity waters (i.e., 0.0-0.5 parts per thousand) (PBF 1).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7.	Work will result in no or only temporary/short-term changes in water temperature, water flow, salinity, or dissolved oxygen levels.

Yes	N/A	PDC #	PDC Description
<input type="checkbox"/>	<input type="checkbox"/>	8.	If ESA-listed species are (a) likely to pass through the action area at the time of year when project activities occur; and/or (b) the project will create an obstruction to passage when in-water work is completed, then a zone of passage (~50% of water body) with appropriate habitat for ESA-listed species (e.g., depth, water velocity, etc.) must be maintained (i.e., physical or biological stressors such as turbidity and sound pressure must not create barrier to passage).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	9.	The project will not adversely impact any submerged aquatic vegetation (SAV) or oyster reefs.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	10.	No blasting or use of explosives will occur.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	11.	No in-water work on large dams or tide gates (small dam and tide gate repairs may be permitted with prior review and approval from NMFS).

UNDERWATER NOISE PDCs			
Yes	N/A	PDC #	PDC Description
<input checked="" type="checkbox"/>	<input type="checkbox"/>	12.	<p>If pile driving is occurring during a time of year when ESA-listed species may be present, and the anticipated noise is above the behavioral noise threshold, a “soft start” is required to allow animals an opportunity to leave the project vicinity before sound pressure levels increase. <i>In addition to using a soft start at the beginning of the work day for pile driving, one must also be used at any time following cessation of pile driving for a period of 30 minutes or longer.</i></p> <p><u>For impact pile driving:</u> pile driving will commence with an initial set of three strikes by the hammer at 40% energy, followed by a one minute wait period, then two subsequent three-strike sets at 40% energy, with one-minute waiting periods, before initiating continuous impact driving.</p> <p><u>For vibratory pile installation:</u> pile driving will be initiated for 15 seconds at reduced energy followed by a one-minute waiting period. This sequence of 15 seconds of reduced energy driving, one-minute waiting period will be repeated two additional times, followed immediately by pile-driving at full rate and energy.</p>

Yes	N/A	PDC #	PDC Description
<input type="checkbox"/>	<input type="checkbox"/>	13.	<p>If the project includes non-timber piles*, please attach your calculation to this verification form showing that the noise is below the injury thresholds of ESA-listed species in the action area. The GARFO Acoustic Tool can be used as a source, should you not have other information: https://www.fisheries.noaa.gov/new-england-mid-atlantic/consultations/section-7-consultation-technical-guidance-greater-atlantic.</p> <p>*Effects from timber and steel sheet piles were analyzed in the NLAA programmatic consultation, so no additional information is necessary.</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	14.	Any new pile-supported structure must involve the installation of no more than 50 piles (below MHW).

Pile material (e.g., steel pipe, concrete)	Pile diameter/width (inches)	Number of piles	Installation method (e.g., impact hammer, vibratory start and then impact hammer to depth, drilling)
Steel Sheet Piles	15	134	vibratory hammer
Hoe-Ram	12	4	impact hammer

IMPINGEMENT/ENTRAINMENT AND ENTANGLEMENT PDCs			
Yes	N/A	PDC #	PDC Description
<input type="checkbox"/>	<input checked="" type="checkbox"/>	15.	<p>If excavating or dredging, only mechanical buckets, hydraulic cutterheads, or low volume hopper dredges (e.g., CURRITUCK, ≤300 cubic yard maximum bin capacity) may be used.</p> <p>Note: We consider excavating a smaller scale form of mechanical dredging.</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.	<p>No new excavation or dredging in Atlantic sturgeon or salmon critical habitat (excavation in a prior construction footprint or maintenance dredging is permitted, but still must meet all other PDCs). New excavation or dredging outside Atlantic sturgeon or salmon critical habitat is limited to one-time events (e.g., burying a cable or utility line) and minor (≤2 acres) expansions of areas already subject to prior excavation or maintenance dredging. Locating a replacement bridge within 250 feet (centerline to centerline) of an existing bridge and excavation of sediment around bridge piers are considered work in a previous construction footprint.</p> <p>Note: We consider excavating a smaller scale form of mechanical dredging.</p>

Yes	N/A	PDC #	PDC Description
<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.	Temporary intakes related to construction are prohibited in sturgeon and salmon spawning, rearing, or overwintering habitat during the time of year windows identified in General PDCs 3-5. If utilized outside those areas and times of year and in an area with anticipated sturgeon and salmon presence, temporary intakes must be equipped with 2-millimeter wedge wire mesh screening and must not have greater than 0.5 feet per second intake velocities, to prevent impingement or entrainment of juvenile and early life stages of these species.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	18.	Work behind cofferdams, turbidity curtains, or other instruments that prevent access of animals to the project area is required when ESA-listed species are likely to be present (if presence is limited to rare, transient individuals, access control measures are not necessary). Once constructed, work inside a cofferdam at any time of year may be permitted with NMFS approval, provided the cofferdam is installed/removed outside the time-restricted period.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	19.	No new permanent surface water withdrawal, water intakes, or water diversions.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	20.	Turbidity control measures, including cofferdams, must be designed to not entangle or entrap ESA-listed species.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	21.	Any in-water lines, ropes, or chains must be made of materials and installed in a manner to minimize or avoid the risk of entanglement by using thick, heavy, and taut lines that do not loop or entangle. Lines can be enclosed in a rigid sleeve.

WATER QUALITY/TURBIDITY PDCs			
Yes	N/A	PDC #	PDC Description
<input type="checkbox"/>	<input checked="" type="checkbox"/>	22.	In-water offshore disposal may only occur at designated disposal sites that have already been the subject of ESA section 7 consultation with NMFS and where a valid consultation is in place.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	23.	Any temporary discharges must meet state water quality standards (e.g., no discharges of substances in concentrations that may cause acute or chronic adverse reactions, as defined by EPA water quality standards criteria).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	24.	Only repair, upgrades, relocations, and improvements of existing discharge pipes or replacement in-kind are allowed; no new construction of untreated discharges.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	25.	Work behind cofferdams, turbidity curtains, or other instruments to control turbidity is required when operationally feasible and ESA-listed species are likely to be present (if presence is limited to rare, transient individuals, turbidity control methods are not necessary).

HABITAT ALTERATION PDCs			
Yes	N/A	PDC #	PDC Description
<input checked="" type="checkbox"/>	<input type="checkbox"/>	26.	Minimize all new waterward encroachment and permanent fill.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	27.	In Atlantic salmon critical habitat, stream simulation design with a minimum span of 1.2 bankfull width will be used in areas with minimal tidal influence. In tidal areas, a design that allows for unimpeded flow will be used (no delay in water entering or exiting the area upstream of the crossing).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	28.	In Atlantic salmon critical habitat, no culvert end extensions, invert line culvert rehabilitation, or slipline culvert rehabilitation may occur.

VESSEL TRAFFIC PDCs			
Yes	N/A	PDC #	PDC Description
<input checked="" type="checkbox"/>	<input type="checkbox"/>	29.	Maintain project (i.e., construction) vessels operating within the action area to speed limits below 10 knots and dredge vessels to speeds of 4 knots maximum, while dredging.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	30.	Maintain a 1,500-foot buffer between project (i.e., construction) vessels and ESA-listed whales and a 300-foot buffer between project vessels and sea turtles. This also applies to dredge vessels.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	31.	The number of project (construction) vessels must be limited to the greatest extent possible, as appropriate to size and scale of project.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	32.	The project must not result in the permanent net increase of commercial vessels.

Justification for NLAA Determination if not Incorporating All PDC

If the project is not in compliance with all of the general and stressor-based PDCs, but you can provide justification and/or special conditions to demonstrate why the project still meets the NLAA determination and is consistent with the aggregate **effects considered** in the programmatic consultation, you may still certify your project through the NLAA program using this verification form. Please identify which PDCs your project does not meet (e.g., PDC 9, PDC 15, PDC 22, etc.) and provide your rationale and justification for why the project is still eligible for the verification form. Project modifications must not result in different effects not already considered.

To demonstrate that the project is still NLAA, you must explain why the effects on ESA-listed species or critical habitat are **insignificant** (i.e., too small to be meaningfully measured or detected) or **discountable** (i.e., extremely unlikely to occur). **Please use this language in your justification.**

PDC#	Justification
8	<p>When applying the pile driving acoustic tool, hoe-ramming has the potential for behavioral disturbance up to 1313.8 meters from the pile strike location for fish and has a potential for cumulative injury up to 242.8 meters from the pile strike location for fish that are equal to or larger than 2 grams. Sturgeon below 2 grams (early life stages) are not found within the action area. The behavioral disturbance distance of 1313.8 meters exceeds the width of the water body (260 m) leaving no zone of passage and the cumulative injury at up to 242.8 meters leaves less than 50% zone of passage. To be exposed to potentially injurious levels of noise during hoe-ramming, a sturgeon would need to be within 242.8 meters of the activity for a prolonged time period. However, this is unlikely to occur because it is expected that sturgeon would modify their behavior at 1313.8 meters [150 db RMS behavioral threshold distance] and quickly move away from the area before injury levels are reached. Behavioral effects, such as avoidance.</p>
13	<p>When applying the pile driving acoustic tool, hoe-ramming has the potential for injury up to 242.8 meters for sturgeon equal to or greater than 2 grams from the pile strike location and the peak isopleth injury threshold may be exceeded at 4.5 meters. To be exposed to potentially injurious levels of noise during hoe-ramming, a sturgeon would need to be within 242.8 meters [distance to the 187 dB cSEL isopleth] of the pile being driven for a prolonged time period. However, this is unlikely to occur because it is expected that sturgeon would modify their behavior at 1313.8 meters [150 db RMS behavioral threshold distance] and quickly move away from the area before peak injury levels are reached. Sturgeon that may be present are also transient as there are no overwintering aggregations or spawning areas, and the species may only pass through at varying intervals to opportunistically migrate and forage. In addition, PDC 12 will be followed, and a "soft start" will be used to allow animals an opportunity to leave the project vicinity.</p>

FHWA/DOT Verification of Determination (To be filled out by FHWA/DOT staff only)

By submitting this Verification Form, FHWA, or the state DOT as FHWA's designated non-federal representative, indicates that they determined that the proposed activity described above is not likely to adversely affect (NLAA) ESA-listed species or designated critical habitat under NMFS jurisdiction in accordance with the Program, and all effects (direct, indirect, interrelated, and interdependent) are either insignificant (so small they cannot meaningfully be measured, detected, or evaluated) or discountable (extremely unlikely to occur).

<input type="checkbox"/>	In accordance with the FHWA GARFO NLAA Program, we have determined that the action complies with all applicable PDCs and is not likely to adversely affect listed species.	
<input checked="" type="checkbox"/>	In accordance with the FHWA GARFO NLAA Program, we have determined that the action is not likely to adversely affect listed species per the justifications and/or special conditions provided above.	
FHWA/DOT Signature:		Date:
Nicole Lineberry <small>Digitally signed by Nicole Lineberry DN: C=US, E=nicole.leporacci@dot.r.i.gov, O=RIDOT, OU="Environmental Division", CN=Nicole Lineberry Reason: I am the author of this document Date: 2025.01.15 08:38:03-05'00'</small>		01/15/2025

By providing your determination and signature, you are certifying that to the best of your knowledge the information provided in this form is accurate and based upon the best available scientific information. This form must be filled out and signed by FHWA or state DOT staff, as an officially designated non-federal representative.

GARFO PRD Concurrence (To be filled out by GARFO PRD)

After receiving the Verification Form, GARFO PRD will contact FHWA/DOT with any concerns and indicate whether GARFO PRD concurs with FHWA/DOT's determination.

<input type="checkbox"/>	In accordance with the FHWA GARFO NLAA Program, GARFO PRD concurs with FHWA/DOT's determination that the action complies with all applicable PDCs and is not likely to adversely affect listed species or critical habitat.	
<input checked="" type="checkbox"/>	In accordance with the FHWA GARFO NLAA Program, GARFO PRD concurs with FHWA/DOT's determination that the action is not likely to adversely affect listed species or critical habitat per the justifications and/or special conditions provided above.	
<input type="checkbox"/>	GARFO PRD does not concur with FHWA/DOT's determination that the action complies with the applicable PDCs (with or without justifications), and recommends an individual Section 7 consultation to be completed independent from the FHWA GARFO NLAA Program.	
GARFO PRD Signature:		Date:
MESA GUTIERREZ.ROOSEVELT.AN DRES.1586982881 <small>Digitally signed by MESA GUTIERREZ.ROOSEVELT.ANDRES.158 6982881 Date: 2025.01.16 16:10:15 -05'00'</small>		01/15/2025

Wood, Craig

From: Thalhauser, Jenifer E CIV USARMY CENAE (USA) <Jenifer.E.Thalhauser@usace.army.mil>
Sent: Monday, September 23, 2024 7:01 AM
To: Leporacci, Nicole (DOT); Hackett, Matthew Raymond CIV USARMY CENAE (USA); Breen, Daniel B CIV USARMY CENAE (USA)
Cc: Hamilton, Heather (DOT); Richardson, Alisa (DOT); Johnstone, Erik (DOT); Comeau, Christina M CIV USARMY CENAE (USA); Pompei, Anthony (DOT); Wood, Craig; Stieb, Jeffrey D CIV USCG D1 (USA); Thalhauser, Jenifer E CIV USARMY CENAE (USA)
Subject: [EXTERNAL] RE: RI DOT - Emergency Situation Alteration Requests

Good morning –

For the 408 portion... I will send a letter out and this will not need a formal 408 review. You will receive conditions in this letter that will include pre and post bathymetric surveys. The purpose of this is to ensure that no debris is inadvertently dropped into and left in the channel or the offset of the channel.

If you have any questions or concerns with that approach please let me know.

Jen

From: Leporacci, Nicole (DOT) <Nicole.Leporacci@dot.ri.gov>
Sent: Friday, September 20, 2024 3:45 PM
To: Hackett, Matthew Raymond CIV USARMY CENAE (USA) <Matthew.R.Hackett@usace.army.mil>; Thalhauser, Jenifer E CIV USARMY CENAE (USA) <Jenifer.E.Thalhauser@usace.army.mil>; Breen, Daniel B CIV USARMY CENAE (USA) <Daniel.B.Breen@usace.army.mil>
Cc: Hamilton, Heather (DOT) <Heather.Hamilton@dot.ri.gov>; Richardson, Alisa (DOT) <Alisa.Richardson@dot.ri.gov>; Johnstone, Erik (DOT) <erik.johnstone@dot.ri.gov>; Comeau, Christina M CIV USARMY CENAE (USA) <Christina.M.Comeau@usace.army.mil>; Pompei, Anthony (DOT) <anthony.pompei@dot.ri.gov>; craig.wood@jacobs.com
Subject: [Non-DoD Source] Re: RI DOT - Emergency Situation Alteration Requests

Good afternoon,

We wanted to follow up to confirm 408 requirements for this project so we have a clear understanding of permitting requirements.

First, I wanted to confirm if the USACE 404 has enough information to determine that this could follow emergency procedures, and if any decisions have been made.

We then would like to confirm what type of 408 coordination would be required. We would still like to confirm if a 408 permit would be necessary, or if a letter from the USACE Navigation section will be given to outline any additional conditions that must be coordinated separately as Matt mentioned below. If we receive conditions from 408 without a permit, what type of conditions may these be?

Let us know if more information is required to determine 408. I do want to reinstate that the current scope is to cut the piers down to the mudline. At our last meeting, there was not an objection to this from 404, NMFS, or the USCG, since this would not result in any impact to navigation.

Thanks,

Nicole

Nicole Lineberry

Senior Environmental Scientist

[RIDOT Environmental Division Page](#)

Natural Resources Unit, Environmental Division

Rhode Island Department of Transportation

360 Lincoln Avenue, Warwick, RI 02888

From: Hackett, Matthew Raymond CIV USARMY CENAE (USA) <Matthew.R.Hackett@usace.army.mil>
Sent: Tuesday, September 10, 2024 10:34 AM
To: Leporacci, Nicole (DOT) <Nicole.Leporacci@dot.ri.gov>; Thalhauser, Jenifer E CIV USARMY CENAE (USA) <Jenifer.E.Thalhauser@usace.army.mil>; Breen, Daniel B CIV USARMY CENAE (USA) <Daniel.B.Breen@usace.army.mil>
Cc: Hamilton, Heather (DOT) <Heather.Hamilton@dot.ri.gov>; Richardson, Alisa (DOT) <Alisa.Richardson@dot.ri.gov>; Johnstone, Erik (DOT) <erik.johnstone@dot.ri.gov>; Comeau, Christina M CIV USARMY CENAE (USA) <Christina.M.Comeau@usace.army.mil>; Pompei, Anthony (DOT) <anthony.pompei@dot.ri.gov>; craig.wood@jacobs.com <Craig.Wood@jacobs.com>
Subject: RE: RI DOT - Emergency Situation Alteration Requests

Good Morning,

I am writing to follow up on the Section 404 permitting requirements for the proposed RI DOT Washington Street bridge removal project, based on the information provided during the pre-application meeting on September 2, 2024.

At this time, the U.S. Army Corps of Engineers (USACE) cannot definitively determine the Section 404 permitting requirements due to uncertainties surrounding the permanent and temporary impacts associated with the discharge of dredged or fill materials into Waters of the U.S.

Definitions:

Permanent Impacts: Waters of the U.S. that are permanently affected by activities such as filling, flooding, excavation, or drainage. This includes permanent discharges of dredged or fill material that convert aquatic areas to dry land, increase the bottom elevation of a waterbody, or alter the use of a waterbody.

Temporary Impacts: Waters of the U.S. that are temporarily affected by activities such as filling, flooding, excavation, or drainage. These impacts are generally associated with construction activities and may involve the placement of cofferdams and construction mats, which are removed upon completion of construction. Pilings and associated structures are typically not considered a discharge of fill material. The removal of bridge piers and materials is classified as incidental fallback and not considered a discharge of fill.

Pending additional information on permanent and temporary fill impacts, you may need to submit a Pre-Construction Notification (PCN). If the project involves temporary or permanent discharges of fill, you will likely need to utilize General Permit (GP) 8: Discharges of dredged or fill material incidental to the construction of bridges. The following criteria are eligible for PCN under GP 8:

Permanent and temporary impacts ≤ 1 acre of tidal and nontidal waters.

Permanent and temporary impacts ≤ 1000 square feet in tidal submerged aquatic vegetation (SAV) areas (excluding vegetated shallows).

Permanent and temporary impacts ≤ 100 square feet in tidal vegetated shallows.

If needing a 404 verification, given the project's history of special conditions from the USACE Navigation section, it cannot be reviewed as an SV regardless of the impact level.

Please be advised that projects not authorized under General Permits (GPs) may require an Individual Permit (IP) (33 CFR 325.5(b)). The applicant must submit a separate application directly to USACE for such cases. The GPs do not influence the IP review process or exempt activities from Corps permit requirements. USACE maintains the discretion to elevate an SV to a PCN or IP, or a PCN to an IP based on considerations related to the aquatic environment or public interest (33 CFR 320.4(a)). Work in Corps jurisdiction cannot commence until USACE issues written authorization indicating approval to proceed (Refer to Sections II.A and II.B for additional IP procedures).


If the project does not involve any new discharges of fill beyond those previously authorized by USACE, a new Section 404 verification may not be required. However, a letter from the USACE Navigation section will be necessary to outline any additional conditions that must be coordinated separately.


USACE is available to further discuss the project as soon as details are available regarding the use of temporary cofferdams, the discharge of fill related to bridge substructure removal, and any additional information required concerning effects on historic properties, Essential Fish Habitat (EFH), Endangered Species Act (ESA) considerations, and other relevant regulations. I am committed to assisting with an expedited review of this project. Emergency procedures are under discussion by USACE, and I will provide a follow-up email once I have further information.

Please feel free to reach out with more information or with any questions as the project develops further.

Best regards,

Matthew Hackett
Project Manager
Regulatory Division
Transportation and Utilities Section
[U.S.Army \[u.s.army\]](#) Corps of Engineers
696 Virginia Road
Concord, MA 01742
Matthew.R.Hackett@usace.army.mil

 978-318-8321

 603-782-1458

In order to better serve you, please complete the Customer Service Survey located at:
<https://regulatory.ops.usace.army.mil/customer-service-survey/>. [regulatory.ops.usace.army.mil]