

CRMC DECISION WORKSHEET

2026-01-003

NRI TT RGG LLC ET AL

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

APPLICATION INFORMATION						
File Number	Town	Project Location		Category	Special Exception	Variance
2026-01-003	Newport	185-199 Narragansett Avenue		B	X	☐
		Plat	36			
		Owner Name and Address				
Date Accepted	1/20/2026	NRI TT RGG LLC ET AL		Work at or Below MHW		X
Date Completed	7/1/2026	c/o Turner C. Scott 122 Touro Street Newport, RI 02840		Lease Required		☐

PROJECT DESCRIPTION

Repair and stabilize section of shoreline adjacent to cliff walk

KEY PROGRAMMATIC ISSUES

Coastal Feature: Coastal Headland/Cliff/Bluff and Rocky Shore

Water Type: Type 1, Conservation Area, Atlantic Ocean

Red Book: 1.1.6(F), 1.1.8, 1.2.1(B), 1.2.2(D), 1.2.3, 1.3.1(A), 1.3.1(B), 1.3.1(G), 1.3.1(J), 1.3.5

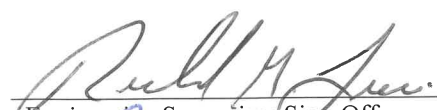
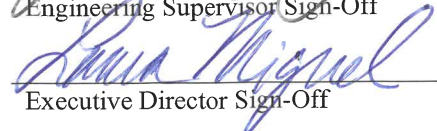
Variances and/or Special Exception Details: **At the location of the bedrock outcrop there will be filling at Section F-F (approximately stations 3+75 to 4+50). This portion of the project is considered Prohibited per CRMP Red Book Section §1.3.1.G.3.c (Shoreline Protection, Prohibitions) "Filling on a coastal feature or tidal waters beyond that which is consistent with §1.3.1(G)(5)(a) of this Part is prohibited." CRMP Red Book Section §1.3.1(G)(5)(a) (Shoreline Protection, Standards) states "All applicable standards for earthwork in § 1.3.1(B) of this Part shall be met. The base of the seawall, bulkhead, revetment or toe-of-slope protection for hybrid shoreline protection must be located as close as practicable to the shoreline feature it is designed to protect....". Also per CRMP Red Book Section 1.3.1.J.3(a) (Filling in Tidal Waters, Prohibitions) "Filling in Type 1 and 2 waters is prohibited."**

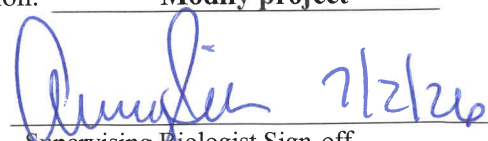
Additional Comments and/or Council Requirements:

Specific Staff Stipulations (beyond Standard stipulations):

STAFF RECOMMENDATION(S)

Engineer RML Recommendation: Modify project
Biologist ACS Recommendation: Modify project

 7/2/26
Engineering Supervisor Sign-Off date
 7/1/26
Executive Director Sign-Off date

 7/2/26
Supervising Biologist Sign-off date

Staff Sign off on Hearing Packet (Eng/Bio) date

Name: NRI TT RGG LLC ET AL
CRMC File No.: 2026-01-003
Staff Report



STATE OF RHODE ISLAND
COASTAL RESOURCES MANAGEMENT COUNCIL
STAFF REPORT TO THE COUNCIL

DATE: 7/1/2026
TO: Jeffrey M. Willis, Executive Director
FROM: Amy Silva, Supervising Environmental Scientist
Richard Lucia, PE, Supervising Engineer

Applicant's Name:	NRI TT RGG LLC ET AL
CRMC File Number:	2026-01-003
Project:	Repair and stabilize two sections of collapsed shoreline adjacent to cliff walk
Location:	185-199 Narragansett Avenue; Newport: Plat(s): 36; Lot(s): 1
Water Type/Name:	Type 1, Atlantic Ocean
Coastal Feature:	Coastal Headland/Cliff/Bluff and Rocky Shore
Plans Reviewed:	"Newport Cliff Walk Repair, Newport, Rhode Island, December, 2025...", sheets 1-21, dated December, 2025, by GZA Geoenvironmental, Inc, Stamped by Matthew J. Page, P.E.

INTRODUCTION:

The current plan requests Assent to conduct maintenance activities along the entire 550-foot length of shoreline between Webster Street and Narragansett Avenue. For ease of discussion, the area has been divided into 5 sections. Refer to the attached plan set for details.

The ownership over the length of the Cliff Walk is unclear, with this portion of the Cliff Walk being depicted on the property of the Ochre Point Estate. The Cliff Walk is a well-established and well-known public shoreline access path. Staff is unaware of, and the City has not provided, any easement for the Cliff Walk. Thus, the application has been signed by a representative of the property, and a document has been provided allowing the City to be the representative of the project.



Above: Screenshot of Newport GIS depicting the Cliff Walk within the property line of the subject lot

Summary of work proposed:

Section 1 (STA 0+00 to 1+25) - Exposed Cliff Face. A geotextile fabric is proposed with crushed stone and rip rap cover. The wall will extend to approximately MLW with a 1.5:1 slope. Grout or concrete will be used to fill existing cavity(s) in the cliff face. Large stones are proposed at the toe, landward of a new cast-in-place concrete block, and armor stones reduced in size past the 100-Year Flood Water Level. Nearly all activities will be above the MLW line.

Section 2 (STA 1+25 to 2+00) - Granite Block Wall. Rip-rap is proposed along the face of the existing granite block wall from the base flood elevation of 25' NAVD88. Wall construction will be at a 1.5:1 slope. Grout or concrete will be used to fill cavity(s) in the wall face, and/or to create base slope. Large 5'-6' stones will be placed at the toe, landward of a new cast-in-place concrete block, and armor stones will be placed beyond the 100-Year Flood Water Level. Nearly all activities will be above the MLW line.

Section 3 (STA 2+00 to 3+25) - March 3, 2022, Collapsed Area. A modular stone block wall is proposed directly below and adjacent to the Cliff Walk path. The wall will be supported by concrete filled micropiles drilled 5-feet below bedrock. A rip-rap wall is proposed to extend seaward at a 1.5:1 slope. Grout or concrete will be used to fill cavity(ies) in the cliff face. Large 5'-6' stones will be placed at the toe, landward of new cast-in-place concrete blocks, and armor stones reduced in size will be placed beyond the 100-Year Flood Water Level. Nearly all activities will be above the MLW line.

Section 4 (STA 3+25 to 4+25) - Exposed Cliff Face. Rip-rap is proposed to extend seaward from the base flood elevation of 25' NAVD88, sloping at 1.5:1. Grout or concrete will be used to fill cavity(ies) in the cliff face. Large 5'-6' stones will be placed at the toe in front of new cast-in-place concrete blocks, and armor stones reduced in size will be placed beyond the 100-Year Flood Water Level. Nearly all activities will be above the MLW line.

Section 5 (STA 4+25 to 5+50) – Granite Block Wall. The collapsed area of Section 5, landward of the existing granite block wall is proposed to be filled with crushed stone and topped with a layer of RIDOT R-8 Armor Stone. Seaward of the existing granite block wall, rip-rap is proposed to extend at a slope of 1.5:1. Large 5'-6' stones will be placed at the toe in front of new cast-in-place concrete

blocks, and armor stones reduced in size will be placed beyond the 100-Year Flood Water Level. Nearly all activities will be above the MLW line.

The current estimate is that approximately 18,242 square feet (SF) (3830 cubic yards) of permanent impacts will occur in Rhode Island tidal waters (below high tide line). At the location of the bedrock outcrop there will be filling at Section F-F (approximately stations 3+75 to 4+50). *This portion of the project is considered Prohibited per CRMP Red Book Section §1.3.1.G.3.c (Shoreline Protection, Prohibitions) "Filling on a coastal feature or tidal waters beyond that which is consistent with §1.3.1(G)(5)(a) of this Part is prohibited."* CRMP Red Book Section §1.3.1(G)(5)(a) (Shoreline Protection, Standards) states "All applicable standards for earthwork in § 1.3.1(B) of this Part shall be met. The base of the seawall, bulkhead, revetment or toe-of-slope protection for hybrid shoreline protection must be located as close as practicable to the shoreline feature it is designed to protect...". Also, per CRMP Red Book Section 1.3.1.J.3(a) (Filling in Tidal Waters, Prohibitions) "Filling in Type 1 and 2 waters is prohibited."

Application History:

There have been numerous repairs to the Cliff Walk over the duration of CRMC's Regulatory existence. The list below is representative of the applications and likely does not include all of them due to varying site descriptions and location identifiers within the limitations of the CRMC database. Highlighted rows indicate Assents that affect the subject property.

1975-09-013	Cliff walk repair	Webster St/Shepard Ave
1976-05-015	Cliff walk repair seawall, pagoda, other misc.	Memorial Boulevard/Cliff Walk
1983-04-010	Cliff walk Rock Fill Shoreline/Drains/	Narragansett Avenue/Cliff Walk
1985-12-051	Cliff Walk-Replace 40 Steps	Marine Avenue/Ledge Road/Cliff Walk
1985-12-052	Cliff Walk-restore masonry steps to water, deck repair railings, benches	Washington Street/Vanzandt/Cliff Walk
1991-02-011	cliff walk, Path/Drains/Landscape/Excavate	117 Memorial Boulevard/Cliff Walk
1991-09-028	Cliff Walk-Emergency installation of chain link fence	Narragansett Avenue/Shepard/Cliff Walk
1993-12-082	Cliff Walk Repairs	Memorial Boulevard/Bellevue/Cliff Walk
1994-02-012	Cliff Walk Seawall repairs	Memorial Boulevard Cliff Walk
1994-02-013	Cliff Walk-update-renovate pumping station	Memorial Boulevard/Cliff Walk
1994-02-059	Cliff Walk Maintenance	Memorial Boulevard/Ruggles/Cliff Walk
1994-08-095	Cliff Walk Repairs/Landscaping	Ruggles Avenue/Bellevue/Cliff Walk
1996-04-048	Cliff Walk-Seawall, Retaining Wall, Landscape, fence	245 Ruggles Avenue/Cliff Walk
1996-07-069	Cliff Walk-Pave width, Walkways, Fixtures/Curbs, landscape, fence	245 Ruggles Avenue Cliff Walk
1997-12-016	Cliff Walk-Fill Voids in Seawall	Ruggles Avenue/Cliff Walk
1999-11-027	Cliff Walk Seawall Repair	245 Ruggles Avenue Cliff Walk
2001-07-074	Tunnel Structure Repairs	597 Bellevue Avenue/Cliff Walk
2002-01-035	Cliff Walk-install timbers-Repair Wash Out Hole	Cliff Walk Terrace/Seaview Ave
2004-05-135	Cliff Walk Repairs	Cliff Walk – Ruggles Ave/Bailey's

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Staff Report

		Beach
2014-03-104	Stabilize Slope	Cliff Walk @ Rough Point/Miramar
2015-11-015	Repairs to Cliff Walk	Ruggles, Webster, Narragansett
2020-02-045	Repair retaining wall between property & Cliff Walk	185 Narragansett Ave
2022-05-058	Test borings near collapsed area of Cliff Walk	185 Narragansett Ave
2024-05-069	Repair voids below the cliff walk walkway adjacent to Miramar & Brice properties	Cliff Walk

Application Travel:

This application was submitted on December 29, 2025. Public Notice was issued on April 4, 2026, after back and forth with the applicant regarding the rip-rap along the bedrock outcrop. No comments were received. The applicant is working separately with the Army Corps of Engineers (ACOE) on their permitting requirements.

The repairs to this portion of the Cliff Walk were initially discussed at a pre-application meeting held as far back as March 28, 2023, again on September 23, 2025, and a post application-submittal meeting was held on January 20, 2026.

During all three of these meetings, staff stated that rip rap proposed in front of the rock outcrop at this area was not necessary and not likely to receive staff support. (The rip rap at the outcrop was not proposed in the draft plans discussed in 2023, however it was discussed at the September meeting, and CRMC staff engineer stated that staff would not be in support. Additionally, the engineer consultant (GZA) agreed that this was not necessary at this meeting.)

Regardless, the application was submitted with rip rap along the bedrock outcrop at the January meeting, CRMC Engineer Rich Lucia noted that the plans were different from those discussed in September and reiterated that rip rap in front of the rock outcrop did not appear to be necessary and was not a minimization of the impacts. The City of Newport informed CRMC staff that the Ochre Point owners were represented by Attorney Turner Scott and engineer Bob Fairbanks and they assert that the rip rap is necessary, particularly to avoid damage to the private “overlook” which is seaward of the Cliff Walk and situated on top of the bedrock outcrop and accessed via a “bridge” over the Cliff Walk walkway. Staff Biologist noted that the rip rap within tidal waters is a special exception, which cannot be granted for private interests.

Following the January meeting, staff sent an information request letter noting that the rip rap along the bedrock is not likely to be supported and suggested that the plans be revised. Staff also noted that the public notice would be held pending potential revisions. The City of Newport replied with the 1975 Assent, which appears to have allowed fill/rip-rap along an extensive length of shoreline including the bedrock outcrop, and requested that CRMC Proceed as submitted.

In February 2026, RIHPHC issued a lengthy letter with several questions and requests for additional details. GZA responded to this in early March 2026. In April, a supplemental engineering report was submitted by Bob Fairbanks on behalf of the Ochre Point owners.

As will be detailed below, it is staff's opinion that the portion of the repairs (rip-rap) along the bedrock outcrop at this section of the area (Section F-F (approximately stations 3+75 to 4+50) as shown on the submitted plans) are not necessary to stabilize the Cliff Walk or to repair the failures/collapse documented.

The remainder of the proposal – the repairs on either side of the bedrock outcrop - is necessary and supported by staff.

COMMENTS ON APPLICATION/APPLICABLE POLICIES, STANDARDS & ETC:

1.1.6(F)	Category B Applications	The applicant has submitted a Category B Application.
1.1.8	Special Exceptions	See Below
1.2.1(B)	Type 1 Water	See Below
1.2.2(D)	Coastal Headlands Cliffs and Bluffs	See Below
1.2.3	Areas of Historic and Archaeological Significance	See Below
1.3.1(A)	Category B Requirements	The applicant has submitted a Category B Application.
1.3.1(B)	Filling Removing or Grading Shoreline Features	See Below
1.3.1(G)	Shoreline Protection	Allowed except for area seaward of bedrock section.
1.3.1(J)	Filling in Tidal Waters	Special Exception Required – See below
1.3.5	Protection and Enhancement of the Scenic Value of the Coastal Region	The repairs to the cliff walk supported by staff will not have an adverse impact on the scenic values of this portion of the coastline.

Section 1.2.1(B): Type 1 Water- Section 1.2.1(B)(1)(b) and (c) note “(b) *Water areas that have retained natural habitat or maintain scenic values of unique or unusual significance; and (c) Water areas that are particularly unsuitable for structures due to their exposure to severe wave action, flooding, and erosion*”. It has been established that this portion of the shoreline is subject to wave action and erosion, as evidence by the collapse of the Cliff Walk structure and the many repairs done to the length of the Cliff Walk along its entire length, however staff does not agree that the rip rap proposed along the bedrock outcrop here is necessary.

Section 1.2.1(B)(2)(a) states that “*The Council's goal is to preserve and protect Type 1 waters from activities and uses that have the potential to degrade scenic, wildlife, and plant habitat values, or which may adversely impact water quality or natural shoreline types*”. The portion of the repairs that staff supports will not adversely affect these qualities. It is staff's opinion that the portion of the repairs (rip-rap) along the bedrock outcrop are not necessary, will not provide significant erosional protection and therefore will represent an adverse impact to the resources noted.

Section 1.2.2(D): Coastal Headlands Cliffs and Bluffs- Section 1.2.2(D)(1)(c) states: “*Due to their well-recognized scenic value and their use as tourist attractions and low intensity recreation areas, the Council designates the following coastal cliffs and bluffs as Coastal Natural Areas: Ocean Drive..... Cliff Walk, Purgatory Chasm..... A Council priority when considering proposed alterations on or adjacent to these features is the preservation and, where possible, the restoration of their scenic qualities*”.

Section 1.2.2(D)(1)(d) goes on to state that: “*On shorelines adjacent to Type 1 waters, the Council shall prohibit construction on or alteration of coastal cliffs and bluffs and contiguous areas where such construction or alteration has a reasonable probability of causing or accelerating erosion or degrading a generally recognized scenic vista*”.

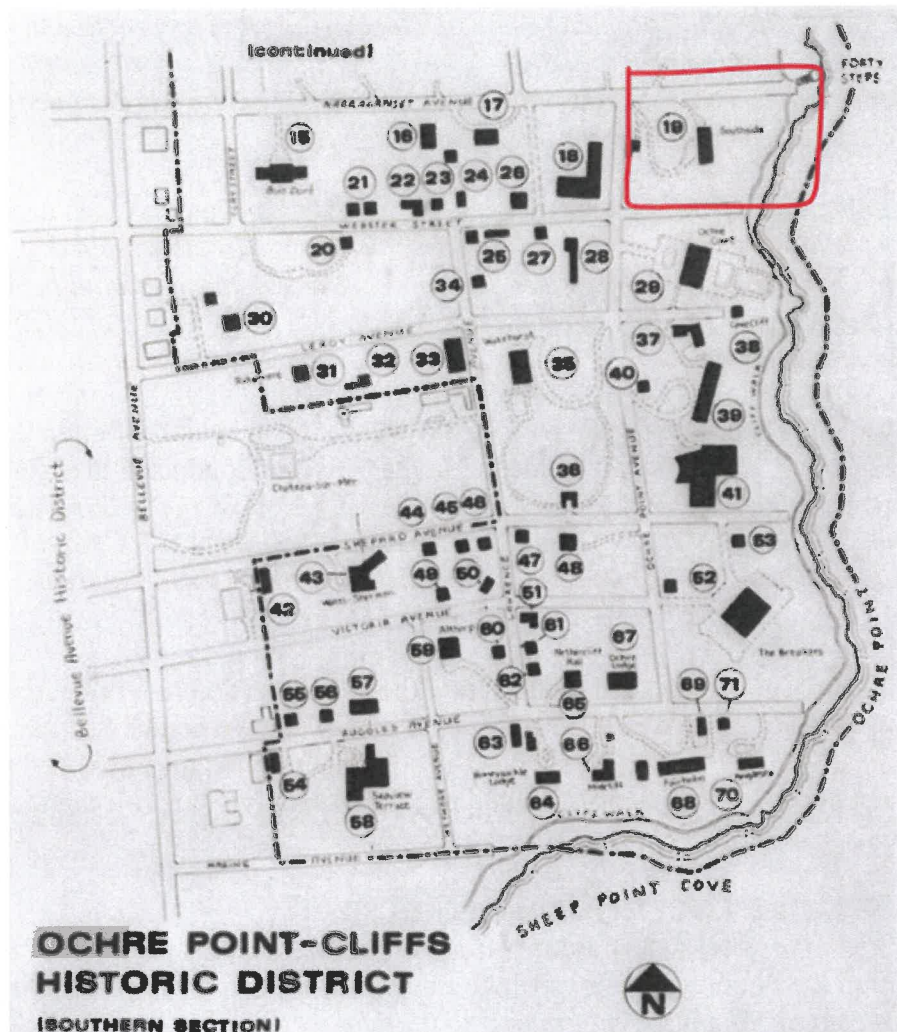
This portion of the shoreline is designated as having high scenic qualities and is a well-known public recreation area. The repairs proposed to the two areas that have collapsed will repair areas which have suffered erosion, will protect the area from further erosion, has been designed to minimize scenic impact, and will allow the public recreational use to recommence.

Section 1.2.3: Areas of Historic and Archeologic Significance- In accordance with Section 1.2.3(A)(3), the application was sent to RIHPHC for their comments and recommendations. In February 2026, RIHPHC issued a lengthy letter with several questions and requests for additional details. The design engineers (GZA) responded to this request in March. On June 29, 2026, staff received a letter from HPHC dated June 26 that concurred with RIDOT’s determination of *de minimus* impact.

The subject property is located within the Ochre Point Historic District, identified as property #19. Section 1.2.3(A)(5) states: “*Structural shoreline protection facilities may be permitted in Type 1 Waters provided that the structure is necessary to protect a structure which is currently listed in the National Register of Historic Places*”.

19. Ochre Point Avenue	"Southside," by McKim, Mead & White, 1882. Queen Anne-cum--Shingle Style; two-and-one-half stories; brick and shingle wall cover; gable roofs with numerous dormers, picturesque tall chimneys; large porch spaces on east side; variously grouped windows. **
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Entries followed by two stars are of prime importance architecturally and in relation to the development and present character of the district. Those followed by one star have lesser architectural importance but nevertheless visually support the character of the district.
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Above: screenshots from Ochre Point Historic District nomination paperwork

<https://www.newportri.gov/CityOfNewport/media/City-Hall/Departments/Plan%20-%20Eco%20Dev/Ochre-Point-Cliffs-HD-Nominating-Papers.pdf>

The CRMC received HPHC comments as well as the response from the application engineers. As structural shoreline protection is permissible in historic areas, and the RIHPHC has offered no objections, the CRMC considers the standards of Section 1.2.3 satisfied.

Section 1.3.1(G): Shoreline Protection and Section 1.3.1(J) Filling in Tidal Waters- At the location of the bedrock outcrop there will be filling of tidal waters at Section F-F (approximately stations 3+75 to 4+50) as shown on the submitted plans. This portion of the project is considered Prohibited based on it is CRMC staff opinion that the placing of riprap seaward of the bedrock outcrop is not located as close as practicable to the shoreline feature it is designed to protect. See **Comments on Special Exception** (section 1.1.8) for further technical and programmatic clarification and below for the appropriate CRMP Red Book sections.

As stated in 1.3.1(G).3.c Shoreline Protection. (Prohibitions) *“Filling on a coastal feature or tidal waters beyond that which is consistent with § 1.3.1(G)(5)(a) of this Part is prohibited.”* Proceeding to 1.3.1(G)(5)(a) Shoreline Protection (Standards) state the following: *“a. All applicable standards for earthwork in § 1.3.1(B) of this Part shall be met. The base of the seawall, bulkhead, revetment or toe-of-*

*slope protection for hybrid shoreline **protection must be located as close as practicable to the shoreline feature it is designed to protect.** (emphasis added) Nonstructural, hybrid and structural shoreline protection shall be placed landward of coastal wetlands unless the project is a marsh sill designed for wave attenuation as part of a marsh creation, enhancement, or restoration project."*

The portion of the project that is outside of stations 3+75 to 4+50 has been designed in accordance with Section 1.3.1.(G).5.i *"Riprap revetments shall be constructed of angular stone with a minimum unit weight of 165 lbs./cubic foot (such as granite). The size of stone shall be dependent upon the site's exposure to wave energy in accordance with the US Army Corps of Engineers Coastal Engineering Manual."*

Section 1.3.1(J): Filling in Tidal Waters- the proposed work that is outside the section in front of the bedrock, as described above, is considered incidental to the activities conducted in accordance with 1.3.1(G) Shoreline Protection and therefore is not prohibited. Reference 1.3.1(J).1.(g) *"Filling which is determined by the Council to be incidental to activities conducted in accordance with § 1.3.1(G) of this Part is not "filling in tidal waters" and is addressed by the policies, prerequisites, prohibitions, requirements, and standards contained in § 1.3.1(G) of this Part."*

However, any filling that is not considered incidental to the activity (Shoreline Protection) and does not meet the prohibitions of this section would be considered prohibited. Reference Section 1.3.1(J)(3)(a): *"Filling in Type 1 and 2 waters is prohibited."* It is the opinion of the reviewing staff that fill in front of the bedrock outcrop is not necessary to the proposal and is not incidental to the project and is therefore prohibited.

COMMENTS ON SPECIAL EXCEPTION (section 1.1.8):

In accordance with Section 1.3.1(J)(3)(a): Filling in Type 1 and 2 waters is prohibited. However, Section 1.3.1(J)(1) notes within the Policies situations where filling in tidal waters is permissible:

*"(c)In considering the merits of any given proposal to fill tidal waters, the Council shall weigh the public benefit to be served by the proposal against the loss or degradation of the affected public resource(s).
d. Filling may be permitted where necessary for an approved erosion control or bulkheading project, but only when it has been demonstrated that the amount of filling has been minimized in accordance with the requirements of § 1.3.1(G) of this Part."*

The majority of the repair work is on the face of the bluff, supporting the existing Cliff Walk walkway, which has been repaired in past. The filling proposed to remedy the two areas of collapse has been reviewed and considered to be the minimum necessary to prevent further erosion/undermining/collapse of the Cliff Walk structure. This work will have significant public benefit by preserving the historic public access along the shoreline and will present no adverse impact to the scenic values of the shoreline. These repairs will further address the piecemeal work that has been undertaken over the years and offer a better long-term solution.

It has long been staff opinion that supporting the overlook (private recreational area) will not be accomplished by the placement of rip-rap along the front of the bedrock outcrop in and of itself. The area of fill/rip-rap along the bedrock outcrop is not considered to be the minimum necessary to prevent further collapse of the Cliff Walk. This was stated at all three meetings as well as through a phone call between Mr. Fairbanks and Mr. Lucia.

At the January post-application meeting, at which the Ochre Point attorney and engineer were not present, staff once again reiterated to the City representatives that this portion of the project will not be supported. Both the City officials and the City engineers (GZA Associates) agreed that that portion of the proposal was not necessary. At that time the City representatives stated to staff that the Ochre Point owners required that it be part of the application in order for the city to obtain the overland access across the Ochre Point property. Staff has not confirmed this assertion. During this meeting staff stated that if the private recreational structure on top of the bedrock outcrop required maintenance, a separate application from the Ochre Point property owners would be required.

After the January meeting and the information request suggesting removal of this portion of the proposal, a supplemental narrative was submitted by the Ochre Point property's independent engineer Bob Fairbanks. According to Mr. Fairbanks, the rip rap along the bedrock outcrop is necessary to protect the private recreational structure located at the top of the bedrock outcrop. The narrative from Mr. Fairbanks states: *"The revetment being proposed would also address the concern that a failure in the overlook area of the slope could result in a failure of the stone arch bridge over the Cliff Walk walkway. The overlook supports a stone arch bridge over the walkway. A failure or movement of the overlook could result in the bridge falling onto the walkway which could injure or kill a pedestrian walking below it".* The narrative goes on to note: *"This overlook area must be protected to ensure stability of the overall slope along this area and also to ensure the bridge remains stable that the overlook supports"*.

Mr. Faribanks goes on to note that it appears that the overlook is "actively moving" through lateral movement. This may in fact be true, as it appears that the overlook is not situated directly on top of the bedrock, but on more unconsolidated material that sits on top of the bedrock. It is reviewing staff's opinion that rip-rap in tidal water at the base of the bedrock will not impact movement of any unconsolidated material under or around the overlook at the top of the bedrock outcrop. Also, it is staff opinion that the design submitted in September 2025 meeting adequately protected the north and south flanks of the outcrop without filling the seaward face of the bedrock outcrop.

Staff reiterates that if this portion of the property – that area directly adjacent to or under – the private overlook requires maintenance, a separate application addressing the needs immediately adjacent to or under the structure may be submitted and considered by staff.

Based on the policies above describing acceptable fill within tidal waters as well as shoreline protection along Type 1 Water standards, staff does not feel that the proposed work on either side of the bedrock represents a Special Exception. Should the Council agree, staff supports the issuance of a Special Exception for that work, as the continued use of the entire Cliff Walk as a public shoreline access meets the burden of "Compelling public purpose" set forth in Section 1.1.8.

Staff does not support the portion of the work along the bedrock outcrop and does not support the issuance of a Special Exception for that work. This portion, which staff does not believe will accomplish the goals stated and is considered an activity to protect a private structure, does not meet the burden of "compelling public purpose".

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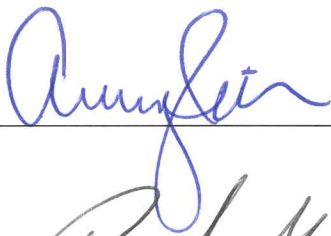
CONCLUSION & RECOMMENDATION:

As detailed above, staff supports a significant portion of this proposal. It is staff's opinion that the fill/rip-rap along the bedrock, which is noted to be specifically to protect a private structure, will not protect that structure, is not the minimum necessary to achieve the project goals (remedy the two collapsed areas of the Cliff Walk) and does not meet the burdens of proof to obtain a Special Exception.

Staff recommend that the Council modify this application to approve the work on either side of the bedrock and deny/disallow the fill/rip-rap along the bedrock area.

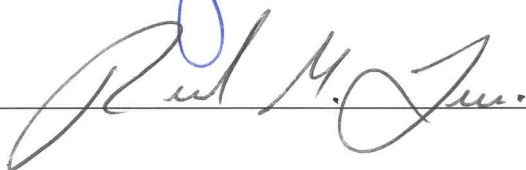
Should the Council agree and modify as recommended, revised plans would be required prior to Assent issuance.

Signed _____

A handwritten signature in blue ink, appearing to read "Amy Letin", written over a horizontal line.

Staff Biologist

Signed _____

A handwritten signature in black ink, appearing to read "Paul M. Jones", written over a horizontal line.

Staff Engineer