I. Introduction

This Supporting Documentation has been prepared by Pare Corporation (Pare) on behalf of the Rhode Island Department of Environmental Management (RIDEM) to supplement an Assent Application for the proposed Pier 'KK' Removal and Replacement project located at 45 State Street (Parcel ID: I-G-266-EX), Narragansett, RI within the Port of Galilee, and included within the Memorandum of Agreement between the RIDEM and RI Coastal Resources Management Council. This application is submitted pursuant to Part 1 of the Coastal Resources Management Council (CRMC) Coastal Management Program (the Red Book). Due to the water dependent nature of the pier replacement, work within Type 6 (Industrial Waterfronts and Commercial Navigation Channels) Tidal and Coastal Pond Waters is unavoidable. Tidal waters are also within jurisdiction of the United States Army Corps of Engineers (ACOE) as navigable Waters of the United States.

The proposed work is within the Port of Galilee (the Port) located near the Point Judith Pond breachway. The Port serves as the largest fishing facility within the State of Rhode Island and one of the largest ports along the eastern coast of the United States. According to a 2016 URI study it supports 428 total firms and a gross sale generation of over $500 million. RIDEM has begun an ongoing capital improvement project throughout the Port to bring structurally deficient assets, per ASCE Waterfront Facilities Inspections and Assessments, to a functional standard to maintain the Port's productivity. It is also the initiative of the Port to prioritize piers and other assets based upon the state of the deteriorated condition, prompting the proposed replacement of Pier 'KK' (the pier). The land and pier at the project location is owned by RIDEM (Parcel ID: I-G-266-EX). The pier and building that it supports are leased by The Town Dock, which operates a commercial fishing vessel receiving and processing facility.

The most recent project completed at or near the project location was Phase 2B oversheeting of the existing steel sheet pile bulkhead and associated landside paving (Assent No. 2025-01-056). Although Pier KK was previously submitted and approved as a maintenance application (M2026-03-065) due to its replacement-in-kind nature, the project scope has since changed. The proposed layout and associated impacts have been revised, requiring the project to be resubmitted as a Category B Assent application. The new proposed project will see the removal and replacement of Pier 'KK' with a new main pier that shall stay within the existing footprint, however an additional finger pier shall be added and the locations of the existing finger piers shall be shifted as shown in the attached plan set. The seaward extent of the pier shall not increase. The goal of the additional finger is to increase the capacity of the existing pier for growing Port operations. The additional finger pier shall result in an increase in decking area of 160.5 square foot (sf). The pier shall have the same center line location of the existing pier and the total number of piles will be increased by 15. The mooring piles between the fingers shall be removed and replaced. Existing site conditions, proposed work, and conformance with the CRMP, are discussed herein.

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II. Existing Conditions

The proposed Pier 'KK' replacement is located off of Narragansett Assessor's Plat I-G, Lot 266 (EX), within the Port of Galilee. The Pier serves as an offloading dock for the commercial fishing company, The Town Dock, with frequent use throughout the day. Adjacent properties and structures include other commercial and private fishing industries.

Based on available historical plans, Pier KK was constructed in 1982 and sustained significant damage in 2007 that required repair. The existing structure is a timber pile-supported pier extending approximately 191 feet seaward with a main pier width of approximately 8.5 feet (approximately 9.5 feet including sacrificial fendering). The pier includes four (4) finger piers extending north from the main pier, each approximately 30 feet in length. The structure is supported by 170 timber piles. Existing structural configuration, pile layout, and section details are shown on the attached plan set and supporting photographs.

In 2024, the port wide assessment noted significant section loss was discovered on the bearing piles. Note that most piles were not replaced as a part of the 2007 repairs and have exceeded their original estimated design life. The assessment recommended that the pier be replaced within three years, due to the deficiencies, with interim repairs suggested for the short-term serviceability of the pier.

Coastal Resources and Floodplain

The project site is located in Point Judith Pond, between Point Judith Harbor of Refuge and Block Island Sound. Point Judith Pond in the vicinity of the site is classified as Type 6 Waters-Industrial Waterfronts and Commercial Navigation Channels under the CRMP.

The shoreline feature in the vicinity of the site consists of a Manmade Shoreline comprised of steel sheet pile (SSP) bulkhead that runs along the length of the Port with isolated locations of timber lagging supported by steel H-Piles. The steel bulkhead portion immediately behind Pier 'KK' was oversheeted in 2003. These features are classified as Manmade Shoreline according to § 1.1.2 (A)(83) of the CRMP.

According to the FEMA Flood Insurance Rate Map for the Town of Narragansett (Community Panel 44009C0194J, effective date 10/16/2013), the seaward facing portion of the site is located in floodplain designated as Zone VE with an elevation of 15 feet (NAVD 88). Landside of the bulkhead, the area is located in Zone AE with a base flood elevation of 13 feet.

Utilities

The utilities associated with this pier are water and electrical lines that support water filled wash basins, and conveyors mounted on the deck. These utilities shall be removed and stockpiled prior to construction and reinstalled post construction of the pier. The building and other landside operations and features are not anticipated to be modified as a part of this project or scope. Fire protection required by this pier is available and compliant to the most recent fire protection plan, with no proposed work included in this project.

Drainage

Stormwater runoff generated along the project area ultimately flows off the pier and into Point Judith Pond. The proposed pier will have a minor increase of 160.5 square feet (sf), which accounts for the

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additional finger and the 6-inch narrowing of the main pier. The proposed design is a timber deck that will allow for drainage between the decking members. No work is proposed landward of the bulkhead under this Assent Application.

Historic Resources

Although the proposed work includes an increase to the footprint of the existing pier, a historical impact as a result of this scope of work is not anticipated. Coordination with the Rhode Island Historical Preservation & Heritage Commission, as well as the Narragansett Indian Tribe and Wampanoag Tribe of Gay Head (Aquinnah), has been undertaken concurrently with this permit submission to identify any historical resources near the site. No responses have been received to date.

Natural Heritage and Endangered Species

A review of RIDEM Natural Heritage Data and USFWS Information for Planning and Consultation (IPaC) Species Lists were performed in 2026. Review of the most recent RIGIS data layers on the RIDEM Environmental Resource Map indicates the site is not located in any Natural Heritage Areas (BIO_Natural_Heritage_Areas_2023.shp) and there is no submerged aquatic vegetation mapped in the vicinity of the project site (RIGIS Submerged Aquatic Vegetation and Eel Grass Data Layers).

Based upon consultation with the USFWS IPaC Tool accessed on June 29, 2026, no critical habitat for federally threatened, endangered, or candidate species were identified within the project limits. According to IPaC; two migratory birds were listed as potentially occurring within the project site including: Roseate Tern (*Sterna dougalli dougallii*) which is a listed Endangered Species and Rufa Red Knot (*Calidris canutus rufa*) which has a Status of Threatened. In addition, one mammal and one insect were identified as potentially occurring within the project site including: Tri-Colored Bat (*Myotis septentrionalis*) which is Proposed Endangered and Monarch Butterfly (*Danaus plexippus*) which is Proposed Threatened. A copy of the current IPaC Species List is provided in Section 5 of the Assent application documentation.

Based upon the NOAA Fisheries Essential Fish Habitat (EFH) Mapper Report within the Port of Galilee species potentially found within the area include, but are not limited to: Albacore Tuna (*Tunnus alalunga*), Atlantic Cod (*Gadus morhua*), Atlantic Herring (*Clupea harengus*), Bluefin Tuna (*Thunnus thynnus*), Longfin Inshore Squid (*Doryteuthis pealeii*), Pollock (*Pollachius*), Sand Tiger Shark (*Carcharias taurus*), Skipjack Tuna (*Katsuwonus pelamis*), Soothhound Shark Complex (*Mustelus*), White Shark (Carcharodon carcharias), Windowpane Flounder (*Scophthalmus aquosus*), Winter Flounder (*Pseudopleuronectes americanus*), and Yellowfin Tuna (*Thunnus albacares*). A copy of the EFH Mapper Report is included as Section 6 of this Assent Application.

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III. Proposed Project

The pier is currently functioning as a result of interim repairs described above, however it is recommended to be replaced prior to the pier losing functionality. Pier 'KK' supports fishing activity by The Town Dock along with various other lease holders. The project would include removing and reinstalling Pier 'KK' to allow for continued use as an offloading fishing pier with a more robust pier design as shown in the attached plans. The replaced pier is to be designed in accordance with applicable loads provided in the IBC, ASCE, and acceptable port designing criteria. The existing pier use will not change as a result of this replacement; however the proposed alternative would include a minor increase in size, as noted here within.

The work being proposed would be a pier extending 191 feet seaward of the bulkhead with an approximate 6-inch decrease in the permanent main pier width to 8.0-feet total, 9.0-feet total including the sacrificial fendering. The main pier will contain (5) finger piers extending to the north. This will include (1) additional finger pier with an adjustment to the finger pier locations. The (4) landward finger piers will be 30-feet long by 8-feet wide, with the most seaward finger pier being atypical at 30-feet long and 10-feet wide. The total increase in permanent decking area is approximately 160.5 sf. The proposed Pier 'KK' will not create any changes in navigational or safety issues for vessels of the adjacent pier as the distance between piers will not change. The width of the slips along the finger piers will cause slight navigational changes to berthing operations, but accommodates the suggested vessel slip widths provided by ASCE "Planning and Design Guidelines for Small Craft Harbors". Additionally, these changes in the slip width will be coordinated with the vessel owners.

The general main pier and most seaward finger configuration being proposed consist of a five-pile bent (two support, one fender on the south side, and two batters), with the pile bents spaced 10-feet on center along the pier. The general finger pier configuration being proposed consists of a three-pile bent (two support/fender and one batter), with the pile bents spaced 10-feet on center along the pier. The piles will be greenheart timber piles, which have been utilized to increase the design life of the pier. The pier superstructure will be constructed with 6x12 stringers supported by 6x12 split cap beams with 4x10 timber decking. The increase in member sizing is to better support the berthing needs while reducing the amount of mudline impact from the pilings. A secondary benefit to the proposed design is the utilization of greenheart support piles driven with higher butt elevations. By utilizing more resilient piles at a higher elevation, the intent is to limit the future replacement of the piles and allow for raising just the SYP framing, resulting in minimal mudline disturbance in the future phases.

The summary of the pile impacts is as seen below:

Existing Pier KK			
	Quantity	**Diameter**	**Total Pile Area (ft^2)**
Main Timber Support Piles	50	12"	39.2
Main Timber Batter Piles	25	12"	19.6
Main Sacrificial Timber Fender Piles	27	12"	21.2

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Finger Pier Piles	68	12”	53.4
		Total	133.4
Proposed Pier KK			
Timber Support Piles	40	12”	31.4
Timber Batter Piles	40	12”	31.4
Sacrificial Timber Fender Piles	22	12”	17.3
Finger Pier Piles	83	12”	65.2
		Net Area	11.9

The site constraints to complete the construction of this pier will result in the use of a floating barge with a crane as the land side buildings and adjacent piers do not provide ample area for stockpiling material. Based on the barge dimensions, a temporary 30-foot wide limit of disturbance is required around the pier footprint. The general limitation in the barge size will result in the need to utilize the available spacing in previously permitted stockpiling areas within the 2025-03-047 Maintenance Certification.

Turbidity barriers are proposed for pile driving and removing work and shall be used during the Time of Year Restriction as defined by the USACOE for Rhode Island. For general pier construction above MHW or work outside of the time of year restriction, turbidity barriers are not proposed to be used as the site is within an active fishing port that regularly causes turbid water conditions. In addition, installation of a turbidity barrier would potentially encroach on berthing space for adjacent piers and should the turbidity barrier become loose during non-working periods, it would hinder vessels using the navigation channel.

Removal of the decking and superstructure will involve the selective cutting of portions of the structure into manageable pieces which will then be placed in the landside staging area by the barge for removal from the site. Piles will be removed through a soft start using the vibratory hammer. The goal of the soft start will be to extract the piles in full, however if a pile snaps, it will be cut at the mudline and left in place. A soft start process with a vibratory hammer will also be used to install all new piles. Temporary H-pile falsework may be used to assist with the plumbness of the piles during installation.

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IV. Alternatives Evaluation

Due to this work's replace in kind nature, a traditional alternative analysis has been limited to three alternatives: Replace the pier in-kind, replace the pier with a modified footprint, and do nothing. The selected approach fulfills the project goals while avoiding and minimizing impacts to coastal resources and public access restrictions.

Alternative 1 – Replace the Timber Pier In-Kind: Alternative 1 includes the installation of a fixed 191 foot long by 9.5-foot-wide pier with four (4) 30-foot long by 8-feet-wide finger piers as described above in the existing conditions. The pier will connect to the existing bulkhead, as was the preexisting condition. Within this alternative, there will be two decking options, and related fendering needs, that will be selected by the leaseholder. This option would include a framing configuration as shown in the existing conditions details on the attached plan set.

Advantages of Alternative 1 (Replace the Timber Pier within the Existing Footprint) include:

- Operations would be restored to the leaseholders.
- No anticipated increase in environmental impacts anticipated as the footprint and use will remain constant.
- The operational needs of the leaseholders are expected to be met.

Disadvantages of Alternative 1 (Replace the Timber Pier within the Existing Footprint) include:

- Temporary relocation of fleet operations.

Alternative 2 – Replace the Timber Pier with a Modified Footprint: Alternative 2, the preferred alternative, includes the installation of a fixed 191 foot long by 9-foot-wide pier with four (4) 30-foot long by 8-feet-wide finger piers, and (1) 30-foot long by 10-feet-wide terminal finger pier as described above in the proposed conditions. The number of bents for the pier would be increased in spacing, from 8 feet to 10 feet, but decreased in total quantity. The bent adjustment would result in an increase in the framing members from 3” by 10” members to 6” by 12” members. The modification would alter the number of existing piles from 170 piles to 185 piles.

Advantages of Alternative 2 (Replace the Timber Pier with a Modified Footprint) include:

- Operations would be restored to the leaseholders within the Port, with an increase in port capacity.
- Increase in service life.
- The operational needs of the leaseholders are expected to be met as well as future needs of potentially larger fishing vessels are met by the proposed alternative.
- Two (2) additional berthing slips to meet the Port’s growing needs.

Disadvantages of Alternative 2 (Replace the Timber Pier with a Modified Footprint) include:

- Minorly more expensive than Alternative 1 due to the increased pier member sizes and finger quantity.
- Temporary relocation of fleet operations.
- Increase in environmental impacts as noted in the proposed pier design.

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Alternative 3 – Do Nothing: The 'do nothing' alternative is provided as an option but is not a recommended course of action as it does not meet the needs of the Port or the leaseholder.

Advantages of Alternative 3 (Do Nothing) include:

- No funds are needed to replace the pier.
- Less environmental impact.

Disadvantages of Alternative 3 (Do Nothing) include:

- Leaseholder operations are unable to continue as pier reaches an unserviceable state.
- Economic loss to the State of Rhode Island as private and commercial fisherman can no longer berth at this location

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V. Consistency with Coastal Resources Management Program

This Assent application covers all activity associated with the Construction Phase of the Pier 'KK' Removal and Replacement project located in the Port of Galilee in Narragansett, Rhode Island. According to Table 1 and Table 2 of the CRMP, the following project elements are listed as Category B activities for work within or along Tidal Waters or Manmade Shorelines associated with Type 6 waters and Contiguous Area:

- Commercial/Industrial Structures; and
- Filling in Tidal Waters.

Setbacks and Coastal Buffer Zone do not apply for the proposed project as the project purpose is water dependent, and all of the proposed work is located seaward of the shoreline. The following sections are intended to demonstrate that the project as proposed is consistent with the policies for Type 6 waters and complies with the other applicable standards of the Program.

Section 1.2.2(F) Manmade Shoreline

Filling, removal, and/or grading of the manmade Shoreline Feature is considered incidental to this work as the modification to the existing bulkhead cap will be required to accommodate the pier. However, the proposed work will be limited to the pier to bulkhead connection. The bulkhead is currently at the design elevation of the proposed pier.

Section 1.3.1(A) Category B Requirements

a. ***Demonstrate the need for the proposed activity or alteration;***

Pier 'KK' is an essential structure within the Port of Galilee and required for its leaseholder's daily commercial fishery operations. Due to existing structural deficiencies and the general aging of the pier into a poor/critical condition, replacement of the pier has been recommended as soon as funding was made available. The pier replacement project is the appropriate time to accomplish needed modifications to the pier in order to better meet the operational needs of the leaseholder and provide increased resiliency. Modifications and expansions have been limited to only what is necessary for the operability of the pier, and the replacement pier is a minor modification to the existing pier footprint which will allot for the Port's growing need for berthing locations.

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;***

The project will comply with all State and local building codes. Through other projects within the Port, an active line of communication has been kept with the local and state fire to implement needed updates to design based upon local and state requirements. The Port of Galilee is state land and is not in the town of Narragansett jurisdiction, therefore a local Building Official Form is not required for this Assent Application. A new state building permit will be applied for through the RI State Building Code

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Commission will be requested by the contractor, Narragansett Dock Works. A copy of their review can be provided upon request once finalized.

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

The project area is more completely described in Section II and III of the Project Narrative and impacts are discussed in Section IV. The amount of Tidal Waters to be affected by the construction of the new pier includes total permanent impacts of approximately 3,000 square feet. Total direct permanent impacts below and above mean high water (MHW) and HTL are associated with the replaced timber piles (see Table 1in Section IV). New fill associated with the replacement structure includes 11.9 sf of additional pile fill over existing conditions (145.3 sf total). Impacts over tidal waters are associated with the additional finger pier and narrowing the main pier by 6 inches will be increased by approximately 160.5 sf from the existing pier area.

Additional temporary impacts through the use of the floating barge will occur surrounding the pier during construction. However, these impacts are similar to typical conditions as commercial vessels are constantly being used around the port and Pier 'KK'.

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;***

In general, the proposed work will replicate the current pier and bulkhead shoreline conditions with modifications in layout and therefore will not introduce any erosion potential not currently present. The pile removal and driving process shall include turbidity barrier only for work below the MHW line during the ACOE Time of Year Restriction as defined for Rhode Island. Pile driving operations in general shall incorporate the use of soft start vibratory hammer practices, the goal is to reduce incidental turbidity and not break existing piles, therefore allowing complete removal. Once the new piles are installed, no impacts are anticipated on the erosion and/or deposition processes of the area as the use of the pier will remain unchanged and a minor increase in the number of piles is not anticipated to lead to any significant changes.

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

As a result of the port's commercial and industrial use, the vegetation life within the bulkhead's limits at the mudline depth is expected to be low. The proposed work is expected to have no significant impact on biodiversity or population as it largely utilizes previous pier and bulkhead area and as the typical boat traffic in the area limits the ecological development currently near the pier.

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;***

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The facilities are utilized by private leaseholders for daily operations. Public access to the shoreline does not occur at this location, and the pier replacement will not obstruct the public's access at other locations within the port.

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

The increase in the number of piles is not anticipated to yield a significant impact to water circulation, flushing, turbidity, and sedimentation as it only represents a small increase when compared to the number of existing piles associated with the pier and Port as a whole. The bulkhead is considered the terminal point of water flow before refraction of the flow occurs. Therefore, the conditions will not be impacted beyond their normal conditions with the pier replacement and bulkhead replacements. As discussed in Section IV, above, construction phase impacts are not anticipated to impact turbidity or result in sedimentation of surrounding areas.

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

The potential construction phase is not anticipated to decrease the quality of water. Work may temporarily increase turbidity during pile removal and installation activities, however turbidity is expected to quickly dissipate due to the flushing rate in this area. In addition, the active prop wash from transversing vessels results in a typically turbid environment within the vicinity of the pier and bulkhead.

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

The current site has already seen development and contains no known historical or archaeological significance. Coordination with the Rhode Island Historical Preservation & Heritage Commission, as well as the Narragansett Indian Tribe and Wampanoag Tribe of Gay Head (Aquinnah), has been undertaken in accordance with the U.S. Army Corps of Engineers General Permits for Rhode Island to identify any historical resources near the site. No responses have been received to date.

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;***

The proposed pier replacement will not increase the pier extends seaward beyond the existing condition. The increase in footprint is limited to the addition of a finger pier, which is already sheltered from vessel traffic by the proposed/existing head finger on the pier. Spacing between adjacent piers shall not decrease. Berthing operations and accommodations of the vessels with the additional pier have been accounted for by a coordination with the Owner and the anticipated vessels berthing at this pier.

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Due to the minimal changes in distance of the pier to adjacent piers, the project is not anticipated to result in significant conflicts with water dependent uses and activities. During construction activities, adequate space will be provided to not impede the neighboring berthing needs of adjacent piers, and accommodations will be made as required.

k. ***Demonstrate that measures have been taken to minimize any adverse scenic impact (see § 1.3.5 of this Part).***

The proposed pier replacement largely replaces a similar structure in the same locations. The pier will be constructed with the same materials as other pier replacement projects happening throughout the port. As such, no adverse scenic impacts to the port are anticipated.

Section 1.3.1(B) Filling, Removing, or Grading Shoreline Features

The current bulkhead behind Pier 'KK' was replaced in 2003. Based upon a site inspection in 2021, the base steel was observed to be sufficient to not require replacement. It is not anticipated further modification shall be required to accommodate the proposed pier elevation.

Section 1.3.1(C) Residential, Commercial, Industrial, and Recreational Structures

a. It shall be the policy of the Council to undertake all appropriate actions to prevent, minimize or mitigate the risks of storm damage to property and coastal resources, endangerment of lives and the public burden of post storm disaster assistance consistent with policies of the State of Rhode Island as contained in the Hazard Mitigation Plan element of the State Guide Plan when considering applications for the construction of residential, commercial, industrial and recreational structures, including utilities such as gas, water and sewer lines, in high hazard areas.

The design of piers is in accordance with the recommended design loadings provided in ASCE and the design of timber members provided in the most recent version of the National Design Specification (NDS) for timber construction.

b. It is the Council's policy to require a public access plan, in accordance with § 1.3.6 of this Part, as part of any application for a commercial or industrial development or redevelopment project in or impacting coastal resources. In accordance with § 1.1.7 of this Part, a variance from this policy may be granted if an applicant can demonstrate that no significant public access impacts will occur as result of the proposed project.

The proposed project maintains the current public access provided throughout the Port of Galilee and will not adversely affect the publics access in the operating commercial fishing port.

c. All commercial and industrial structures and operations located within tidal waters shall obtain a structural perimeter limit (SPL). Owners/operators of these facilities may apply to the Council for

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definition and establishment of this structural perimeter at any time. However, the Council shall establish a structural perimeter limit (SPL) when an application subject to this section is under review.

A proposed structural perimeter limit (SPL) has been shown on the project plans and the proposed pier will stay entirely inside of it. The layout of the proposed pier will differ from existing conditions and will represent an increase in area; however, this is not anticipated to impact berthing at adjacent piers. The existing Pier 'KK' currently extends into the federal channel buffer; the proposed pier will not increase these extents and coordination with the Division 408 of the US Army Corp of Engineers has begun to discuss these impacts. The size of the offset compared to the available berthing length of pier, 50 feet, is not anticipated to impact the berthing to the degree a SPL will differ from the currently defined conditions.

Section 1.3.1(J) Filling in Tidal Waters

a. It is the Council's policy to discourage and minimize the filling of coastal waters.

Filling in coastal waters has been minimized to the extent practicable while still achieving the project purpose. The proposed number of piles are necessary in order to properly stabilize the proposed pier.

b. 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.

Does not apply.

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).

The current purpose of the pier replacement is to extend the life and use of the pier in this location for use by leaseholders daily operations, while providing the opportunity for growth within the port. The current bulkhead within this section is steel sheet pile and therefore is anticipated to last for the design life of the pier structure. The current use of the pier is to support the offloading operations of coastal fishing vessels. In addition, the work is providing a public benefit as it will directly improve the Port of Galilee which is the largest fishing port in the state.

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.

Does not apply. Modifications to the pier are limited to the pier and the landside portion of the bulkhead is at the required grade for the proposed pier.

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e. ***It is the Council's policy to require a public access plan, in accordance with § 1.3.6 of this Part, as part of any application for filling of tidal waters. A variance from this policy may be granted if an applicant can meet the variance requirements set forth in § 1.1.7 of this Part and demonstrate that no significant public access impacts will occur as a result of the proposed project.***

The current pier modification location does not serve as a point of public access, so a public access plan is not being provided. As a result of this project, public access to tidal waters is not impeded at Salty Brine Beach or the boat ramp located off of Great Island Road.

Section 1.3.1(R) Submerged Aquatic Vegetation and Aquatic Habitats of Particular Concern

The Port of Galilee is an active commercial fishing port which does not exhibit high amounts of vegetative life of sustained aquatic habitats near the bulkhead as a result of the port operations. The Pier 'KK' being proposed for replacement has been established within the port for approximately 50 years therefore the replacement is not anticipated to increase any impact to aquatic or wildlife habitat.

Impacts to endangered or migratory species habitat or habitat of particular concern are not anticipated to occur from the proposed scope of work as discussed in Section IV. There is a lack of available habitat for any of the species that may potentially occur around the site because of the manmade nature of the port.

Section 1.3.6 Policies and Enhancement of Public Access to the Shore

The proposed project will neither provide additional nor impede existing public access to the Point Judith Pond. The proposed project is re-establishment of commercial berthing access.

Section 1.4 Federal Consistency

The proposed project has been designed in compliance with applicable performance standards established in the CRMP and in accordance with the General Permit for the State of Rhode Island (2) of the USACE.

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