All items on this agenda are to be discussed and/or acted upon.

TOWN OF LITTLE COMPTON
TOWN COUNCIL

MEETING OF FEBRUARY 10, 2022

Virtual meeting by Zoom and teleconference
Join Zoom webinar: https://zoom.us
Webinar ID: 813 9389 0598
Password: 789635

Dial by location Toll Free numbers:
888 788 0099 or 833 548 0276 or 833 548 0282 or 877 853 5247

Live streaming at
https://www.youtube.com/channel/UCNoKeQBPql33aEtqzOXHO9g

AGENDA

7:00 P.M.

Approval of Minutes - January 20, 2022

* Consent Agenda - All items listed with an asterisk (*) are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a council member or citizen so requests in which event the item will be withdrawn from the General Order of business and considered in the normal sequence on the agenda.

** These items are received and filed with no other action taken.

Announcements:

1. Tiverton Lions Club recognition of Police Officers, Firefighters and Educators of the Year on Saturday, March 5th

Department Head Reports:

1. Town Clerk – Activity Report for January 2022
2. Finance Director – Activity Report for January 2022
3. Fire Department – Activity Report for January 2022
4. Building Department – Analytics Report for January 2022
5. Police Department – Activity Report for January 2022
6. Tax Assessor – Activity Report for January 2022

Old Business:

1. Correspondence from South Fork Wind, offering documents noted in the Memorandum Of Agreement relating to the Final Post-review Discovery Plans
   a. Additionally received from South Form Wind a letter noting no archeological resources identified within the surveyed area. Survey supplied electronically and may be accessed via www.southforkwind.com
2. Receive recommendation from the Planning Board RE: proposed zoning changes as suggested by Peter Medeiros Building Inspector/Zoning Official, storm water mitigation and Accessory Use Code relating to structures
3. Receive recommendation from the Town Administrator and the Town Clerk for the hiring of an individual to serve as a part-time clerk for the Planning and Zoning Boards
4. Receive proposals for Construction Management Firm and consider next action(s)
5. Appoint Virginia K. Greenwood to serve on the Planning Board for a term expiring Feb. 1, 2026

New Business:

1. Adopt resolution to authorize bond financing as authorized by vote of Financial Town Meeting held May 18, 2021
   a. Authorize engagement with Steve Maceroni, of PFM Financial Advisors LLC to serve the town relating to refunding school bond and financing of town projects
2. Letter from Chief Scott Raynes requesting the Council appoint Retired Detective Lt. Alberto J. Bucci to the LC Police Departments Reserve Police Officer Program.
3. Legislative Priorities 2022 received from the RI League of Cities and Towns with a request for the Council to adopt a resolution in support of the RI League 2022 legislative priorities.
4. Receive a draft FY23 budget and schedule budget workshop

Communications:

1. Grant request received from both the East Bay Community Action Program and Stay At Home in LC, Inc. for budget funding in FY2023 be included in the warrant on their behalf for the May 17, 2022 Annual Financial Town Meeting.
3. Resolution adopted by the Tiverton Town Council petitioning the General Assembly to require CRMC to give actual written notice to any owner of property within 1,000 feet, publish large print advertising, and ensure full public notification measures are taken for all future applications.
Consent:

1. Comments of gratitude offered by Chip McLaughlin to the Council regarding the outcome of the proposal for a flag policy.

2. Copy of a resolution adopted by the Middletown Town Council resolving to prioritize quality education for Middletown Students, Families and Residents.

3. Copy of a Public Notice received from RI Statewide Planning, Transportation Advisory Committee announcing a hearing to consider a Minor Amendment #2 to the FFY 2022-2031 State Transportation Improvement Program, hearing 02-17-2022 5:30 PM, public online participation posted on the meeting notice.

4. Public Notice received from Coastal Resources Management Council for the consideration of an application of The Army Corps of Engineers, New England District to replace and revise the Army Corps of Engineers RI General Permit for a standard period of 5 years. Comments to be received by March 2, 2022 at CRMC.

5. Copy of a resolution adopted by the Tiverton Town Council requesting an increase of frequency with which RI Municipal Police Training Academy provides initial recruit training to satisfy municipal police department needs.

6. Copy of a resolution adopted by the Tiverton Town Council requesting the RI General Assembly support the extension of RIGL 16-7-40, increased school housing ratio.

Payment of Bills

All are welcome to any meeting at the town, which is open to the public. Individuals requiring communication assistance or any accommodation to ensure equal participation will need to contact the Town Clerk at 635-4400 not less than 48 hours prior to the meeting.

Please be aware that upon entering the virtual Webinar, all public participants will have their audio automatically muted and their video turned off. All such participants will still be able to see and hear the Council members. Should a member of the public wish to speak or ask a question, please use the “Raise hand” option or type in a question using the Chat Feature. We request that you identify yourself to the Council President upon being allowed audio rights.
9th Annual Recognition Night
Police Officers, Firefighters & Educators of the Year

Hosted by the Tiverton Lions Club
Saturday, March 5, 2022
6:00 PM Social • 7:00 PM Buffet Dinner
McGovern's on the Water Restaurant
310 Shove Street • Fall River, MA
Tickets: $40 per person

Honorees

TIVERTON
Tiverton Police - Captain Michael Miguel
Tiverton Fire - Firefighter Nicholas Barboza
Tiverton High School - Victoria Blaser (Media Center)
Tiverton Middle School - Dillon Sheridan (7th Grade Science)
Tiverton Fort Barton School - Alane DelDeo (Kindergarten Teacher)
Tiverton Ranger School - Laura Rocha (School Nurse)
Tiverton Pocasset School - Denise Duarte (School Nurse)

LITTLE COMPTON
Little Compton Police - Corporal Caitlin Farrar
Little Compton Fire - Nelson Cabot (Citizen of the Year)
Little Compton School - Jean Dunn (School Nurse)
The office of the Town Clerk handles on a daily basis a wide array of tasks. During the month of January the following figures display the volume of work:

- Dump stickers 648 issued
- Recording land evidence 105 instruments recorded
- Dog licenses – 2
- Vital records certified copies issued – 20
- Marriage License issued – 2
- Miscellaneous fees collected for Probate, copying, appliance etc. – see attached.

In addition to our day to day activities we have the following:

- Probate Court responsibilities
- Council Clerk responsibilities – meetings, minutes, follow up actions
- Coordinate with the IT personnel for day-to-day issues, oversee website daily needs, audio/visual needs for council chambers in prep for hybrid meetings
- Ongoing responsibilities as Wellness Coordinator for the Trust, sharing multiple online health programs
- Continue assisting Planning and Zoning Boards due to resignation of their clerk
- Ongoing discussions with RI Dept. of Health RE: new vital module ongoing training
- Attend via zoom quarterly meeting of the RI Town & City Clerks’ Assoc.
- Resumed hosting zoom meetings for Boards as of Feb. 10th. (Library, Wilbour Woods Comm., Budget (2), Housing Trust, Council, and Recreation Comm.)
- Attend via zoom NE Association of City & Town Clerks’ Board meeting
- Conducted interviews with applicants for PT Board secretary
### Distribution Summary Report

**TOWN OF LITTLE COMPTON Town Clerk**  
**Town of Little Compton**

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>ACCOUNT NUMBER</th>
<th>ACCOUNT TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipal Lien Certificate</td>
<td>381</td>
<td>$0.00</td>
</tr>
<tr>
<td>Historical Records - Town</td>
<td>382</td>
<td>$93.00</td>
</tr>
<tr>
<td>Technology 10%</td>
<td>386</td>
<td>$501.90</td>
</tr>
<tr>
<td>Spay/Neuter</td>
<td>4200</td>
<td>$2.00</td>
</tr>
<tr>
<td>License: Private Detective</td>
<td>4200</td>
<td>$0.00</td>
</tr>
<tr>
<td>Copies &amp; Other Services</td>
<td>4200</td>
<td>$188.00</td>
</tr>
<tr>
<td>Trade Names</td>
<td>4200</td>
<td>$0.00</td>
</tr>
<tr>
<td>Recordings 80%</td>
<td>4300</td>
<td>$4,621.10</td>
</tr>
<tr>
<td>Probate Court Fees</td>
<td>4305</td>
<td>$2,033.43</td>
</tr>
<tr>
<td>Probate Advertising</td>
<td>4306</td>
<td>$135.00</td>
</tr>
<tr>
<td>Marriage License - State</td>
<td>4309</td>
<td>$32.00</td>
</tr>
<tr>
<td>Historical Records - State</td>
<td>4309</td>
<td>$279.00</td>
</tr>
<tr>
<td>Vital Statistics - State</td>
<td>4309</td>
<td>$171.00</td>
</tr>
<tr>
<td>Realty Stamps – State</td>
<td>4310</td>
<td>$8,252.96</td>
</tr>
<tr>
<td>Realty Stamps Town</td>
<td>4310</td>
<td>$7,566.44</td>
</tr>
<tr>
<td>Misc License and Permit</td>
<td>4317</td>
<td>$0.00</td>
</tr>
<tr>
<td>License: Holiday</td>
<td>4317</td>
<td>$0.00</td>
</tr>
<tr>
<td>License: Victualing</td>
<td>4317</td>
<td>$0.00</td>
</tr>
<tr>
<td>Vital Statistics - Town</td>
<td>4317</td>
<td>$225.00</td>
</tr>
<tr>
<td>Entertainment License</td>
<td>4317</td>
<td>$0.00</td>
</tr>
<tr>
<td>Marriage License - Town</td>
<td>4317</td>
<td>$16.00</td>
</tr>
<tr>
<td>Alcoholic Beverage License</td>
<td>4319</td>
<td>$0.00</td>
</tr>
<tr>
<td>License: Beverage Advertising</td>
<td>4319</td>
<td>$0.00</td>
</tr>
<tr>
<td>Animal License</td>
<td>4320</td>
<td>$10.00</td>
</tr>
<tr>
<td>License: Kennel</td>
<td>4320</td>
<td>$0.00</td>
</tr>
<tr>
<td>Dump</td>
<td>4325</td>
<td>$4,555.00</td>
</tr>
<tr>
<td>Appliance Dump</td>
<td>4330</td>
<td>$225.00</td>
</tr>
</tbody>
</table>

**TOTAL:** $28,906.83
Finance Director Monthly Report
January 2021

Initiatives & Financial Highlights:

- Began FY2023 Budget Projections
- W2's completed and disbursed
- MTP Report being finalized for submission to Department of Revenue
- Fiscal Year 2021 Audited Financial Statements finalized

Tax Highlights:

- Total tax revenue collected for Current Year, Prior Years and Interest in the month of December was $2,222,380.11
- Total tax revenue collected for (C,S,I) Current Year, Prior Years and Interest in the month of January are $234,487.13
- Total Tax Delinquency Balances (P) collected in January are $7,383.84
Little Compton Fire Department

Monthly Report

January 2022
## Incidents By Time And Day

<table>
<thead>
<tr>
<th></th>
<th>SUN</th>
<th>MON</th>
<th>TUE</th>
<th>WED</th>
<th>THR</th>
<th>FRI</th>
<th>SAT</th>
<th>TOTALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 AM</td>
<td></td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>2 AM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>3 AM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>4 AM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>5 AM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>6 AM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>7 AM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3</td>
</tr>
<tr>
<td>8 AM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3</td>
</tr>
<tr>
<td>9 AM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>10 AM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>11 AM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>12 PM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>1 PM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>2 PM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>3 PM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>4 PM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>5 PM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>6 PM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>7 PM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>8 PM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>9 PM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>10 PM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>11 PM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>12 AM</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2</td>
</tr>
</tbody>
</table>

**TOTALS:** 18 21 22 14 18 13 18 124  

**GRAND TOTAL:** 124

## NFPA Part III: Fire And Incident Type Breakdown

### A: Structure Fires By Fixed Property Use

<table>
<thead>
<tr>
<th>Type of Fire</th>
<th>Number</th>
<th>Deaths</th>
<th>Injury</th>
<th>Dollar Loss</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private Dwellings (1 or 2 Family)</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Apartments (3 or More Families)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Hotels and Motels</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>All Other Residential</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL RESIDENTIAL FIRES</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Public Assembly</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Schools and Colleges</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Health Care and Penal Institutions</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Stores and Offices</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Industry, Utility, Defense, Laboratories</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Storage in Structures</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other Structures</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL STRUCTURE FIRES</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

### B: Other Fires And Incidents

<table>
<thead>
<tr>
<th>Type of Fire</th>
<th>Number</th>
<th>Deaths</th>
<th>Injury</th>
<th>Dollar Loss</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fires in Highway Vehicles</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Fires in Other Vehicles</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Fires Outside of Structures With Value Involved</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Fires Outside of Structures With No Value Involved</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Fires in Rubbish</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>All Other Fires</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>TOTALS FOR ALL FIRES</td>
<td>37</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

20. Rescue, Emergency Medical Responses  
21. False Alarm Responses
<table>
<thead>
<tr>
<th>Incident Type Category</th>
<th>Occurrences</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>[100-199] Fire/Explosion</td>
<td>1</td>
<td>0.8</td>
</tr>
<tr>
<td>[200-299] Overpressure Rupture</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>[300-399] Rescue Call</td>
<td>40</td>
<td>32.3</td>
</tr>
<tr>
<td>[400-499] Hazardous Condition</td>
<td>1</td>
<td>0.8</td>
</tr>
<tr>
<td>[500-599] Service Call</td>
<td>74</td>
<td>59.7</td>
</tr>
<tr>
<td>[600-699] Good Intent Call</td>
<td>1</td>
<td>0.8</td>
</tr>
<tr>
<td>[700-799] False Call</td>
<td>4</td>
<td>3.2</td>
</tr>
<tr>
<td>[800-899] Severe Weather/Natural Disaster</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>[900-999] Special Type/Complaint</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>Undetermined</td>
<td>3</td>
<td>2.4</td>
</tr>
<tr>
<td>TOTAL</td>
<td>124</td>
<td>100.0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fixed Property Type Category</th>
<th>Occurrences</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>[100-199] Public Assembly Properties</td>
<td>2</td>
<td>1.6</td>
</tr>
<tr>
<td>[200-299] Educational Properties</td>
<td>5</td>
<td>4.0</td>
</tr>
<tr>
<td>[300-399] Institutional Properties</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>[400-499] Residential Properties</td>
<td>51</td>
<td>41.1</td>
</tr>
<tr>
<td>[500-599] Mercantile Properties</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>[600-699] Utilities/Technology/Farming/Mining</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>[700-799] Manufacturing Properties</td>
<td>58</td>
<td>46.8</td>
</tr>
<tr>
<td>[800-899] Storage Properties</td>
<td>5</td>
<td>4.0</td>
</tr>
<tr>
<td>[900-999] Special Properties</td>
<td>0</td>
<td>0.0</td>
</tr>
<tr>
<td>None</td>
<td>3</td>
<td>2.4</td>
</tr>
<tr>
<td>Undetermined</td>
<td>124</td>
<td>100.0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fire District Breakdown</th>
<th>Occurrences</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>NORTH WEST</td>
<td>16</td>
<td>12.9</td>
</tr>
<tr>
<td>WESTPORT</td>
<td>1</td>
<td>0.8</td>
</tr>
</tbody>
</table>
Personnel Breakdown

<table>
<thead>
<tr>
<th>Name</th>
<th>Pers</th>
<th>Form</th>
<th>Time</th>
<th>Sheet</th>
<th>Reporting</th>
<th>Approving</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unknown</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Firefighter Adam M Cabral</td>
<td>16</td>
<td>16</td>
<td>0</td>
<td>0</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>Lieutenant David A Nickerson</td>
<td>28</td>
<td>28</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Lieutenant James B Vandal</td>
<td>32</td>
<td>32</td>
<td>23</td>
<td>3</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>Firefighter Jonathan J Bednarz</td>
<td>24</td>
<td>24</td>
<td>3</td>
<td>7</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Lieutenant JUSTIN P TEIXEIRA</td>
<td>21</td>
<td>21</td>
<td>11</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Probationary Firefighter Matthew S Pierce</td>
<td>26</td>
<td>26</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Probationary Firefighter Matthew T Hughes</td>
<td>12</td>
<td>12</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Firefighter Michael W Martino</td>
<td>8</td>
<td>8</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Captain Randall A Watt</td>
<td>33</td>
<td>33</td>
<td>40</td>
<td>44</td>
<td>44</td>
<td>44</td>
</tr>
<tr>
<td>Chief Richard G Petrin</td>
<td>11</td>
<td>11</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Firefighter Samuel T Hussey</td>
<td>36</td>
<td>36</td>
<td>12</td>
<td>9</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td>Probationary Firefighter Tyler j Carr</td>
<td>26</td>
<td>26</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>273</td>
<td>273</td>
<td>124</td>
<td>124</td>
<td>124</td>
<td>124</td>
</tr>
</tbody>
</table>

Apparatus Breakdown

<table>
<thead>
<tr>
<th>Apparatus</th>
<th>Responses</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire Chief's Car</td>
<td>10</td>
<td>6.7</td>
</tr>
<tr>
<td>Fire Prevention Car</td>
<td>12</td>
<td>8.0</td>
</tr>
<tr>
<td>Engine 2</td>
<td>18</td>
<td>12.0</td>
</tr>
<tr>
<td>Forestry Truck</td>
<td>3</td>
<td>2.0</td>
</tr>
<tr>
<td>Rescue 1</td>
<td>30</td>
<td>20.0</td>
</tr>
<tr>
<td>Rescue 2</td>
<td>68</td>
<td>45.3</td>
</tr>
<tr>
<td>Squad</td>
<td>2</td>
<td>1.3</td>
</tr>
<tr>
<td>Tanker 1</td>
<td>5</td>
<td>3.3</td>
</tr>
<tr>
<td>TIVERTON RESCUE</td>
<td>2</td>
<td>1.3</td>
</tr>
<tr>
<td>TOTAL</td>
<td>150</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Incident Type

<table>
<thead>
<tr>
<th>Incident Type</th>
<th>Occurrences</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Reported</td>
<td>3</td>
<td>2.4</td>
</tr>
<tr>
<td>Chimney or flue fire, confined to chimney or flue</td>
<td>1</td>
<td>0.8</td>
</tr>
<tr>
<td>EMS call, excluding vehicle accident with injury</td>
<td>39</td>
<td>31.5</td>
</tr>
<tr>
<td>Motor vehicle accident with no injuries.</td>
<td>1</td>
<td>0.8</td>
</tr>
<tr>
<td>Power line down</td>
<td>1</td>
<td>0.8</td>
</tr>
<tr>
<td>Service Call, other</td>
<td>9</td>
<td>7.3</td>
</tr>
<tr>
<td>Lock-out</td>
<td>1</td>
<td>0.8</td>
</tr>
<tr>
<td>Public service assistance, other</td>
<td>1</td>
<td>0.8</td>
</tr>
<tr>
<td>Public service</td>
<td>3</td>
<td>2.4</td>
</tr>
<tr>
<td>COVID TESTING</td>
<td>56</td>
<td>45.2</td>
</tr>
<tr>
<td>Assist invalid</td>
<td>4</td>
<td>3.2</td>
</tr>
</tbody>
</table>
Little Compton Fire Department
Incident Analysis
From 01/01/2022 Thru 01/31/2022

<table>
<thead>
<tr>
<th>Description</th>
<th>Occurrences</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dispatched &amp; canceled en route</td>
<td>1</td>
<td>0.8</td>
</tr>
<tr>
<td>Alarm system sounded due to malfunction</td>
<td>3</td>
<td>2.4</td>
</tr>
<tr>
<td>Alarm system activation, no fire - unintentional</td>
<td>1</td>
<td>0.8</td>
</tr>
<tr>
<td>TOTAL</td>
<td>124</td>
<td>100.0</td>
</tr>
</tbody>
</table>

### Aid Given or Received

<table>
<thead>
<tr>
<th>Aid Given or Received</th>
<th>Occurrences</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not Reported</td>
<td>3</td>
<td>2.4</td>
</tr>
<tr>
<td>Mutual aid received</td>
<td>1</td>
<td>0.8</td>
</tr>
<tr>
<td>Mutual aid given</td>
<td>3</td>
<td>2.4</td>
</tr>
<tr>
<td>None</td>
<td>117</td>
<td>94.4</td>
</tr>
<tr>
<td>TOTAL</td>
<td>124</td>
<td>100.0</td>
</tr>
</tbody>
</table>

### Apparatus Use

<table>
<thead>
<tr>
<th>Apparatus Use</th>
<th>Occurrences</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other</td>
<td>30</td>
<td>20.0</td>
</tr>
<tr>
<td>Suppression</td>
<td>21</td>
<td>14.0</td>
</tr>
<tr>
<td>EMS</td>
<td>99</td>
<td>66.0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>150</td>
<td>100.0</td>
</tr>
</tbody>
</table>

For Districts: All
For Situations: All
For Jurisdictions: All
For Street(s): All
For Location: All
**Analytics**

**Records submitted over time**

![Bar chart showing records submitted over time.]

**Totals**

- **68** Records Created
- **$10,960.00** Revenue Collected
- **142** Inspections Done
- **60** Permits Issued

**Filter Results**

- **All Records**
Date: February 4, 2022
To: The Honorable Town Council
From: Chief Scott N. Raynes
Subject: Monthly Report for January 2022

January 2022 Patrol Activity

<table>
<thead>
<tr>
<th>Totals</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Calls responded to</td>
<td>710</td>
</tr>
<tr>
<td>Formal Complaints received</td>
<td>28</td>
</tr>
<tr>
<td>Complaints closed this month</td>
<td>3</td>
</tr>
<tr>
<td>Complaints closed (previous month)</td>
<td>4</td>
</tr>
<tr>
<td>Motor vehicle citations issued</td>
<td>8</td>
</tr>
<tr>
<td>Motor vehicle warning issued</td>
<td>39</td>
</tr>
<tr>
<td>Criminal Arrest</td>
<td>7</td>
</tr>
<tr>
<td>Violation of Town Ordinances</td>
<td>5</td>
</tr>
<tr>
<td>Accident investigated</td>
<td>6</td>
</tr>
<tr>
<td>Burglar alarms</td>
<td>14</td>
</tr>
<tr>
<td>Reported deaths</td>
<td>1</td>
</tr>
<tr>
<td>Total Gallons of gasoline used</td>
<td>451.7</td>
</tr>
<tr>
<td>Mileage</td>
<td>6,078</td>
</tr>
<tr>
<td>Breaking &amp; Entering</td>
<td>0</td>
</tr>
<tr>
<td>Larceny</td>
<td>0</td>
</tr>
<tr>
<td>Value of Stolen Property</td>
<td>0</td>
</tr>
</tbody>
</table>
Little Compton Police Department  
60 Simmons Road  
Town of Little Compton, Rhode Island  
Office of the Police Chief  

MEMORANDUM

January 2022 Police Overtime Hours

<table>
<thead>
<tr>
<th>Replacement Type</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sick Leave replacement</td>
<td>128</td>
</tr>
<tr>
<td>Personal leave replacement</td>
<td>0</td>
</tr>
<tr>
<td>Vacation replacement</td>
<td>51</td>
</tr>
<tr>
<td>Training replacement</td>
<td>0</td>
</tr>
<tr>
<td>Court</td>
<td>0</td>
</tr>
<tr>
<td>Town Detail</td>
<td>0</td>
</tr>
<tr>
<td>Private Detail</td>
<td>4</td>
</tr>
<tr>
<td>Patrol Supplement</td>
<td>0</td>
</tr>
<tr>
<td>Comp-time replacement</td>
<td>0</td>
</tr>
<tr>
<td>Injured on duty replacement</td>
<td>0</td>
</tr>
<tr>
<td>DARE</td>
<td>0</td>
</tr>
<tr>
<td>Military leave replacement</td>
<td>20</td>
</tr>
<tr>
<td>Investigation</td>
<td>0</td>
</tr>
</tbody>
</table>

Totals: 323

January 2022 Dispatch Overtime Hours

<table>
<thead>
<tr>
<th>Replacement Type</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sick leave replacement</td>
<td>24</td>
</tr>
<tr>
<td>Personal leave replacement</td>
<td>8</td>
</tr>
<tr>
<td>Vacation replacement</td>
<td>32</td>
</tr>
<tr>
<td>Training replacement</td>
<td>0</td>
</tr>
<tr>
<td>Holiday replacement</td>
<td>24</td>
</tr>
<tr>
<td>Comp-time replacement</td>
<td>0</td>
</tr>
<tr>
<td>Weekend replacement</td>
<td>48</td>
</tr>
</tbody>
</table>

Totals: 129
January 2022 Part-time Dispatch Hours

<table>
<thead>
<tr>
<th>Replacement Type</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weekend replacement</td>
<td>16</td>
</tr>
<tr>
<td>Vacation replacement</td>
<td>0</td>
</tr>
<tr>
<td>Sick leave replacement</td>
<td>0</td>
</tr>
<tr>
<td>Personal day</td>
<td>0</td>
</tr>
<tr>
<td>Holiday replacement</td>
<td>8</td>
</tr>
<tr>
<td>Training replacement</td>
<td>0</td>
</tr>
<tr>
<td>Comp-time replacement</td>
<td>0</td>
</tr>
</tbody>
</table>

January 2022 Town fuel log

<table>
<thead>
<tr>
<th>Gasoline</th>
<th>December</th>
<th>January</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td># 1 Unused</td>
<td>76,010.0</td>
<td>76,010.0</td>
<td>0</td>
</tr>
<tr>
<td># 2 Fire department</td>
<td>26,270.0</td>
<td>26,397.4</td>
<td>127.4</td>
</tr>
<tr>
<td># Unused</td>
<td>4,223.5</td>
<td>4,223.5</td>
<td>0.0</td>
</tr>
<tr>
<td># 4 Maintenance</td>
<td>37,959.1</td>
<td>38,418.1</td>
<td>459.0</td>
</tr>
<tr>
<td># 5 Highway Department</td>
<td>2,531.0</td>
<td>2,531.0</td>
<td>0.0</td>
</tr>
<tr>
<td># 6 Senior Bus</td>
<td>5,083.3</td>
<td>5,083.3</td>
<td>0.0</td>
</tr>
<tr>
<td># 7 Beach Commission</td>
<td>1,410.1</td>
<td>1,410.1</td>
<td>0.0</td>
</tr>
<tr>
<td># 8 Police Department</td>
<td>1,667.5</td>
<td>2,119.2</td>
<td>451.7</td>
</tr>
</tbody>
</table>

Total Gasoline: 1,038.1
**Little Compton Police Department**  
**60 Simmons Road**  
**Town of Little Compton, Rhode Island**  
**Office of the Police Chief**

**MEMORANDUM**

<table>
<thead>
<tr>
<th></th>
<th>December</th>
<th>January</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td># 1 Fire Department</td>
<td>39,713.4</td>
<td>39,953.6</td>
<td>240.2</td>
</tr>
<tr>
<td># 2 Unused</td>
<td>11,043.7</td>
<td>11,043.7</td>
<td>0.0</td>
</tr>
<tr>
<td># 3 Highway Department</td>
<td>5,279.1</td>
<td>5,279.1</td>
<td>0.0</td>
</tr>
<tr>
<td># 4 Maintenance Department</td>
<td>3,559.2</td>
<td>3,646.4</td>
<td>87.2</td>
</tr>
<tr>
<td># 5 Old Senior bus</td>
<td>362.8</td>
<td>362.8</td>
<td>0.0</td>
</tr>
</tbody>
</table>

**Total Diesel: 327.4**

Respectfully,

John Faria  
Lieutenant
February 4, 2022

To: Town Administrator
Antonio A. Teixeira

From: Denise M. Cosgrove, RICA
Tax Assessor

Re: DEPARTMENT HEAD REPORT

The month of January 2022

- Finalized the appeals for tax assessment relief for 2021, net loss revenue $ -8,119.07.
- Submitted to C.A.I. technologies a list of concerns with the interface of the digitized maps after extensive review. Editing underway for completion this month.
- Participated in RIAAO meeting: Legislative concerns visited.
- Received, processed and recorded the farm plans which complied with the state’s DEM requirements due date January 31.
- Completed the year end visits for many properties under construction, reevaluated and recorded accordingly.
- Continued the receipt of Personal property returns addressing questions and concerns daily, granting extensions to March 15th where necessary.
- Continually updating deeds and all property records where needed.
- Co-ordinated the closure of the Statistical Revaluation with Vision (V.G.S.I) now reviewing reports and clarifying data for notices to be sent with value changes soon.

Respectfully submitted,

[Signature]

Denise M. Cosgrove, RICA
Tax Assessor
Town of Little Compton  
Town Hall  
P.O. Box 226  
Little Compton, RI 02837

To: Honorable Town Council
From: Antonio A. Teixeira  
      Town Administrator
Date: February 10, 2022
Subject: January Monthly Report

Town Budget — I met with all departments and Town Council President to review the budget. Finance Director DeSantis has inserted the Health, Payroll Taxes, and Life Insurance and will do the Pension numbers next. The budget binders will be available Monday, February 14 in the Councilors mailboxes.

COVID-19 Testing Kits — The Fire Department with assistance of the Police and volunteers has distributed approximately 2,160 kits to OUR residents on two different dates.

Virtual Metering — John McNamee and I have reconnected with the RI Office of Energy, Chris Kearns to write an RFP for a consultant to assist us to initiate the process to reduce the electric bills as phase I.

Part-time Clerk — Town Clerk Wordell and I have screened and interviewed the candidates for the Part-time clerk position for the Planning and Zoning Boards. A recommendation is in your packet for your consideration.

RI DOT — Town Council President, DPW Director and I did a ZOOM meeting with DOT Director Alviti to review current projects on the State Transportation Improvement Program (STIP). He informed us that Little Compton projects have been accelerated due to additional Federal Funds. He anticipates that the Commons and South of the Commons will be done within a year’s time, possibly this Summer/late Fall.

Project Manager — The RFP for the Projector Manager is being advertised and responses are due Thursday, February 24, 2022.

Financing and Refinancing — We have engaged Sandra Mack and Steve Maceroni to assist us follow up with the authorized borrowing and refinance of the School Bond. Sandra and Steve bring a great level of expertise that will expedite the process for us to achieve that objective.
Virtual meetings – we are back to attending various meeting virtually; Rhode Island League of Cities and Towns, Municipal Leaders/Governor’s updates and other town meetings.

Municipal Resiliency Projects (MRP) – RI Infrastructure Bank has engaged Fuss & O’Neil Engineering group to assist municipalities to navigate the process to bring the projects to fruition. We are awaiting for Fuss & O’Neil to contact us.

Wilbour Woods – the committee has restarted their meetings.

Storm Reimbursements – Each municipality was asked to compile their expenses related to the storm for RIEMA to calculate if we are eligible as a State for reimbursement. Chief Petrin, as the EMA Director will file on our behalf once he gets our calculations from Police, DPW and Fire.
January 27, 2022

Via Email, followed by Certified Mail

**Subject:** South Fork Wind MOA Notification of Proposed Project Modification – Onshore Temporary Construction Workspaces with No Adverse Effects to Historic Properties

Dear Signatories, Invited Signatories and Consulting Parties,

This letter describes a proposed project modification for the South Fork Wind Project (the Project) and BOEM’s determination that no historic properties will be affected by this modification. Signatories, invited signatories, and consulting parties have **30 calendar days** to review and comment on this notification and associated documentation, consistent with the process identified for project modifications in Stipulation V.A.1 of the Memorandum of Agreement Among the Bureau of Ocean and Energy Management (BOEM), the Massachusetts State Historic Preservation Officer, the Rhode Island State Historic Preservation Officer and the New York State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the South Fork Wind Farm and South Fork Export Cable Project, executed November 23, 2021 (the MOA).

SFW proposes an onshore project modification for the SFEC-Onshore, specifically to use additional temporary construction workspaces (25- to 50-feet-wide) adjacent to the Long Island Rail Road right-of-way (LIRR ROW), totaling 3.4 acres. The New York Public Service Commission (NYSPSC) has evaluated the portions of the South Fork Export Cable within New York State and approved the SFW Environmental Management & Construction Plan (EM&CP) on November 22, 2021. The NYSPSC approved an EM&CP Amendment Request for the use of these temporary construction workspaces on January 21, 2022.

The process for signatories, invited signatories, and consulting parties’ review of project modifications is described in Section V of the MOA (enclosed as Attachment A). The temporary construction workspaces are not within the original APE identified for the Project, and as such, SFW notified BOEM of this proposed change and provided BOEM with information concerning the proposed modifications and associated evaluation.

As further described below, Phase 1B surveys were conducted and no archaeological resources were identified. The New York State Office of Parks, Recreation and Historic Preservation Office (NYSHPO) reviewed the Phase 1B Report for the temporary construction workspaces and indicated that no additional archaeological work is necessary for the LIRR off-ROW Temporary Workspaces. BOEM has determined that no historic properties will be affected by the use of these temporary construction workspaces and therefore this modification does not require alteration of the conclusions reached in the **Finding of Adverse Effect for the South Fork Wind Farm and South Fork Export Cable Construction and Operations Plan dated August 2021 (the Finding of Effect)**.

**Summary of Onshore Project Modification**

The SFEC-Onshore is routed within the LIRR ROW for approximately 2.0 miles. During detailed project design, SFW identified specific areas that could be used for temporary construction workspaces along the LIRR to limit impacts to LIRR facilities and operations and to increase efficiency of installation. SFW proposes to use temporary construction workspaces in 25- to 50-foot-wide areas adjacent to the LIRR ROW, totaling 3.4 acres (depicted in Attachment B). No
permanent infrastructure will be installed in the temporary workspaces. Once construction is completed, the temporary construction workspaces will be restored and revegetated.

Summary of Cultural Evaluation

Because these areas were not within the LIRR ROW, they were not included in the original cultural evaluations conducted for the Project and provided to BOEM. These evaluations have now been completed and are summarized below.

SFW conducted archaeological investigations (i.e., Phase 1B shovel tests) in undisturbed portions of the temporary construction workspaces in December 2021 and no archaeological resources were identified (enclosed as Attachment C).

The NYSHPO reviewed the Phase 1B Report for the temporary construction workspaces and indicated that “that no additional archaeological work is necessary for the LIRR off-ROW Temporary Workspaces” (enclosed as Attachment D).

In conclusion, while the proposed use of temporary construction workspaces are outside the APE originally identified for the Project, BOEM determined that this project modification will result in no historic properties affected based on the results of the archaeological surveys South Fork conducted and the documentation submitted to support this determination. The MOA includes a stipulation related to Post-Review Discoveries, which are applicable for use of these workspaces in the event historic properties are identified at a later stage.

Consistent with the MOA, we ask that you please submit any written comments on this proposed onshore project modification within the 30 calendar day comment period via email to SFWsec106consult@orsted.com.

Sincerely,

Brennan Guldner

Brennan Guldner
Commercial Manager, South Fork Wind

Cc (via email):
Sarah Stokely, BOEM
Rob Mastria, Orsted
Rob Soden, Orsted

Enclosures:
A – SFW Section 106 MOA Stipulation V
B – Project Location Figure
C – Phase 1B Archaeological Survey Report for Temporary Construction Workspace
D – NYSHPO Concurrence Letter
Attachment A. SFW MOA Section V Stipulations

Section V of the Stipulations of the SFW Section 106 MOA describe the process for project modifications, provided below for reference:

V. PROJECT MODIFICATIONS

A. If SFW proposes any modifications to the Project that expands the Project beyond the Project Design Envelope included in the COP and/or occurs outside the defined APE or the proposed modifications change the final determinations and findings for this Project, SFW shall notify and provide BOEM with information concerning the proposed modifications. BOEM will determine if these modifications require alteration of the conclusions reached in the Finding of Effect and, thus, will require additional consultation with the signatories, invited signatories and consulting parties. If BOEM determines additional consultation is required, SFW will provide the signatories, invited signatories and consulting parties with the information concerning the proposed changes, and they will have 30 calendar days from receipt of this information to comment on the proposed changes. BOEM shall take into account any comments from signatories, invited signatories, and consulting parties prior to approving any proposed changes. Using the procedure below, BOEM will, as necessary, consult with the signatories, invited signatories, and consulting parties to identify and evaluate historic properties in any newly affected areas, assess the effects of the modification, and resolve any adverse effects.

1. If the Project is modified and BOEM identifies no additional historic properties or determines that no historic properties are adversely affected due to the modification, SFW will notify all the signatories, invited signatories, and consulting parties about this proposed change and BOEM’s determination, and allow the signatories, invited signatories, and consulting parties 30 calendar days to review and comment. This MOA will not need to be amended if no additional historic properties are identified and/or adversely affected.

2. If BOEM determines new adverse effects to historic properties will occur due to a Project modification, SFW will notify and consult with the relevant signatories, invited signatories, and consulting parties regarding BOEM’s finding and the resolution of the adverse effect and develop a new HPTP following the consultation process set forth in Stipulation IV. They will have 30 calendar days to review and comment on the adverse effect finding and the proposed resolution of adverse effects, including a draft HPTP. BOEM, with the assistance of SFW, will conduct additional consultation meetings, if necessary, during drafting and finalization of the HPTP. The MOA will not need to be amended after the HPTP is finalized.

3. If any of the signatories, invited signatories, or consulting parties object to determinations, findings, or resolutions made pursuant to these measures (Stipulation V.A.1 and 2), BOEM will resolve any such objections pursuant to the dispute resolution process set forth in Stipulation XI.
Attachment C. Phase 1B Archaeological Survey Report for Temporary Construction Workspace

Provided electronically and
Hard copy available upon request.
Attachment D. NYSHPO Concurrence Letter
December 23, 2021

Jasmine Matley
Utility Analyst (Environmental)
New York State Department of Public Service
3 Empire State Plaza
Albany, NY 12223

Re: DPS
South Fork Wind Farm/Deepwater Wind LLC/90MW/Export Cable/1.8-T-0604
East Hampton, Suffolk County, NY
17PR01624

Dear Jasmine Matley:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the submitted materials in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources.

We have reviewed the "Phase IB Archaeological Survey, South Fork Wind Export Cable: LIRR off-ROW Temporary Workspaces, Town of East Hampton, Suffolk County," submitted under cover letter dated December 22, 2021. No archaeological resources were identified, and it is OPRHP's opinion that no additional archaeological work is necessary for the LIRR off-ROW Temporary Workspaces.

If further correspondence is required regarding this project, please refer to the OPRHP Project Review (PR) number noted above. If you have any questions, please contact me via email.

Sincerely,

Tim Lloyd, Ph.D.
Scientist - Archaeology
timothy.lloyd@parks.ny.gov

via e-mail only
January 27, 2022

Via Email, followed by Certified Mail

Subject: South Fork MOA Final Post-review Discovery Plans

Dear Signatories, Invited Signatories and Consulting Parties,

I write regarding processes identified in the Memorandum of Agreement Among the Bureau of Ocean and Energy Management (BOEM), the Massachusetts State Historic Preservation Officer, the Rhode Island State Historic Preservation Officer and the New York State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the South Fork Wind Farm and South Fork Export Cable Project, executed November 23, 2021 (the MOA).

In December, 2021 SFW distributed the drafts of two post-review discovery plans to the signatories, invited signatories, and consulting parties of the MOA for comment: 1) Plans and Procedures Addressing Unanticipated Discoveries of Cultural Resources and Human Remains – In Support of the South Fork Wind Construction and Operations Plan for Lease Area OCS-A 0517; and 2) Unanticipated Discovery Protocol: Terrestrial Archaeological Resources, South Fork Wind/South Fork Export Cable, Suffolk County, NY. These two plans cover, offshore and onshore respectively, the procedures to be implemented if properties are discovered that may be historically significant or unanticipated effects on historic properties found.

South Fork considered all comments received from signatories, invited signatories, and consulting parties, and then provided revised plans to BOEM for its review and acceptance.

BOEM has accepted these final post-review discovery plans and they are hereby enclosed pursuant to the requirements of Section IX.A.3. of the MOA.

Sincerely,

Brennan Guldner

Brennan Guldner
Commercial Manager, South Fork Wind

Cc (via email): Sarah Stokely, BOEM
Rob Mastria, Orsted
Rob Soden, Orsted

Enclosures:

B - Unanticipated Discovery Protocol: Terrestrial Archaeological Resources, South Fork Wind/South Fork Export Cable, Suffolk County, NY
PLANS AND PROCEDURES ADDRESSING UNANTICIPATED DISCOVERIES OF CULTURAL RESOURCES AND HUMAN REMAINS

In Support of the South Fork Wind Construction and Operations Plan for Lease Area OCS-A 0517

Prepared by:
Gray & Pape
60 Valley Street
Suite #103
Providence, Rhode Island 02909

Kimberly M. Smith, M.A., RPA
Senior Principal Investigator

January 26, 2022
# TABLE OF CONTENTS

1.0 INTRODUCTION .................................................................................................................. 1
2.0 TRAINING AND ORIENTATION .......................................................................................... 2
3.0 PROCEDURES WHEN CULTURAL MATERIALS ARE OBSERVED ........................................ 3
4.0 NOTIFICATION LIST ........................................................................................................... 6
5.0 COMMUNICATIONS AND NOTIFICATIONS PLAN FOR UNANTICIPATED DISCOVERIES ......... 8
1.0 INTRODUCTION

The Lessee (South Fork Wind) will conduct activities within New York state waters and federal waters in accordance with the following Unanticipated Discoveries Plan (UDP). This UDP has been developed in conformance with the New York State Office of Parks, Recreation, and Historic Preservation (NYS OPRHP)/State Historic Preservation Office (SHPO) guidelines on Unanticipated Discovery within state waters, and with the Bureau of Ocean Energy Management’s Guidelines for Providing Geological and Geophysical, Hazards, and Archaeological Information Pursuant to 30 CFR Part 285, Section IV.B, "Unanticipated Discoveries (Chance Finds)" within federal waters.

This plan has been written to assist South Fork Wind in its compliance with the National Historic Preservation Act of 1966, as amended; Native American Graves Protection and Repatriation Act (NAGPRA); Lease OCS-A 0517 Lease Stipulations; and laws of the State of New York pertinent to discoveries of unmarked burials. This provides pertinent protocols for the Lessee to follow in the event that an unanticipated discovery of historic properties or human remains is made during construction and operations.

South Fork Wind agrees that no authorized activities will be carried out in a manner that could adversely affect sites, structures, or objects of historical, cultural, or archaeological significance, without notice to and direction from the NYS OPRHP on how to proceed within state waters and BOEM within federal waters.

In no case may South Fork Wind knowingly impact a potential archaeological resource without the NYS OPRHP’s or BOEM’s prior approval.

In accordance with the terms of the Memorandum of Agreement executed for the Project, South Fork Wind circulated a draft version of this Plan for review and comment by the consulting parties. This revised Plan incorporates changes requested by the Delaware Indian Tribe.
2.0 TRAINING AND ORIENTATION

South Fork Wind shall designate a person to serve as their Onboard Representative on each vessel during bottom-disturbing activities in relation to this UDP. South Fork Wind, in coordination with a Qualified Marine Archaeologist, shall ensure that its Onboard Representative has sufficient training and resources to identify bone and man-made materials such as anchors, ship timbers, potsherds, or projectile points. South Fork shall also ensure a Qualified Marine Archaeologist (QMA) is available to remotely support the Onboard Representative and conduct any necessary assessments, as described below.

The designated Onboard Representative will be responsible for advising all Project employees and construction contractor personnel on the procedures to follow in the event an unanticipated discovery is made, and will be responsible for contacting the QMA/Project Archaeologist as indicated in the notifications procedures (Section 5). Training by the QMA/Project Archaeologist will occur as part of the pre-construction activities for all Project personnel aboard. The procedures and notifications described below are also summarized in the attached flow chart. The Onboard Representative will advise all operators to:

1. Stop work immediately if they observe any indications of the presence of cultural materials, animal bone, or possibly human bone.
2. Contact the Onboard Representative as soon as possible.
3. Comply with unanticipated discovery procedures.
4. Treat human remains with dignity and respect.
3.0 PROCEDURES WHEN CULTURAL MATERIALS ARE OBSERVED

If the Lessee, while conducting bottom-disturbing activities in support of the project following review and clearance of the project areas by a QMA under 4.2.4 of the Lease Terms, Conditions, and Stipulations, discovers an unanticipated potential archaeological resource, such as the presence of a shipwreck (e.g., a sonar image or visual confirmation of an iron, steel, or wooden hull, articulated wooden timbers consistent with ship decking or framing, anchors, concentrations of historic objects, piles of ballast rock) or evidence of a pre-contact archaeological site (e.g. stone tools, pottery or other pre-contact artifacts) within the project area1, the Lessee must:

1. Once an unanticipated discovery is made, ground disturbing work in that immediate vicinity should be stopped as soon as possible, in accordance with all safety protocols, in order to prevent any further disturbance or damage to the resource.
   a. If immediate cessation of bottom disturbing activities is not possible due to safety considerations for the crew, vessel, or clear and immediate environmental risks, seafloor disturbing activities will cease as soon as it is safe to do so and the Onboard Representative shall document the circumstances requiring post-discovery operations;
2. Notify the Lessor (BOEM) within 24 hours of discovery. If the discovery is made within state waters the notification must include NYS OPRHP;
3. Notify the Lessor (BOEM) in writing via report to the Lessor within 72 hours of its discovery. If the discovery is in state waters NYS OPRHP will be notified in writing;
4. Keep the location of the discovery confidential and take no action that may adversely affect the archaeological resource until the Lessor has made an evaluation and instructs the applicant on how to proceed; and
5. Conduct any additional investigations as directed by the Lessor to determine if the resource is eligible for listing in the National Register of Historic Places (30 CFR 585.802(b)). The Lessor (BOEM) will do this if: (1) the site has been impacted by the Lessee's project activities; or (2) impacts to the site or to the area of potential effect cannot be avoided. If investigations indicate that the resource is potentially eligible for listing in the National Register of Historic Places, the Lessor will tell the Lessee how to protect the resource or how to mitigate adverse effects to the site. If the Lessor incurs costs in protecting the resource, under Section 110(g) of the National Historic Preservation Act, the Lessor may charge the Lessee reasonable costs for carrying out protection responsibilities under the OCS Lands Act (30 CFR 585.802(c-d)).

In order to comply with the stipulations outlined above, if bone or man-made materials (e.g., artifacts, anchors, ship timbers, potsherds, projectile points) are observed during operations, seafloor/bottom-disturbing activities shall stop as soon as safely able to do so

---

1 Training & Orientation for vessel crew will cover steps for discriminating common, modern debris (e.g. lobster traps) from potential elements of historic vessels.
within the area of the discovery. South Fork Wind’s Onboard Representative will immediately notify South Fork Wind and the Project Archaeologist to review the information, regardless of whether in state or federal waters. This notification shall include information on the location and any discernable characteristics of the potential cultural resource (the target), and any survey data depicting the find. If any human remains or potential human remains are removed from the water, the Onboard Representative will offer tobacco and respectfully wrap such remains in natural material and place the remains into an adequately sized container full of seawater from the area. The remains should be fully submerged within this container. This container should be sealed with a lid and marked with UTM coordinates of the recovery location. This method will prevent rapid degradation from drying or exposure. All such remains will be secured and protected pending completion of the notification and consultation procedures described below.

If, based upon the available information, the Project Archaeologist determines that the site, feature, or target is not potentially cultural, the Project Archaeologist will notify South Fork Wind that work may resume. Such notification will be made within 24-hours, if feasible. The Project Archaeologist will also notify BOEM of this determination if the discovery is made within federal waters. The Project Archaeologist will notify BOEM and NYS OPRHP if the discovery is made within NYS waters. The Project Archaeologist will submit a written memo with the available information describing the find and the conclusion to BOEM and NYS OPRHP (if appropriate) within 72 hours of discovery and forward concurrence from BOEM to South Fork.

If the Project Archaeologist determines that the site, feature, or target may be associated with a significant historic resource, the Project Archaeologist will notify South Fork Wind, who will inform their Onboard Representative that work cannot resume at the given location until notification is provided by South Fork Wind. South Fork Wind will notify the BOEM within 24 hours of such discoveries. If the discovery is made within NYS waters, South Fork Wind will also notify NYS OPRHP.

South Fork Wind’s onboard representative will provide sufficient information (e.g., sonar or video imagery, bathymetry data) to the Project Archaeologist to support a visual inspection of the unanticipated discovery to determine if the site is potentially eligible for listing in the National Register of Historic Places. South Fork Wind will submit the results of the unanticipated discovery review to BOEM, NYS OPRHP, and the Advisory Council (if applicable) for final review and comment.

In the event that the Project Archaeologist recommends a discovery as potentially significant and determines that the resource is threatened by continued project work, South Fork Wind will avoid and protect the resource. Notifications will follow the protocols outlined in Sections 4 and 5, including coordination with BOEM, NYS OPRHP, and the appropriate Tribal Historic Preservation Officers (THPO) or other designated tribal representatives. NYS OPRHP and BOEM will provide guidance on when to contact THPOs. South Fork Wind and BOEM, in consultation with the NYS OPRHP and THPOs, as necessary, will discuss options and develop a Site-Specific Treatment Plan for the avoidance or
removal of unanticipated significant discoveries in accordance with the OCS-A 0517 Lease Stipulations.

In the event that human remains are identified, procedures will adhere to NYS OPRHP's Human Remains Discovery Protocol. It is critical that offshore personnel are aware that human remains represent a potential crime scene until they are determined to be historic in nature.

If suspected human remains are located within the waters of the State of New York, the following procedures should be followed:

1. At all times human remains must be treated with the utmost dignity and respect. Should human remains be encountered work in the general area of the discovery will stop immediately and the location will be immediately secured and protected from damage and disturbance.

2. Human remains or associated artifacts will be left in place and not disturbed. No skeletal remains or materials associated with the remains will be collected or removed until appropriate consultation has taken place and a plan of action has been developed.

3. The county coroner and local law enforcement as well as the SHPO and the involved agency will be notified immediately. The coroner and local law enforcement will make the official ruling on the nature of the remains, being either forensic or archeological. If the remains are archeological in nature, a bioarchaeologist will confirm the identification as human.

4. If human remains are determined to be Native American, the remains will be left in place and protected from further disturbance until a plan for their protection or removal can be generated. The involved agency will consult SHPO and appropriate Native American groups to determine a plan of action that is consistent with the Native American Graves Protection and Repatriation Act (NAGPRA) guidance.

5. If human remains are determined to be Euro-American, the remains will be left in place and protected from further disturbance until a plan for their avoidance or removal can be generated. Consultation with the SHPO and other appropriate parties will be required to determine a plan of action.
4.0 NOTIFICATION LIST

South Fork Wind
Melanie Gearon
Project Manager
56, Exchange Terrace, Suite 300
Providence, Rhode Island 02903
857-348-3261

Project Director
Kimberly Smith, M.A., RPA
Gray & Pape Heritage Management
60 Valley St., Suite 103
Providence, RI 02909
717-515-8994
ksmith@graypape.com

Project Archaeologist
Amanda Evans, Ph.D., RPA
Gray & Pape Heritage Management
110 Avondale St.
Houston, TX 77006
850-445-5794 (mobile)
713-541-0479
aevans@graypape.com

BOEM
Sarah Stokely
Bureau of Ocean Energy Management
Office of Renewable Energy Programs
45600 Woodland Road (VAM-OREP)
Sterling, VA 20166
703-787-1085
Sarah.Stokely@boem.gov

New York State Parks, Recreation & Historic Preservation
Division for Historic Preservation New York State Parks, Recreation & Historic Preservation
Peebles Island State Park,
P.O. Box 189
Waterford, NY 12188-0189

Attn: Historic Preservation Program — Archaeology
518-237-8643

Shinnecock Indian Nation
Bryan Polite
Chair of Tribal Trustees
P.O. Box 5006
Southampton, NY 11969 631-283-6143
bryapolite@shinnecock.org

and

Jeremy Dennis, Junior THPO
P.O. Box 2338
Southampton, NY 11968 (631) 566-0486
jeremynative@gmail.com

Mashpee Wampanoag Tribe
David Weeden
Tribal Historic Preservation Officer
483 Great Neck Road, South, Mashpee, MA 02649
774-327-0068
David.Weeden@mawtribe-nsn.gov

Wampanoag Tribe of Gay Head (Aquinnah)
Bettina Washington
Tribal Historic Preservation Officer
20 Black Brook Road
Aquinnah, MA 02535-1546
508-560-9014
thpo@wampanoagtribe-nsn.gov

Mashantucket Pequot Tribal Nation
Michael Kicking Bear Johnson
Deputy Tribal Historic Preservation Officer
110 Pequot Trail
Mashantucket, CT 06338
860-501-7988
mejohnson@mptn-nsn.gov
Mohegan Tribe of Indians in Connecticut
James Quinn
Tribal Historic Preservation Officer
1 Church Lane (Parking address) (35.68 mi)
Uncasville, CT, CT 06382
860-862-6893
jquinn@moheganmail.com
Narragansett Indian Tribe
John Brown, III
Tribal Historic Preservation Officer

PO Box 463
Charlestown, RI 02813
401-491-9459
tashtesook@aol.com

Suffolk County Medical Examiner
725 Veterans Hwy Ste 487
Hauppauge, New York 11788
631-853-5555
5.0 COMMUNICATIONS AND NOTIFICATIONS PLAN FOR UNANTICIPATED DISCOVERIES

Unanticipated discovery is made on the vessel.

Vessel POC
Onboard Client Representative

If modern, notification to resume operations
If historical, continue UDP

Gray & Pape
Project Director, Kim Smith
and
Project Archaeologist, Amanda Evans

NYS OPRHP
BOEM
South Fork Wind

If the discovery is historical, the PD/PA must notify all appropriate parties (e.g., BOEM, NYS OPRHP) within 24 hrs.

The Vessel POC may notify South Fork Wind of the discovery, but the PD/PA will notify South Fork Wind as to whether the discovery is modern (and work can resume) or if further reporting and coordination of a historical resource will occur.

Additional notifications may be required (e.g., THPOs, SHPOs) but will be done by the PD/PA.
UNANTICIPATED DISCOVERY PROTOCOL:  
TERRESTRIAL ARCHAEOLOGICAL RESOURCES  
SOUTH FORK WIND/SOUTH FORK EXPORT CABLE, SUFFOLK COUNTY, NY  

January 2022

Introduction

South Fork Wind (the Lessee, or SFW) has proposed to construct the South Fork Export Cable (SFEC) (the Facility), part of the larger South Fork Wind Farm (SFWF) Project, in the Town of East Hampton, Suffolk County, New York. The proposed Project is being reviewed by the Bureau of Ocean Energy Management (BOEM) under the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act, as well as the New York State Public Service Commission (NYSPSC) under Article VII of the New York State Public Service Law (PSL). The information and recommendations included in this report are intended to assist these agencies, as well as the New York State Historic Preservation Office (NYSHPO), New York State Department of Public Service (NYSDPS), and other interested stakeholders and consulting parties, in their review of the Project’s potential effect on archaeological resources.

The Lessee is proposing to construct, operate, and maintain the SFEC, an electrical energy export cable, to connect the proposed SFWF, an offshore wind energy facility, with the existing Long Island Power Authority (LIPA) transmission system in the Town of East Hampton. The SFWF and the portion of the SFEC located in federal waters are subject to review and approval by BOEM as required by 30 Code of Federal Regulations (CFR) Part 585. The terrestrial portion of the SFEC (SFEC-Onshore), the new onshore substation proposed to interconnect with the existing LIPA transmission system (SFEC-Onshore Substation), and the submarine cable from a point three nautical miles off the coast (New York State territorial waters boundary) to the point of landfall are subject to review by BOEM and the NYSPSC under Article VII of the PSL and to the requirements of 16 New York Codes, Rules, and Regulations (NYCRR) § 85.

During the Lessee’s outreach with Tribal representatives, stakeholders indicated their strong preference for archaeological investigations to be conducted prior to construction, as opposed to relying on archaeological monitoring to identify, evaluate, and respond to the potential presence of archaeological sites within the area of potential effect (APE). Therefore, the Applicant retained EDR to complete Phase IA and IB terrestrial archaeological surveys of the onshore portions of the APE for physical effects (i.e., construction activities and/or ground disturbance) for the proposed Facility (EDR 2020a, 2020b). The purpose of the Phase I terrestrial archaeological surveys was to determine whether there are terrestrial archaeological sites in the areas that may be affected by construction of the proposed Facility.

The Phase I archaeological survey for the Facility (EDR, 2020a) included archival research and archaeological fieldwork. Background research was conducted to review the geology and environmental setting, previously reported archaeological sites and archaeological surveys, regional histories, and historic maps of the APE.
and adjacent areas. These sources were reviewed to prepare historic contexts for the pre-contact and post-contact historic periods and assess the archaeological sensitivity of the APE for direct effects. In addition, reconnaissance-level surveys were conducted by archaeologists to evaluate existing conditions and prior ground disturbance as part of assessing the potential for archaeological resources to be present within the APE. Shovel testing and systematic pedestrian surveys of the sea-to-shore transition corridor and the SFEC-Interconnection Facility site were conducted. Pedestrian surveys were conducted along the pavement of the public road ROWs of the SFEC Onshore and along the LIRR ROW portion of the SPEC-Onshore. A supplemental Phase IB archaeological survey was conducted for the Beach Lane-Route A (preferred alternative for the SFEC (EDR, 2020b). Based on the results of this Phase I archaeological surveys (EDR 202a, 2020b), no potentially significant archaeological resources have been identified within the APE for the preferred alternative for the SFEC.

South Fork Wind’s proposed siting of the SFEC-Onshore underneath existing paved roadways minimizes the likelihood that undisturbed and/or potentially significant archaeological resources are located within the APE. Portions of the APE are located in active, public roadways and the overlying pavement will be removed as part of proposed construction activities. Removing the pavement to conduct archaeological testing prior to construction is not feasible, given the expenses and logistical arrangements that would be required (e.g., the need for re-routing traffic and potentially emergency vehicles). Therefore, the most effective way to evaluate the likelihood for archaeological sites to be located under paved roadways within the APE is to conduct archaeological testing within the grassy/unpaved portions of the road ROWs adjacent to the pavement (EDR, 2020a:75).

The purpose of the Beach Lane-Route A Phase IB survey (EDR, 2020b) was to further evaluate the potential for sites to be located within the APE and minimize the risk of unanticipated discoveries or disturbance to archaeological resources during construction. No pre-contact Native American artifacts or archaeological features were identified during Phase IB archaeological testing. The results of shovel testing along roadside areas did identify undisturbed soils/subsoil that likely extend underneath paved roadways. Therefore, it is possible that isolated artifacts or small isolated features could be present in undisturbed soils along the path of the SFEC-Onshore. However, the absence of any pre-contact cultural material identified during the Phase IB archaeological survey indicates that no substantial sites (i.e., villages/settlements, lithic workshops, middens, etc.) are located within the APE and suggests that the potential for isolated artifacts or features to be present underneath existing paved roadways is relatively minimal.

These findings, when considered together with the results and recommendations presented in the prior Phase I Archaeological Survey Report (EDR, 2020a) indicate that the Facility will have no effect on significant archaeological resources. The Phase IB survey did not result in the identification of any potentially significant archaeological resources. The results of the Phase IB survey indicate that the potential for isolated artifacts or features to be present underneath existing paved roadways is relatively minimal.

To further mitigate the potential (however unlikely) for encountering archaeological resources during installation of the SFEC-Onshore, the Lessee has prepared this Unanticipated Discovery Protocol, which includes stop-work and notification procedures to be followed if a cultural resource is encountered during
installation. Per the terms of the Memorandum of Agreement executed for the Project, South Fork Wind circulated a draft version of the Unanticipated Discovery Protocol to the consulting parties. This revised Protocol incorporates changes recommended by the Delaware Tribe of Indians. The Protocol outlines the steps for dealing with potential unanticipated discoveries of cultural resources, including human remains, during the construction of the proposed Facility.

The Protocol:

1. Presents to regulatory and review agencies the protocol the Lessee and its contractors and consultants will follow to prepare for and potentially respond to unanticipated cultural resource (i.e., terrestrial archaeological) discoveries; and

2. Provides guidance and instruction to South Fork Wind, LLC personnel and its contractors and consultants as to the proper procedures to be followed in the event of an unanticipated cultural resource (i.e., terrestrial archaeological) discovery.

The following terms are used throughout the Protocol:

- **The Facility:** The Facility collectively refers to all components of the onshore portions of the SFEC.

- **Unanticipated Discovery/Unanticipated Cultural Resource Discovery:** Any indications of the presence of archaeological materials including historic-period or pre-contact Native American artifacts, stone features, animal bone, and/or human remains. Common historic-period artifacts encountered may include bottles/glass, pottery/ceramics, stone foundations, hand-dug wells, brick, nails, miscellaneous metal fragments, or charcoal or ash-stained soils. Common pre-contact Native American artifacts encountered may include arrowheads/spearheads, stone (chert or "flint") chips or flakes, charcoal or ash-stained soils, rough gray, black, or brown pottery, and other stone tools/artifacts of obvious human origin.

- **Potential Human Remains:** Any indications of potential human remains, such as bones or bone fragments, that cannot definitely be determined to be non-human.

- **Area of Potential Effects (APE):** All areas of potential soil disturbance associated with the construction and operation of the proposed Facility.

- **Compliance Manager:** The Lessee's designated on-site staff person responsible for monitoring compliance with permitting conditions and commitments during construction.

- **Archaeologist:** The Lessee's cultural resources consultant. Review of any potential unanticipated discoveries will be conducted under the supervision of a Registered Professional Archaeologist (RPA).
1.0 Training and Orientation

1.1 The Lessee will, in coordination with the archaeologist, provide a summary presentation to the General Construction Manager and construction contractor personnel (hereafter, Construction Personnel) of the relevant results/findings of the Phase IB archaeological survey. Instruction will also be provided as to the general cultural history of the Facility area so that personnel have a greater understanding of what cultural resources may be encountered and so that they can be more readily identified in the field. The Lessee’s training for Construction Personnel will also include an orientation presentation regarding the types of finds that could be discovered (e.g., artifacts, buried shell deposits), including representative photographs of potential cultural features or finds.

1.2 The Lessee will assure that Construction Personnel are made aware of the procedures they must follow in the event of an unanticipated discovery. All construction personnel, including operators of equipment involved in grading, stripping, or trenching activities, will be advised of the need to immediately stop work if they observe any indications of the presence of an unanticipated cultural resource discovery as defined above. Construction personnel will be instructed to immediately contact the Compliance Manager upon the observation of a potential unanticipated discovery as defined in the introduction.

1.3 The Lessee will stress the necessity of compliance with this Protocol and special emphasis and attention will be given to potential circumstances involving human remains. The Lessee will stress the importance of treating any human remains, or potential human remains, encountered during construction of the Facility with the utmost dignity and respect (see Section 3.0 below concerning human remains).

2.0 Observed Resources

In the event that an unanticipated archaeological discovery occurs, procedures and notifications will include the following:

1.4 If any member of the construction workforce believes that potential archaeological materials/artifacts or stone features have been encountered, he or she will be required to stop work in the immediate vicinity of the find and notify the Compliance Manager. If human remains are involved, the procedure described in Section 3.0 concerning human remains will be followed. Ground-disturbing activities in the immediate vicinity (150 ft [45.7 m]) of the find would cease. The restricted area would extend from the maximum discernable limit of the archaeological resource, with ground-disturbing activities restricted to areas necessary for immediate stabilization of the exposed feature or deposit.
1.5 The potential archaeological features and/or artifacts will be left in place and not disturbed. No materials will be collected or removed until appropriate consultation has taken place and a plan of action has been developed. If artifacts are discovered after they have been removed from the ground, the Compliance Manager will carefully secure such artifacts to prevent further damage. No artifacts or potential cultural materials shall be removed from the site of the discovery prior to the arrival of the designated Archaeologist/cultural resources consultant.

1.6 If the Lessee (or its contractors/consultants) believe that an unanticipated discovery has been made, all ground-disturbing activities within 150 feet of the discovery will be stopped until such time as it is determined that construction in this area may continue. The Lessee will be responsible for taking appropriate steps to protect and secure the evidence of the discovery. Construction personnel will delineate the immediate area of the discovery with flagging tape and/or construction fencing. Open trenches or other excavations will be covered in steel plates, as necessary, to secure the discovery and ensure public safety. The area will be regarded as off-limits but will not be identified as an archaeological site in order to protect the resource via discretion and confidentiality. Vehicles and equipment may be permitted to traverse the area surrounding the delineated area if necessary; however, such movement will be minimized to the extent practical, and no vehicles or equipment will be permitted within the delineated area.

1.7 Upon the identification of a potential discovery, the Lessee will notify with BOEM, NYSDPS, NYSHPO, and the Town of East Hampton within 24 hours. BOEM, NYSDPS, NYSHPO, and Town of East Hampton contacts are listed in Section 4.0 Contact/Notifications List, below. No construction activities will be permitted in the vicinity of the find until such time as the significance of the resource has been evaluated by BOEM and NYSHPO and the need for and scope of impact mitigation has been determined by BOEM, NYSDPS, NYSHPO SFW, and other applicable Consulting Parties.

1.8 If the archaeological resource is Native American in nature, the Lessee will request that the BOEM notify representatives of the appropriate Native American Nation(s) (see Section 4.0, below).

1.9 The Lessee's Archaeologist will examine/review the finds and provide additional information to BOEM and NYSHPO. The additional information will either:

1.9.1 Explain why the Archaeologist believes the resource is not significant with respect to the State/National Register of Historic Places (S/NRHP); or

1.9.2 Explain why the Archaeologist believes the resource to be potentially significant with respect to the S/NRHP and propose a Site-Specific Treatment Plan for evaluating the significance of the resource and evaluating Facility-related impacts to it. The Lessee anticipates that the proposed Site-Specific Treatment Plan would provide a basis for initiating consultation with BOEM, NYSHPO, and applicable
South Fork Wind/South Fork Export Cable
Unanticipated Discovery Protocol: Terrestrial Archaeological Resources

Consulting Parties (see Section 4.0). South Fork Wind and BOEM, in consultation with the NYSHPO and Consulting Parties, as necessary, will discuss options and develop a plan for the treatment of unanticipated significant discoveries.

1.10 The Lessee will submit the Site-Specific Treatment Plan to BOEM and NYSHPO. If the proposed mitigation measures can reasonably be conducted concurrently with ongoing Facility construction, the submission to BOEM and NYSHPO will be accompanied by a request to resume construction in the area of the discovery.

1.11 Proposed mitigation measures will not proceed until the Lessee receives written authorization, following consultation with BOEM, NYSHPO, the Town of East Hampton, and applicable Consulting Parties. The Lessee will notify BOEM, NYSHPO and the Town of East Hampton at the completion of all mitigation measures. If construction has been halted during mitigation, the Lessee will also request authorization from BOEM, SHPO, and NYSDPS to resume construction at the conclusion of mitigation.

1.12 The Lessee will submit a summary report describing the results of mitigation to BOEM within a reasonable timeframe from the completion of mitigation fieldwork.

1.13 If archaeological data recovery is conducted, a full Phase III report will be submitted to BOEM, NYSHPO, and applicable Consulting Parties based on a schedule to be established as part of review of the Site-Specific Treatment Plan through consultation with BOEM.

3.0 Observed Skeletal Remains
In the event of an unanticipated discovery of potential human remains and/or funerary objects, all work in the immediate vicinity will stop until further notice and BOEM, NYSHPO, NYSDPS, the county coroner/medical examiner, local law enforcement, and all Consulting Parties identified herein will be contacted. The potential remains/funerary objects will be treated with respect, left in situ by all on site personnel, and protected from further disturbance. The Compliance Manager or Archaeologist will offer tobacco if potential human remains are discovered in water. If any human remains or potential human remains are removed from water in order to prevent immediate damage, the Compliance Manager or Archaeologist will offer tobacco and respectfully wrap such remains in natural material. If necessary to ensure short-term protection of such remains, the remains wrapped in natural materials may be placed in plastic bags or containers to prevent rapid degradation from drying or exposure. All such remains will be secured and protected pending completion of the notification and consultation procedures describe below. If human remains or funerary objects are determined to be Native American, a treatment plan will be developed in consultation with the BOEM and the appropriate Tribal Nations, consistent with established protocols and guidance. These will include the Advisory Council on Historic Preservation’s (ACHP) “Policy Statement Regarding Treatment of Burial Sites, Human Remains and Funerary Objects” (ACHP 2007), and NYSHPO’s Human Remains Discovery Protocol (NYSHPO, 2021).
The ACHP and NYSHPO human remains protocols all require temporary suspension of activity in the vicinity of the discovery, protection of discovered remains, notification of NYSHPO and Native American representatives, and consultation regarding treatment of remains. The coroner and local law enforcement will make the official ruling on the nature of the remains, being either forensic or archaeological. A decision concerning avoidance or hand excavation of the burial and final disposition of the remains shall be made by Consulting Parties.

1.14 The following protocol for dealing with skeletal remains will be followed during any circumstances in which any possible human skeletal remains are identified during construction activities ("skeletal remains" is defined as any articulated or disarticulated bones or teeth). If obviously non-human (i.e., animal) skeletal remains are discovered, the procedures outlined in Section 2.0 of this Protocol will be followed.

1.15 It is crucial that all human remains (or possible human remains) be treated with the utmost respect and dignity.

1.16 Any member of the construction team who believes an unanticipated discovery involving possible human skeletal remains has occurred is required to stop work in the immediate vicinity of the discovery and notify the Compliance Manager.

1.17 Human remains and associated artifacts will be left in place and not disturbed. No skeletal remains or materials associated with the remains will be collected or removed until appropriate consultation has taken place and a plan of action has been developed.

1.18 If the Lessee believes that possible human skeletal remains have been discovered, they will immediately stop all work within 150 feet (45.7 meters) of the discovery location until it is confirmed that construction may resume. The area of the discovery will immediately be protected and secured by (at a minimum) the installation of flagging tape and/or construction fencing delineating the discovery location. The area will be regarded as off-limits but will not be identified publicly as an archaeological site or the location of skeletal remains in order to protect the resource via discretion and confidentiality. Vehicles and equipment may be allowed to pass through the area surrounding the discovery, if necessary; however, such movement will be minimized, and no vehicles or equipment will be permitted within the delineated area around the discovery.

1.19 Upon the discovery of potential human remains, the Lessee will immediately notify BOEM, NYSDPS, NYSHPO, the appropriate Native American Nations, the Lessee’s Archaeologist, the coroner, and local law enforcement listed in Section 4.0, below via telephone and email. The Archaeologist will examine the remains as soon as possible, make a preliminary assessment of their nature (i.e., if they are human or non-human), and immediately notify the parties listed above of the results of the preliminary assessment. If the Archaeologist determines the remains
are of human origin or suspected human origin, the Archaeologist will sprinkle tobacco over the exposed bone and surrounding soils.

1.20 As soon as possible following the discovery, law enforcement personnel (and the Archaeologist) will examine the skeletal remains at the site and determine if they are human. If the Archaeologist is unable to determine if the skeletal remains are human, the Lessee will retain the services of a forensic anthropologist.

1.21 If the remains are determined to be animal (i.e., non-human), the Archaeologist will assess whether they occur in an archaeological context. Additionally, if the remains are determined to be animal, the Lessee will immediately notify the parties listed in Section 3.6 that no human remains were identified.

1.22 If the remains are non-human and are determined to occur in an archaeological context, the procedures outlined in Section 1.26 of this Protocol will be followed.

1.23 If the remains are non-human and the Archaeologist determines no archaeological resource is present, they will immediately advise the Compliance Manager. The Lessee will consult with BOEM, NYSDPS, and NYSHPO and request that construction may resume at the discovery site. The Archaeologist will prepare and submit a letter including photographs of the (non-) discovery site to the Lessee within a reasonable timeframe.

1.24 If the Archaeologist (or forensic anthropologist) determines the remains are human, the county coroner, local law enforcement, BOEM, NYSDPS, NYSHPO, and appropriate Native American Nations will be notified immediately (see Section 4.0 Contact/Notifications List, below). No additional work or examination will occur until the county coroner and local law enforcement have arrived on the scene and made an official ruling on the nature of the remains (i.e., if they are forensic or archaeological in nature).

1.25 If the human remains are determined to be archaeological and if the archaeologist/forensic anthropologist identifies them as Native American in origin, the remains will be left in place and protected from further removal or disturbance until the feasibility of their avoidance by further disturbance can be assessed in consultation with BOEM, appropriate Native American Nations, NYSHPO, and NYSDPS. Note that the Lessee understands that avoidance is preferred by the NYSHPO and the Native American Nations (see ACHP, 2007; NYSHPO, 2021).

1.26 If human remains are determined to be archaeological but non-Native American, they will be left in place and protected until a Site-Specific Treatment Plan for avoidance or removal is developed through consultation with BOEM, NYSDPS, NYSHPO, and applicable Consulting Parties.
1.27 The Site-Specific Treatment Plan will give special consideration to the presence of human remains. Proposals will also include provisions for evaluating the area for the presence of additional graves.

4.0 Contact/Notifications List

<table>
<thead>
<tr>
<th>South Fork Wind</th>
<th>Compliance Manager</th>
</tr>
</thead>
<tbody>
<tr>
<td>Melanie Gearon</td>
<td>TO BE DETERMINED</td>
</tr>
<tr>
<td>Project Manager</td>
<td></td>
</tr>
<tr>
<td>56, Exchange Terrace, Suite 300</td>
<td></td>
</tr>
<tr>
<td>Providence, Rhode Island 02903</td>
<td></td>
</tr>
<tr>
<td>857-348-3261</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:melge@orsted.com">melge@orsted.com</a></td>
<td></td>
</tr>
<tr>
<td>Bureau of Ocean Energy Management</td>
<td></td>
</tr>
<tr>
<td>Sarah Stokely</td>
<td></td>
</tr>
<tr>
<td>Office of Renewable Energy Programs</td>
<td></td>
</tr>
<tr>
<td>45600 Woodland Road (VAM-OREP)</td>
<td></td>
</tr>
<tr>
<td>Sterling, VA 20166</td>
<td></td>
</tr>
<tr>
<td>703-787-1085</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:Sarah.Stokely@boem.gov">Sarah.Stokely@boem.gov</a></td>
<td></td>
</tr>
<tr>
<td>New York State Department of Public Service</td>
<td></td>
</tr>
<tr>
<td>Dan Connor</td>
<td></td>
</tr>
<tr>
<td>3 Empire State Plaza, Albany, NY 12223</td>
<td></td>
</tr>
<tr>
<td>Mobile (518)-605-0836</td>
<td></td>
</tr>
<tr>
<td>New York State Historic Preservation Office</td>
<td></td>
</tr>
<tr>
<td>Timothy Lloyd, Ph.D.</td>
<td></td>
</tr>
<tr>
<td>Scientist Archaeology</td>
<td></td>
</tr>
<tr>
<td>Division for Historic Preservation</td>
<td></td>
</tr>
<tr>
<td>P.O. Box 189, Waterford, NY 12188</td>
<td></td>
</tr>
<tr>
<td>(518) 268-2186</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:timothy.lloyd@parks.ny.gov">timothy.lloyd@parks.ny.gov</a></td>
<td></td>
</tr>
<tr>
<td>New York State Department of Public Service</td>
<td></td>
</tr>
<tr>
<td>Dan Connor</td>
<td></td>
</tr>
<tr>
<td>3 Empire State Plaza, Albany, NY 12223</td>
<td></td>
</tr>
<tr>
<td>Mobile (518)-605-0836</td>
<td></td>
</tr>
<tr>
<td>New York State Historic Preservation Office</td>
<td></td>
</tr>
<tr>
<td>Timothy Lloyd, Ph.D.</td>
<td></td>
</tr>
<tr>
<td>Scientist Archaeology</td>
<td></td>
</tr>
<tr>
<td>Division for Historic Preservation</td>
<td></td>
</tr>
<tr>
<td>P.O. Box 189, Waterford, NY 12188</td>
<td></td>
</tr>
<tr>
<td>(518) 268-2186</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:timothy.lloyd@parks.ny.gov">timothy.lloyd@parks.ny.gov</a></td>
<td></td>
</tr>
<tr>
<td>New York State Department of Public Service</td>
<td></td>
</tr>
<tr>
<td>Dan Connor</td>
<td></td>
</tr>
<tr>
<td>3 Empire State Plaza, Albany, NY 12223</td>
<td></td>
</tr>
<tr>
<td>Mobile (518)-605-0836</td>
<td></td>
</tr>
<tr>
<td>New York State Historic Preservation Office</td>
<td></td>
</tr>
<tr>
<td>Timothy Lloyd, Ph.D.</td>
<td></td>
</tr>
<tr>
<td>Scientist Archaeology</td>
<td></td>
</tr>
<tr>
<td>Division for Historic Preservation</td>
<td></td>
</tr>
<tr>
<td>P.O. Box 189, Waterford, NY 12188</td>
<td></td>
</tr>
<tr>
<td>(518) 268-2186</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:timothy.lloyd@parks.ny.gov">timothy.lloyd@parks.ny.gov</a></td>
<td></td>
</tr>
<tr>
<td>New York State Department of Public Service</td>
<td></td>
</tr>
<tr>
<td>Dan Connor</td>
<td></td>
</tr>
<tr>
<td>3 Empire State Plaza, Albany, NY 12223</td>
<td></td>
</tr>
<tr>
<td>Mobile (518)-605-0836</td>
<td></td>
</tr>
<tr>
<td>New York State Historic Preservation Office</td>
<td></td>
</tr>
<tr>
<td>Timothy Lloyd, Ph.D.</td>
<td></td>
</tr>
<tr>
<td>Scientist Archaeology</td>
<td></td>
</tr>
<tr>
<td>Division for Historic Preservation</td>
<td></td>
</tr>
<tr>
<td>P.O. Box 189, Waterford, NY 12188</td>
<td></td>
</tr>
<tr>
<td>(518) 268-2186</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:timothy.lloyd@parks.ny.gov">timothy.lloyd@parks.ny.gov</a></td>
<td></td>
</tr>
<tr>
<td>New York State Department of Public Service</td>
<td></td>
</tr>
<tr>
<td>Dan Connor</td>
<td></td>
</tr>
<tr>
<td>3 Empire State Plaza, Albany, NY 12223</td>
<td></td>
</tr>
<tr>
<td>Mobile (518)-605-0836</td>
<td></td>
</tr>
<tr>
<td>New York State Historic Preservation Office</td>
<td></td>
</tr>
<tr>
<td>Timothy Lloyd, Ph.D.</td>
<td></td>
</tr>
<tr>
<td>Scientist Archaeology</td>
<td></td>
</tr>
<tr>
<td>Division for Historic Preservation</td>
<td></td>
</tr>
<tr>
<td>P.O. Box 189, Waterford, NY 12188</td>
<td></td>
</tr>
<tr>
<td>(518) 268-2186</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:timothy.lloyd@parks.ny.gov">timothy.lloyd@parks.ny.gov</a></td>
<td></td>
</tr>
<tr>
<td>New York State Department of Public Service</td>
<td></td>
</tr>
<tr>
<td>Dan Connor</td>
<td></td>
</tr>
<tr>
<td>3 Empire State Plaza, Albany, NY 12223</td>
<td></td>
</tr>
<tr>
<td>Mobile (518)-605-0836</td>
<td></td>
</tr>
<tr>
<td>New York State Historic Preservation Office</td>
<td></td>
</tr>
<tr>
<td>Timothy Lloyd, Ph.D.</td>
<td></td>
</tr>
<tr>
<td>Scientist Archaeology</td>
<td></td>
</tr>
<tr>
<td>Division for Historic Preservation</td>
<td></td>
</tr>
<tr>
<td>P.O. Box 189, Waterford, NY 12188</td>
<td></td>
</tr>
<tr>
<td>(518) 268-2186</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:timothy.lloyd@parks.ny.gov">timothy.lloyd@parks.ny.gov</a></td>
<td></td>
</tr>
<tr>
<td>New York State Department of Public Service</td>
<td></td>
</tr>
<tr>
<td>Dan Connor</td>
<td></td>
</tr>
<tr>
<td>3 Empire State Plaza, Albany, NY 12223</td>
<td></td>
</tr>
<tr>
<td>Mobile (518)-605-0836</td>
<td></td>
</tr>
<tr>
<td>Shinnecock Indian Nation</td>
<td></td>
</tr>
<tr>
<td>Bryan Polite</td>
<td></td>
</tr>
<tr>
<td>Chair of Tribal Trustees</td>
<td></td>
</tr>
<tr>
<td>P.O. Box 5006</td>
<td></td>
</tr>
<tr>
<td>Southampton, NY 11969</td>
<td></td>
</tr>
<tr>
<td>631-283-6143</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:bryanpolite@shinnecock.org">bryanpolite@shinnecock.org</a></td>
<td></td>
</tr>
<tr>
<td>and</td>
<td></td>
</tr>
<tr>
<td>Jeremy Dennis, Junior THPO</td>
<td></td>
</tr>
<tr>
<td>P.O. Box 2338</td>
<td></td>
</tr>
<tr>
<td>Southampton, NY 11968</td>
<td>(631) 566-0486</td>
</tr>
<tr>
<td><a href="mailto:jeremynative@gmail.com">jeremynative@gmail.com</a></td>
<td></td>
</tr>
<tr>
<td>Wampanoag Tribe of Gay Head (Aquinnah)</td>
<td></td>
</tr>
<tr>
<td>Bettina Washington</td>
<td></td>
</tr>
<tr>
<td>Mashpee Wampanoag Tribe</td>
<td></td>
</tr>
<tr>
<td>David Weeden</td>
<td></td>
</tr>
<tr>
<td>Tribal Historic Preservation Officer</td>
<td></td>
</tr>
<tr>
<td>483 Great Neck Road, South, Mashpee, MA 02649</td>
<td></td>
</tr>
<tr>
<td>774-327-0068</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:David.Weeden@mwtb-nsn.gov">David.Weeden@mwtb-nsn.gov</a></td>
<td></td>
</tr>
<tr>
<td>and</td>
<td></td>
</tr>
<tr>
<td>Jeremy Dennis, Junior THPO</td>
<td></td>
</tr>
<tr>
<td>P.O. Box 2338</td>
<td></td>
</tr>
<tr>
<td>Southampton, NY 11968</td>
<td>(631) 566-0486</td>
</tr>
<tr>
<td><a href="mailto:jeremynative@gmail.com">jeremynative@gmail.com</a></td>
<td></td>
</tr>
<tr>
<td>Mashantucket Pequot Tribal Nation</td>
<td></td>
</tr>
<tr>
<td>Michael Kicking Bear Johnson</td>
<td></td>
</tr>
<tr>
<td>and</td>
<td></td>
</tr>
<tr>
<td>Jeremy Dennis, Junior THPO</td>
<td></td>
</tr>
<tr>
<td>P.O. Box 2338</td>
<td></td>
</tr>
<tr>
<td>Southampton, NY 11968</td>
<td>(631) 566-0486</td>
</tr>
<tr>
<td><a href="mailto:jeremynative@gmail.com">jeremynative@gmail.com</a></td>
<td></td>
</tr>
</tbody>
</table>
Tribal Historic Preservation Officer
20 Black Brook Road
Aquinnah, MA 02535-1546
508-560-9014
thpo@wampanoagtribe-nsn.gov

Deputy Tribal Historic Preservation Officer
110 Pequot Trail
Mashantucket, CT 06338
860-501-7988
mejohnson@mptn-nsn.gov

Mohegan Tribe
James Quinn
Tribal Historic Preservation Officer
1 Church Lane (Parking address) (35.68 mi)
Uncasville, CT, CT 06382
860-862-6893
jquinn@moheganmail.com

Narragansett Indian Tribe
John Brown, III
Tribal Historic Preservation Officer
PO Box 463
Charlestown, RI 02813
401-491-9459
tashlesook@aol.com

Lessee’s Archaeologist
Dan Forrest
Environmental Design and Research
New England Region
860-367-5754
dforrest@edrdpc.com

Lessee’s Archaeologist (Alternate)
Patrick Heaton, RPA
Environmental Design and Research
217 Montgomery Street, Suite 1000
Syracuse, NY 13202
315-471-0688
pheaton@edrdpc.com

Suffolk County Medical Examiner
725 Veterans Hwy Ste 487
Hauppauge, New York 11788
631-853-5555

References Cited:


Robert Mushen, President  
Little Compton Town Council  
40 Commons – PO Box 226  
Little Compton, R.I. 02837

RE: Zoning Ordinance Amendment Request by Peter Medeiros

Dear Sir:

In response to a request of the Council to review suggestions made by Peter Medeiros, Building Inspector/Zoning Officer the Planning Board on Tuesday, February 1, 2022 took the following actions:

Agenda Item 1) Memo received from the Town Council seeking review and recommendation on a proposal made by the Building Inspector/Zoning Official to amend the LC Town Zoning Ordinance:

   a. Add requirement for any new or added structure over 600 sq. ft. implement a Storm Water Mitigation Plan. After discussion the following was voted:

   Motion made by Sal Marinosci, 2nd by Mary Suttell, all in favor (Beauchemin, Bowen, Marinosci, Murphy, Ross, Steers, Suttell), to forward to the Town Council for its consideration and scheduling of a Public Hearing the following draft adding paragraph j. to 14-5.11 General Performance Standards For All Uses.

   j. Storm Water Mitigation Plan. The approval of any new structure on the property or addition to an existing structure that is 600 square feet or greater must implement a Storm Water Mitigation Plan, for onsite drainage containment as per the Rhode Island Storm Water Design and Installation Manual, and the Rhode Island Soil Erosion and Sediment Control Handbook.

And

   b. Define in Use Table 1-B in Table of Accessory Uses, specifying whether or not sleeping quarters are allowed in accessory structures, such as garages, studios, etc. After discussion the following was voted:

   Motion made by Bob Murphy, 2nd by Sal Marinosci, all voting in favor (Beauchemin, Bowen, Marinosci, Murphy, Ross, Steers, Suttell), to forward to the Town Council the following draft amendment to the Little Compton Town Zoning Code Section 14-3-1c., Use Code for consideration and the scheduling of a Public Hearing:

      Section 14-3-1 c.

Where a use is not specifically listed below, such use is not permitted without a Special Use Permit from the Board. Upon written request, the Building Official shall, (pursuant to Rhode Island General Laws § 45-24-54) provide, within 15 calendar days, written information to the requesting party as to the determination that the use is included within the appropriate use code number. In the event that no response is provided by the Building Official within such time, the requesting party shall have the right to petition the Board for the determination. If the requesting party disagrees with the response of the Building Official, the requesting party shall have the right to appeal the determination to the Board.

Sincerely,

Carol A. Wordell, CMC, Town Clerk  
On Behalf of the Little Compton Planning Board
To the Honorable Town Council Members

Dear Councilors,

Interviews have been held with three (3) applicants who applied to fill the part-time secretary to the Planning and Zoning Board. After the interviews one of the applicants removed her name from consideration as she realized she would not have sufficient time to devote to the needs of the position.

Both the Town Administrator and I agree to put forth a request for the Council to hire Julie B. Spreadbury. Mrs. Spreadbury is a Little Compton resident available to take on this position immediately. We both believe she will be an asset to the staff in the Town Hall.

Respectfully,

Carol A. Wordell, CMC, Town Clerk
Antonio Teixeira, Town Administrator
TOWN OF LITTLE COMPTON
REIMBURSEMENT AND BORROWING RESOLUTIONS FOR $2,000,000

GENERAL OBLIGATION BONDS, SERIES 2022 A
OF
TOWN COUNCIL

The Town Council of the Town of Little Compton, Rhode Island (the “Town”) hereby adopts the following resolutions:

WHEREAS: Pursuant to the authorities contained in Article #6 adopted by the electors at the Annual Financial Town Meeting on May 18, 2021 (the “Financial Town Meeting”), the qualified electors provided for the authority of the Town to issue bonds and notes in anticipation thereof in an amount equal to Two Million Dollars ($2,000,000) (the bonds, and notes in anticipation thereof shall be collectively referred to as the “General Obligation Bonds, Series 2022 A”) to finance the design, engineering and construction of capital improvement projects including without limitation, restoration of the Town Hall building exterior, provision of off-street parking in the Commons and repair and/or replacement of the public works garage, all located in the Town (the “Project”); and

WHEREAS: The Town anticipates spending funds on the Project from its general fund in anticipation of the issuance of the General Obligation Bonds, Series 2022 A; and

WHEREAS: The Town wishes to adopt an inducement resolution to satisfy the requirements of the Internal Revenue Code and allow the reimbursement from General Obligation Bonds, Series 2022 A of such funds previously spent; and

WHEREAS: The Town further wishes to adopt resolutions to authorize the borrowing for the Project.

NOW, THEREFORE, BE IT RESOLVED THAT:

SECTION 1. Pending the issuance of the General Obligation Bonds, Series 2022 A as provided for in these resolutions, the Town may expend funds for the Project. Any advances made under this Section shall be repaid without interest from the proceeds of the General Obligation Bonds, Series 2022 A issued hereunder or from the proceeds of applicable federal or state assistance or from other available funds. Any expenditure of costs incurred to date in connection with the Project are hereby authorized, approved, adopted, ratified and confirmed.

SECTION 2. The Town, pursuant to Treasury Regulation 1.150-2 intends to reimburse itself for capital expenditures for the above described Project paid on or after the date which is sixty days prior to the date of these resolutions, but prior to the issuance of the General Obligation Bonds, Series 2022 A. Such amounts to be reimbursed shall not exceed the authorized amount
pursuant to these resolutions and shall be reimbursed not later than eighteen months after the later of (a) a date on which the expenditure is paid, or (b) the date the Projects are placed in service or abandoned, but in no event later than three years after the date the expenditure is paid.

**SECTION 3.** Pursuant to the authority contained in Article #6 adopted at the Financial Meeting, the Town of Little Compton, Rhode Island is hereby authorized to borrow $2,000,000 and to issue General Obligation Bonds, Series 2022 A in an amount equal to $2,000,000 to finance the Project.

**SECTION 4.** The Town authorizes, ratifies and confirms the distribution of a Request for Proposals For a Direct Purchase by a Financial Institution of a Tax-Exempt Bond Issue to prospective purchasers of the General Obligation Bonds, Series 2022 A in substantially the form submitted to the Town, including such changes as the Town in its discretion may approve.

**SECTION 5.** Each of the President of the Town Council and the Town Treasurer are hereby authorized and empowered individually on behalf of the Town to accept the rates and Proposals and to make and award of the above-referenced General Obligation Bonds, Series 2022 A to be on such date as is established by the Town Treasurer, or such other date in the event such sale is extended, postponed or delayed, and to execute, acknowledge and deliver in the name of and on behalf of the Town any and all documents agreements and instruments to effective the sale of the authorized General Obligation Bonds, Series 2022 A.

**SECTION 6.** The above-authorized General Obligation Bonds, Series 2022 A shall be signed by the Town Treasurer and the President of the Town Council and the manner of sale, denominations, maturities, interest rates and other terms, conditions and details of the General Obligation Bonds, Series 2022 A shall be fixed by the Town Treasurer with the approval of the President of the Town Council.

**SECTION 7.** Each of the President of the Town Council, Town Administrator, the Town Treasurer, and the Town Clerk are authorized and directed to execute, acknowledge, and delivery such additional documents, certificates, instruments and filing as may be required in connection with the issuance of the General Obligation Bonds, Series 2022 A, including without limitation a Tax Certificate and to take such other action as may be necessary or appropriate in order to give effect to these resolutions. The Town Treasurer and the President of the Town Council are authorized to take all action, on behalf of the Town, to ensure that interest of the Series 2022 A will be excluded from gross income for federal tax purposes and to refrain from all actions which would cause the interest on the Series 2022 A to become subject to federal income taxes.

**SECTION 8.** These resolutions shall take effect upon passage.

**CERTIFICATION**

I, the Town Clerk of the Town of Little Compton, Rhode Island, certify that at a meeting of the Town Council held on February 10, 2022, of which meeting all members of the council were duly notified and at which a quorum was present, the foregoing resolutions were
unanimously passed, all of which appears in the official records of the Town Council in my custody.

I further certify that the resolutions were passed at a meeting held in compliance with State of Rhode Island Executive Order 22-01 promulgated by Executive Order of Governor Daniel J. McKee on January 6, 2022 which allows for public participation in public meetings by remote access, and notice of the meeting was duly posted at least 48 hours prior to the meeting and that no action in connection therewith was taken in executive session, all in accordance with Chapter 46 of Title 42 of the General Laws entitled “Open Meetings.”

____________________________
Town Clerk

Dated: February 10, 2022

\

Borrowing Resolution: 41995

3
To: Honorable Town Council

From: Antonio A. Teixeira
Town Administrator

Date: February 10, 2022

Subject: PFM Financial Advisors LLC

We are in the process of pursuing the financing for town projects and refunding the School Bond.

The Town Council has agreed to engage Sandra Mack as the bond counsel but we need a firm to provide the additional services; financial planning, policy development and related service to debt issuance. Steve Maceroni and his firm teams up with Sandra to provide the required tasks.

Both Sandra and Steve bring a wealth of experience to assist us navigate what is necessary to finance and refinance to bring the projects to fruition.

Attached is an engagement letter for Steve Maceroni and his firm for your review. I ask the Honorable Town Council authorize the Town Administrator to sign the letter.

Thank you!
January 21, 2022

Antonio A. Teixeira  
Town Administrator  
Town of Little Compton  
40 Commons  
Little Compton, RI 02837

Dear Mr. Teixeira:

The purpose of this letter (the "Engagement Letter") is to confirm our agreement that PFM Financial Advisors LLC ("PFM") will act as financial advisor to the Town of Little Compton, Rhode Island, (the "Client") on its proposed 2022 RIHEBC School Refunding Bonds and 2022 Town General Obligation Bonds ("Bonds"). PFM will provide, upon request of the Client, services related to financial planning, budget and strategic advice and planning, policy development and services related to debt issuance, as applicable and set forth in Exhibit A to this Engagement Letter. Most tasks requested by Client will not require all services provided for in Exhibit A and as such the specific scope of services for such task shall be limited to just those services required to complete the task.

PFM is a registered municipal advisor with the Securities and Exchange Commission (the "SEC") and the Municipal Securities Rulemaking Board (the 'MSRB"), pursuant to the Securities Exchange Act of 1934 Rule 15Ba1-2. If the Client has designated PFM as its independent registered municipal advisor ("IRMA") for purposes of SEC Rule 15Ba1-1(d)(3)(vi) (the "IRMA exemption"), then services provided pursuant to such designation shall be the services described in Exhibit A hereto, subject to any agreed upon limitations. Verification of independence (as is required under the IRMA exemption) shall be the responsibility of such third party seeking to rely on such IRMA exemption. PFM shall have the right to review and approve in advance any representation of PFM's role as IRMA to Client.

MSRB Rules require that municipal advisors make written disclosures to their clients of all material conflicts of interest, certain legal or disciplinary events and certain regulatory requirements. Such disclosures are provided in PFM's Disclosure Statement delivered to Client prior to or together with this Engagement Letter.

PFM's services will commence as soon as practicable after the execution of this Engagement Letter by the Client and a request by the Client for such service. Any material changes in or additions to the scope of services described in Exhibit A shall be promptly reflected in a written supplement or amendment to this Engagement Letter. Services provided by PFM which are not included in the scope of services set forth in Exhibit A of this Engagement Letter shall be completed as agreed in writing in advance between the Client and the PFM. Upon the request of the Client, an affiliate of PFM or a third party referred or otherwise introduced by PFM may agree to additional services to be provided by such affiliate or third party, by a separate writing, including separate scope and compensation, between the Client and such affiliate or third party.
For the services described in Exhibit A, PFM's professional fees will be paid as provided in Exhibit B. All fees shall be due to PFM within thirty (30) days of the date of invoice. In addition to fees for services, PFM will be reimbursed for necessary, reasonable, and documented out-of-pocket expenses incurred, including travel, meals, lodging, telephone, mail, and other ordinary cost and any actual extraordinary cost for graphics, printing, data processing and computer time which are incurred by PFM. Upon request of the Client, documentation of such expenses will be provided.

This Engagement Letter shall be effective from January 21, 2022 until December 30, 2022 (the "Initial Term"), and shall remain in effect unless canceled in writing by either party upon thirty (30) days written notice to the other party.

PFM shall not assign or transfer any interest in this Engagement Letter or subcontract any of the work performed under this Engagement Letter without the prior written consent of the Client; provided that PFM retains the right to enter into a sale, merger, internal reorganization, or similar transaction involving PFM's business without any such consent.

All information, data, reports, and records in the possession of the Client or any third party necessary for carrying out any services to be performed under this Engagement Letter ("Data") shall be furnished to PFM. PFM may rely on the Data in connection with its provision of the services under this Engagement Letter and the provider thereof shall remain solely responsible for the adequacy, accuracy and completeness of such Data.

All notices and other communication required under this Engagement Letter will be in writing and shall be sent by certified mail, return receipt requested, or by nationally recognized courier, with written verification of receipt. Notices shall be addressed to the party for whom it is intended, at the addresses on the first page of this Engagement Letter.

All materials, except functioning or dynamic financial models, prepared by PFM pursuant exclusively to this Engagement Letter will be the property of the Client. Subject to the preceding exception, upon termination of this Engagement Letter, PFM will deliver to the Client copies of any and deliverables pertaining to this Engagement Letter.

The following employees of PFM will provide the services set forth in this Engagement Letter: Stephen Maceroni and Navide Aminpour. PFM may, from time to time, supplement or otherwise amend team members. The Client has the right to request, for any reason, PFM to replace any member of the advisory staff. Should the Client make such a request, PFM will promptly suggest a substitute for approval by the Client.

PFM will maintain insurance coverage with policy limits not less than as stated in Exhibit C. Except to the extent caused by its willful misconduct, bad faith, gross negligence or reckless disregard of obligations or duties under this Engagement Letter, PFM shall have no liability to any party under this Engagement Letter.
PFM, its employees, officers and representatives at all times will be independent contractors and will not be deemed to be employees, agents, partners, servants and/or joint venturers of Client by virtue of this Engagement Letter or any actions or services rendered under this Engagement Letter. Nothing in this Engagement Letter is intended or shall be construed to give any person, other than the parties hereto, their successors and permitted assigns, any legal or equitable rights, remedy or claim under or in respect of this Engagement Letter or any provisions contained herein. In no event will PFM be liable for any act or omission of any third party or for any circumstances beyond PFM's reasonable control including, but not limited to, fire, flood, or other natural disaster, war, riot, strike, act of terrorism, act of civil or military authority, software and/or equipment failure, computer virus, or failure or interruption of electrical, telecommunications or other utility services.

This Engagement Letter shall be construed, enforced, and administered according to the laws of the State of Rhode Island. PFM and the Client agree that, should a disagreement arise as to the terms or enforcement of any provision of this Engagement Letter, each party will in good faith attempt to resolve said disagreement prior to pursuing other action.

This Engagement Letter represents the entire agreement between Client and PFM and may not be amended or modified except in writing signed by both parties. For the sake of clarity, any separate agreement between Client and an affiliate of PFM or a third party referred or introduced by PFM shall not in any way be deemed an amendment or modification of this Engagement Letter. The invalidity in whole or in part of any provision of this Engagement Letter shall not void or affect the validity of any other provision.

Please have an authorized official of the Client sign a copy of this Engagement Letter and return it to us to acknowledge the terms of this engagement. This Engagement Letter may be signed in any number or counterparts, each of which shall be an original and all of which when taken together shall constitute one and the same document.

Sincerely,

PFM Financial Advisors LLC

[Signature]

June M. Matte
Managing Director
Accepted by:
TOWN OF LITTLE COMPTON, RI

Authorized Signature

Name

Title

Date
EXHIBIT A
SCOPE OF SERVICES

1. Services Related to Debt Transactions (Includes short term financings, notes, loans, letters of credit, line of credit and bonds); provided that if the transaction is competitive, the services of the financial advisor will be modified to reflect that process. Upon the request of the Client:

- Analyze financial and economic factors to determine if the issuance of bonds is appropriate.
- Develop a financing plan in concert with Client's staff which would include recommendations as to the timing and number of series of bonds to be issued.
- Assist the Client by recommending the best method of sale, either as a negotiated sale, private placement or a public sale. In a public sale, make recommendation as to the determination of the best bid. In the event of a negotiated sale, assist in the solicitation, review and evaluation of any investment banking proposals, and provide advice and information necessary to aid in such selection.
- Advise as to the various financing alternatives available to the Client.
- Develop alternatives related to debt transaction including evaluation of revenues available, maturity schedule and cash flow requirements.
- Evaluate benefits of bond insurance and/or security insurance for debt reserve fund.
- If appropriate, develop credit rating presentation and coordinate with the Client the overall presentation to rating agencies.
- Review underwriter's proposals and submit a written analysis of same to the Client.
- Assist the Client in the procurement of other services relating to debt issuance such as printing, paying agent, registrar, etc.
- Identify key bond covenant features and advise as to the financial consequences of provisions to be included in bond indentures, resolutions or other governing documents regarding security, creation of reserve funds, flow of funds, redemption provisions, additional parity debt tests, etc.; review and comment on successive drafts of bond governing documents.
- Review the requirements and submit analysis to bond
insurers, rating agencies and other professionals as they pertain to the Client's obligation.

- Review the terms, conditions and structure of any proposed debt offering undertaken by the Client and provide suggestions, modifications and enhancements where appropriate and necessary to reflect the constraints or current financial policy and fiscal capability.

- Coordinate with Client's staff and other advisors as respects the furnishing of data for offering documents, it being specifically understood that PFM is not responsible for the inclusion or omission of any material in published offering documents.

- As applicable, advise the Client on the condition of the bond market at the time of sale, including volume, timing considerations, competing offerings, and general economic considerations.

- Assist and advise the Client in negotiations with investment banking groups regarding fees, pricing of the bonds and final terms of any security offering, and make recommendations regarding a proposed offering to obtain the most favorable financial terms based on existing market conditions.

- Arrange for the closing of the transaction including, but not limited, to bond printing, signing and final delivery of the bonds.
EXHIBIT B
COMPENSATION FOR SERVICES

1. Fixed Rate Transaction Fees (Direct Purchase, Competitive and Negotiated)
The compensation schedule for direct purchase, competitive and negotiated sales of long-term financings will be billed at closing as follows:

<table>
<thead>
<tr>
<th>NAME OF TRANSACTION</th>
<th>FINANCIAL ADVISORY FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022 RIHEBC School Refunding Bonds</td>
<td>$10,500 (ten thousand five hundred dollars)</td>
</tr>
<tr>
<td>2022 Town General Obligation Bonds</td>
<td>$7,500 (seven thousand five hundred dollars)</td>
</tr>
</tbody>
</table>
Insurance Statement

PFM Financial Advisors LLC ("PFM") has a complete insurance program, including property, casualty, general liability, automobile liability and workers compensation. PFM maintains professional liability and fidelity bond coverages which total $5 million and $5 million single loss/ $10 million aggregate, respectively. PFM also carries a $5 million cyber liability policy.

Our Professional Liability policy is a "claims made" policy and our General Liability policy claims would be made by occurrence.

Deductibles/SIR:
Automobile $100 comprehensive & $1,000 collision
Cyber Liability $100,000
General Liability $0
Professional Liability (E&O) $200,000
Financial Institution Bond $50,000

Insurance Company & AM Best Rating
Professional Liability (E&O). ..............Lloyds of London; (A; Stable)
.................................................AXIS Surplus Insurance Company; (A; Stable)
Financial Institution Bond. .............Berkley Regional Insurance Company; (A+; Stable)
Cyber Liability. ...........................Greenwich Insurance Company (A+; Stable)
General Liability...........................Valley Forge Insurance Company; (A Stable)
Automobile Liability. ......................Continental Insurance Company; (A Stable)
Excess /Umbrella Liability..................Continental Insurance Company; (A Stable)
Workers Compensation..................Continental Insurance Company; (A Stable)
& Employers Liability
I. Introduction

PFM Financial Advisors LLC and PFM Swap Advisors LLC (hereinafter, referred to as “We,” “Us,” or “Our”) are registered municipal advisors with the Securities and Exchange Commission (the “SEC”) and the Municipal Securities Rulemaking Board (the “MSRB”), pursuant to the Securities Exchange Act of 1934 Rule 15Ba1-2. In accordance with MSRB rules, this disclosure statement is provided by Us to each client prior to the execution of its advisory agreement: with written disclosures of all material conflicts of interests and legal or disciplinary events that are required to be disclosed with respect to providing financial advisory services pursuant to MSRB Rule G-42(b) and (c) (ii). We employ a number of resources to identify and subsequently manage actual or potential conflicts of interest in addition to disclosing actual and potential conflicts of interest provided herein.

How We Identify and Manage Conflicts of Interest

Code of Ethics. The Code requires that all employees conduct all aspects of Our business with the highest standards of integrity, honesty and fair dealing. All employees are required to avoid even the appearance of misconduct or impropriety and avoid actual or apparent conflicts of interest between personal and professional relationships that would or could interfere with an employee’s independent exercise of judgment in performing the obligations and responsibilities owed to a municipal advisor and Our clients.

Policies and Procedures. We have adopted policies and procedures that include specific rules and standards for conduct. Some of these policies and procedures provide guidance and reporting requirements about matters that allows Us to monitor behavior that might give rise to a conflict of interest. These include policies concerning the making of gifts and charitable contributions, entertaining clients, and engaging in outside activities, all of which may involve relationships with clients and others that are important to Our analysis of potential conflicts of interest.

Supervisory Structure. We have both a compliance and supervisory structure in place that enables Us to identify and monitor employees’ activities, both on a transaction and Firm-wide basis, to ensure compliance with appropriate standards. Prior to undertaking any engagement with a new client or an additional engagement with an existing client, appropriate municipal advisory personnel will review the possible intersection of the client’s interests, the proposed engagement, Our engagement personnel, experience and existing obligations to other clients and related parties. This review, together with employing the resources described above, allows Us to evaluate any situations that may be an actual or potential conflict of interest.

Disclosures. We will disclose to clients those situations that We believe would create a material conflict of interest, such as: 1) any advice, service or product that any affiliate may provide to a client that is directly related to the municipal advisory work We perform for such client; 2) any payment made to obtain or retain a municipal advisory engagement with a client; 3) any fee-splitting arrangement with any provider of an investment or services to a client; 4) any conflict that may arise from the type of compensation arrangement We may have with a client; and 5) any other actual or potential situation that We are or become aware of that might constitute a material conflict of interest that could reasonably expect to impair Our ability to provide advice to or on behalf of clients consistent with regulatory requirements. If We identify such situations or circumstances, We will prepare meaningful disclosure that will describe the implications of the situation and how We intend to manage the situation. We will also disclose any legal or disciplinary events that are material to a client’s evaluation or the integrity of Our management or advisory personnel. We will provide this disclosure (or a means to access this information) in writing prior to starting Our proposed engagement, and will provide such additional information or clarification as the client may request. We will also advise Our clients in writing of any subsequent material conflict of interest that may arise, as well as the related implications, Our plan to manage that situation, and any additional information such client may require.
II. General Conflict of Interest Disclosures

Disclosure of Conflicts Concerning the Firm’s Affiliates
Our affiliates offer a wide variety of financial services, and Our clients may be interested in pursuing services separately provided by an affiliate. The affiliate’s business with the client could create an incentive for Us to recommend a course of action designed to increase the level of the client’s business activities with the affiliate or to recommend against a course of action that would reduce the client’s business activities with the affiliate. In either instance, We may be perceived as recommending services for a client that are not in the best interests of Our clients, but rather are in Our interests or the interests of Our affiliates. Accordingly, We mitigate any perceived conflict of interest that may arise in this situation by disclosing it to the client, and by requiring that there be a review of the municipal securities transaction or municipal financial product to ensure that it is suitable for the client in light of various factors, after reasonable inquiry, including the client’s needs, objectives and financial circumstances. Further, We receive no compensation from Our affiliates with respect to a client introduction or referral. If a client chooses to work with an affiliate, We require that the client consult and enter into a separate agreement for services, so that the client can make an independent, informed, evaluation of the services offered.

Disclosure of Conflicts Related to the Firm’s Compensation
From time to time, We may be compensated by a municipal advisory fee that is or will be set forth in an agreement with the client to be, or that has been, negotiated and entered into in connection with a municipal advisory service. Payment of such fee may be contingent on the closing of the transaction and the amount of the fee may be based, in whole or in part, on a percentage of the principal or par amount of municipal securities or municipal financial product. While this form of compensation is customary in the municipal securities market, it may be deemed to present a conflict of interest since We may appear to have an incentive to recommend to the client a transaction that is larger in size than is necessary. Further, We may also receive compensation in the form of a fixed fee arrangement. While this form of compensation is customary, it may also present a potential conflict of interest, if the transaction requires more work than contemplated and We are perceived as recommending a less time consuming alternative contrary to the client’s best interest so as not to sustain a loss. Finally, We may contract with clients on an hourly fee bases. If We do not agree on a maximum amount of hours at the outset of the engagement, this arrangement may pose a conflict of interest as We would not have a financial incentive to recommend an alternative that would result in fewer hours. We manage and mitigate all of these types of conflicts by disclosing the fee structure to the client, and by requiring that there be a review of the municipal securities transaction or municipal financial product to ensure that it is suitable for the client in light of various factors, after reasonable inquiry, including the client’s needs, objectives and financial circumstances.

Disclosure Concerning Provision of Services to State and Local Government, and Non-Profit Clients
We regularly provide financial advisory services to state and local governments, their agencies, and instrumentalities, and non-profit clients. While Our clients have expressed that this experience in providing services to a wide variety of clients generally provides great benefit for all of Our clients, there may be or may have been clients with interests that are different from (and adverse to) other clients. If for some reason any client sees Our engagement with any other particular client as a conflict, We will mitigate this conflict by engaging in a broad range of conduct, if and as applicable. Such conduct may include one or any combination of the following: 1) disclosing the conflict to the client; 2) requiring that there be a review of the municipal securities transaction or municipal financial product to ensure that it is suitable for the client in light of various factors, including the client’s needs, objectives and financial circumstances; 3) implementing procedures that establishes an “Informational Bubble” that creates physical, technological and procedural barriers and/or separations to ensure that non-public information is isolated to particular area such that certain governmental transaction team members and supporting functions operate separately during the course of work performed; and 4) in the rare event that a conflict cannot be resolved, We will withdraw from the engagement.

Disclosure Related to Legal and Disciplinary Events
As registered municipal advisors with the Securities and Exchange Commission (the “SEC”) and the Municipal Securities Rulemaking Board (the “MSRB”), pursuant to the Securities Exchange Act of 1934 Rule 15Ba1-2, Our legal, disciplinary and judicial events are required to be disclosed on Our forms MA and MA-I filed with the SEC, in 'Item 9 Disclosure Information' of form MA, "Item 6 Disclosure Information" of form MA-I, and if applicable, the corresponding disclosure reporting page(s) ("DRP"). To review the foregoing disclosure items and material change(s) or amendment(s), if any, clients may electronically access PFM Financial Advisors LLC filed forms MA and MA-I on the SEC’s Electronic Data Gathering, Analysis, and Retrieval system, listed by date of filing starting with the most recently filed, at:

PFM Financial Advisors LLC –
http://www.sec.gov/cgi-bin/browse-edgar?company=PFM+Financial&owner=exclude&action=getcompany

Revised 12-2021
III. Specific Conflicts of Interest Disclosures – Little Compton, RI

To our knowledge, following reasonable inquiry, we are not aware of any other actual or potential conflict of interest that could reasonably be anticipated to impair our ability to provide advice to or on behalf of the client in accordance with applicable standards of conduct of MSRB Rule G-42.

IV. Municipal Advisory Complaint and Client Education Disclosure

The MSRB protects state and local governments and other municipal entities and the public interest by promoting fair and efficient municipal securities markets. To that end, MSRB rules are designed to govern the professional conduct of brokers, dealers, municipal securities dealers and municipal advisors. Accordingly, if you as municipal advisory customer have a complaint about any of these financial professionals, please contact the MSRB’s website at www.msrb.org, and consult the MSRB’s Municipal Advisory Client brochure. The MSRB’s Municipal Advisory Client brochure describes the protections available to municipal advisory clients under MSRB rules, and describes the process for filing a complaint with the appropriate regulatory authority.

PFM’s Financial Advisory services are provided by PFM Financial Advisors LLC. PFM’s Swap Advisory services are provided by PFM Swap Advisors LLC. Both entities are registered municipal advisors with the MSRB and SEC under the Dodd Frank Act of 2010.
January 23, 2022

The Honorable Town Council
Town of Little Compton
40 Commons
Little Compton, RI
02837

Honorable Town Council Members,

I am respectfully requesting your consideration in the appointment of Retired Detective Lieutenant Alberto J. Bucci previously of the Portsmouth Police Department to a position within the Little Compton Police Departments Reserve Police Officer Program.

Retired Detective Lieutenant Bucci was a twenty-two-year member of the Portsmouth Police Department, where he served in both the patrol and detective divisions. Retired Detective Lieutenant Bucci continues to carry a full police officer certification, as required, as member of both the Portsmouth and Tiverton Police Departments Reserve Program.

Retired Detective Lieutenant Bucci would be a valued asset to the Little Compton Police Department and our community, and I highly recommend him for appointment to the Reserve Officer Program.

Respectfully,

Scott N. Raynes
Chief of Police
RHODE ISLAND LEAGUE
OF CITIES AND TOWNS

Legislative Priorities 2022
With all 39 cities and towns as members, the Rhode Island League of Cities & Towns is uniquely positioned to understand municipal needs and convey them to decision-makers. By serving as a convener and an advocate, the League has become a trusted voice for municipalities.

As an organization, we believe in:

- Supporting robust local government funding through municipal aid programs, education aid and grants
- Opposing any constraints on the ability to raise local revenue
- Opposing unfunded state mandates, particularly related to workforce management and personnel costs
- Maintaining local control and decision-making that reflects community needs, including land use, business operations, licensing, etc.
- Supporting greater flexibility for local government to innovate, improve efficiency and save tax dollars

Through direct advocacy to the Governor and General Assembly, we continue to support the needs of municipalities throughout the state.
Funding for Transportation, Infrastructure and Resiliency

While municipalities have seen an influx of federal aid to support our economic recovery from COVID-19, those funds are intended to support our communities through the new challenges they are facing. As the state looks to increase housing stock, cities and towns will need infrastructure to respond to population growth.

Allocate funds to the Municipal Infrastructure Grant program: Earlier this year, the General Assembly authorized General Fund allocations to the Municipal Infrastructure Grant program, which was established in 2017. The program is intended to fund utility and infrastructure improvements in identified growth centers to support additional housing construction. We urge the state to support municipal infrastructure and resilience projects by allocating $30.0 million in Federal American Relief Act funds to the Municipal Infrastructure Grant program for two years.

Expedite funding and project timelines for State Transportation Improvement Plan (STIP) projects: With $100 million in the American Rescue Plan Act (ARPA) capital fund and a potential federal infrastructure package, our members are eager to see projects that are in their early planning phases be executed in an accelerated timeline. The State Planning Council recently approved the STIP for 2022-2031 which outlines infrastructure improvements over the next decade. Our members strongly encourage additional funds to advance projects scheduled to happen between 2026-2031 to improve transportation infrastructure like school routes, bike path improvements and municipal bridges.
Workforce Management

Personnel costs are the largest component of local budgets — representing 70% of expenditures across cities, towns and schools. With municipal budgets supported primarily by property taxes, the League believes that municipal officials need greater flexibility in managing the municipal workforce to reflect the needs of their community, encourage innovation, improve efficiency and control property tax growth.

**Binding Arbitration Reform & Lifetime Contracts:** Binding arbitration for public safety employees and the recently enacted lifetime contract law have tied the hands of local officials in balancing their budgets and need to be reformed. The League supports binding arbitration reforms to limit the scope of decisions, require mediation prior to arbitration and provide safeguards so that an arbitration decision cannot endanger a community’s finances. The League continues to oppose the lifetime contract law enacted in 2019 but would support temporary contract extensions when agreed to by all parties.

**Fairness for Municipal Disability Pensions:** Under current law, the disability pension benefit for municipal employees and public safety personnel is $66\frac{2}{3}\%$ of salary, tax-free, even if the injured individual is able to do other work. In comparison, disability pensions for state employees and teachers are only 50% if the person is able to do other work. This expensive double standard is unfair to local property taxpayers who must pay higher benefits for municipal employees.

**Extend Injured on Duty Reforms to Municipalities:** The League supported state reforms in 2019 to injured-on-duty (IOD) benefits but believes they should apply to municipal employees — not just state employees. Rhode Island’s IOD law grants an injured or sick municipal police officer or firefighter 100% of pay and benefits while he/she is incapacitated and throughout the disability pension application process, including appeals. Many cities and towns pay full IOD salary and benefits to employees for many years, while also paying overtime to cover the vacant positions. We support including municipal employees in reforms to limit the amount of time that people can receive IOD benefits and to provide greater accountability of the program.

**Increase Accountability for Law Enforcement:** The League has made several recommendations to improve the Law Enforcement Officers’ Bill of Rights (LEOBOR). We support extending the period for officer suspensions; expanding the LEOBOR hearing board and making it a standing committee to ensure the uniform application of standards and discipline across cases; and allowing municipal and police officials to discuss certain investigations publicly.
Property Taxes

Property taxes represent two-thirds of local revenues. To fund essential government services, cities and towns need to preserve their ability to assess and collect property taxes as efficiently as possible.

Tangible Tax Reform: Items taxed as tangible personal property are self-reported by businesses and result in relatively small amounts of revenue for communities, particularly tax receipts from small businesses. Reforming the tangible tax structure will support small businesses, which have been struggling since the beginning of the COVID-19 pandemic, improve the local economy and streamline municipal tax collection. Our members strongly encourage including tangible tax reform in the FY 2023 budget; enabling cities and towns to create/increase a small business exemption with no minimum or maximum value.

Tax Cap Exception for New Growth: Rhode Island General Laws limit municipal property tax levy growth to 4.0% annually, with several exemptions outlined in § 44-5-2(d)4. Some members have expressed that the exemption language is too narrow, particularly for new housing or commercial developments. League members would like to see amended language, similar wording as defined in Massachusetts law, which includes properties with increased valuations due to development, exempting real property returned to the tax roll and new personal property, as well as new subdivision parcels and condominium conversions to allow for additional development.

Car Tax Phase-Out: The motor vehicle tax phase-out has become an important tool to lessen the burden on property taxpayers, with the state reimbursing municipalities for forgone revenue. The program has been successful in reducing car taxes in Rhode Island to lower than in Connecticut and Massachusetts. If the Governor and General Assembly leadership decide to pause or modify the phase-out, the League asks that any changes should be enacted and communicated as soon as possible so that municipalities can plan revenues and minimize disruption to taxpayers.

State-Mandated Tax Exemptions: Over the years, state lawmakers have enacted or proposed various property tax exemptions, which may be well-intentioned, but which also erode the local tax base. The League believes that any property tax exemptions should be fully reimbursed by the state for the annual value of taxes lost. Alternatively, such enactments should be enabling rather than mandatory so that the city or town can choose whether to offer the exemption benefit.
Fiscal Restraint & Financial Success

With Rhode Island having the eighth highest property tax burden in the nation, municipal officials are working hard to stretch local tax dollars and avoid large tax increases, especially when so many Rhode Islanders are struggling.

Cities and towns have led the way in budget restraint, supported by sound fiscal management and improved state funding for education. In FY 2022, property taxes across all communities increased only 2.10%. This continues a trend of restrained property tax growth – 1.49% growth in FY 2021, 2.95% growth in FY 2020, 2.10% in FY 2019, 1.99% in FY 2018, 2.18% in in FY 2017, 2.10% in FY 2016, and 1.64% in FY 2015. Sustained state aid to municipalities is the most important ingredient in allowing municipal leaders to continue careful stewardship of their budgets.

<table>
<thead>
<tr>
<th>Recent Trend of Restrained Property Tax Growth</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2022...... 2.10%</td>
</tr>
<tr>
<td>FY 2021 ...... 1.49%</td>
</tr>
</tbody>
</table>

Maintain funding for Distressed Communities: This program assists communities that have high property tax burdens relative to the wealth of their taxpayers, including Central Falls, Cranston, North Providence, Pawtucket, Providence, West Warwick and Woonsocket.

- **Fully fund the Payment In-Lieu of Taxes (PILOT) program:** With more than a dozen communities hosting tax-free entities like state facilities and non-profit hospitals and colleges, PILOT bridges the gap between lost tax revenues and local spending on necessary services, like police and fire, that are provided to those institutions. We strongly encourage the PILOT program to be funded at the full 27.0%.

- **Oppose Agency “Scoops”:** The League consistently opposes taking funds from quasi-governmental organizations as a one-time resource to close the state’s deficit. Many of these programs – such as the RI Resource Recovery Corporation, RI Infrastructure Bank and RI Health and Education Building Corporation – are funded by municipal fees, so agency scoops would effectively use city and town funds to close the state deficit.
Education Aid

Education spending represents the single largest budget item in most communities. With distance learning costs from COVID-19, local budget challenges and the prospect of Federal assistance for schools, the League calls for additional support and flexibility in state education spending.

With the education funding formula coming to an end, we support the state's continued commitment to schools. As the state considers the next phase of the formula, we ask the following:

Fully fund Education Aid and Address Funding Formula concerns: In 2010, state government committed to an equitable funding formula for public education. Municipalities and the State have since stepped up to invest even more in our students to benefit the future of Rhode Island and our workforce. FY 2021 represented the tenth and final year of the education funding formula, and we ask that the state maintain a strong commitment to education aid in FY 2023 — both in the funding formula and important categorical programs such as high-cost special education and multilingual learners.

Provide temporary relief if school districts experience ongoing decreases in enrollment and Free/Reduced-Price lunch programs: The approved FY 2022 budget made accommodations to address education funding shortfalls driven by reductions in enrollment and Free/Reduced-Price lunch as a result of the COVID-19 pandemic. As enrollment around the state continues to decrease, we ask that similar accommodations are made in the FY 2023 budget to smooth any decreases to communities.

Increase the state share of teacher pension contributions above the current 40% level: Rhode Island is one of only two states in New England where the state does not contribute 100% of the required pension contributions for teachers. Increasing the state share would provide greater parity with New England and provide local budget relief.
Housing & Land Use

Local leaders have remarked that the lack of available, affordable homes is limiting job growth and economic development. While zoning and land use should remain a local decision, the state can work with cities and towns to encourage housing construction and rehabilitation. We are supportive of examining the barriers to affordable housing creation and ways to help cities and towns meet their obligations under the Low- and Moderate-Income Housing Act to ensure that at least 10% of their housing stock qualifies as affordable.

Expand definition of qualifying affordable housing: League members have noted the role of housing options such as manufactured housing, alternative dwelling units (ADUs) and affordable market-rate housing providing affordable housing options. This would provide more flexibility to achieve the state’s affordable housing goals.

Modifying maximum tax on low-income property: The League will continue to support legislation that would increase the maximum tax on qualifying low-income property from 8% of the previous year’s gross maximum rental income to 10% of the prospective year’s gross scheduled rental income.

Land Use and Development: Cities and towns — through their elected officials and planning and zoning boards — should decide how best to promote growth and economic development while meeting the needs of their residents. In recent years, the General Assembly has considered legislation to limit local control on permit approval timelines, building heights and density requirements. The League will continue to support reasonable modifications to existing land use standards while rejecting state-imposed criteria that hinder local input.
Local Control & State Pre-emption

While local aid, workforce management and property taxes remain the League’s highest priorities, cities and towns are also deeply concerned about efforts to undermine local control over land use, business licensing and other important policy areas. The League opposes state preemption and one-size-fits-all approaches for each of our distinct communities.

Marijuana: Marijuana legalization would have health, public safety and workforce management impacts in our cities and towns, and local officials must determine the right approach for their communities. The League will scrutinize any proposals to expand marijuana distribution and sales to assure that local regulatory rights are maintained and that cities and towns receive an appropriate portion of revenues generated. We believe that any legalization proposal should include the following:

- Cities and towns should be able to opt-out through their respective councils rather than through a ballot referendum.
- Cities and towns should directly receive at least a 3% local sales tax.
- Any state licensing authority should set reasonable limits on the number and location of licensed establishments and ensure that all facilities comply with local zoning, public safety and other relevant requirements.
Executive Board of Directors

2021 / 2022

PRESIDENT
Charles A. Lombardi
Mayor, North Providence

VICE-PRESIDENTS
Lisa Baldelli-Hunt
Mayor, Woonsocket
Jorge O. Elorza
Mayor, Providence
Andrew Nota
Town Manager, East Greenwich
James Tierney
Town Manager, Narragansett

EXECUTIVE BOARD MEMBERS
Shawn J. Brown
Town Administrator, Middletown
Steven Contente
Town Administrator, Bristol
Bob DaSilva
Mayor, East Providence
Denise DiFranco
Council President, Foster
Kenneth Hopkins
Mayor, Cranston
Kate Michaud
Town Manager, Warren
Tim McCormick
Council Member, Scituate
Robert L. Mushen
Council President, Little Compton
Jeffrey J. Mutter
Mayor, Cumberland
City Manager, Newport
Karen Pinch
Town Administrator, Richmond
Joseph M. Polisena
Mayor, Johnston
L. Maria Rivera
Mayor, Central Falls
Randy R. Rossi
Town Manager, Smithfield
Mark S. Stankiewicz
Town Administrator, Charlestown
Michael C. Wood
Town Manager, Burrillville

PAST PRESIDENTS
Donald R. Grebien
Mayor, Pawtucket
A. Ralph Mollis
Town Manager, North Kingstown
The Rhode Island League of Cities and Towns is a private, nonpartisan, nonprofit association of cities and towns formed in 1968 to advocate the interests of cities and towns before the state legislature, federal and state agencies, and to improve the effectiveness of local government in the state of Rhode Island.

PUBLIC POLICY ADVOCACY
Lobbying for public policies that benefit and strengthen local government

MEMBERSHIP PROGRAMS
Exploration and implementation of services and programs to benefit cities and towns

INTERGOVERNMENTAL RELATIONS
Promoting stable and productive intergovernmental relationships

PUBLIC AWARENESS
Promotion of increased understanding and support for the benefits and value of strong local government with the media, the general public, and other institutions

MEMBERSHIP EDUCATION
Publications, information, training and networking opportunities for key elected and appointed local officials

UNITY
Fostering a strong sense of unity between all cities and towns resulting in a common agenda to advance local government interests

FEDERAL REPRESENTATION
Advocacy of local government interests before the United States Congress and federal agencies is provided through affiliation with the National League of Cities in Washington, D.C.
RESOLUTION OF THE [NAME OF MUNICIPALITY]
IN SUPPORT OF RHODE ISLAND LEAGUE OF CITIES AND TOWNS
2022 LEGISLATIVE PRIORITIES

WHEREAS, all 39 cities and towns are members of the Rhode Island League of Cities and Towns; and

WHEREAS, the Rhode Island League of Cities and Towns serves as a convener and advocates to the Governor and General Assembly to support the needs of municipalities throughout the state; and

WHEREAS, the Rhode Island League of Cities and Towns believes in:
- Supporting robust local government funding through municipal aid programs, education aid and grants
- Opposing any constraints on the ability to raise local revenue
- Opposing unfunded state mandates, particularly related to workforce management and personnel costs
- Maintaining local control and decision-making that reflects community needs, including land use, business operations, licensing, etc.
- Supporting greater flexibility for local government to innovate, improve efficiency and save tax dollars; and

WHEREAS, there has been an influx of federal aid to support the economic recovery from COVID-19 to cities and towns; and

WHEREAS, stable local and education aid from the state will ensure that cities and towns can maintain municipal operations while investing one-time Federal funds toward necessary capital improvements and economic recovery; and

WHEREAS, property taxes represent approximately two-thirds of revenue for municipal budgets statewide, and Rhode Island has the eighth-highest property tax burden in the nation; and

WHEREAS, cities and towns continue to face reduced revenues from lower property tax collection rates, hotel and meals taxes and permit and license fees; and

WHEREAS, any reduction in state funding would exacerbate that problem, ultimately leading to service reductions, layoffs and property tax increases; and

WHEREAS, the Rhode Island League of Cities and Towns conducted a survey of all 39 members to develop legislative priorities for the 2022 session of the Rhode Island General Assembly; and

NOW, THEREFORE, BE IT RESOLVED, that the [City/Town] Council of the [Name of Municipality] supports the priorities identified by the Rhode Island League of Cities and Towns on behalf of the 39 cities and towns in Rhode Island.

Passed as a resolution of the [Name of Municipality] [City/Town] Council this [Date] day of [Month], 2022.

_________________________________________
[Name], President
[Name of Municipality] [City/Town] Council

ATTEST: ___________________________________
[Name], [City/Town] Clerk
Town of Little Compton  
Budget Committee  

February 3, 2022

BUDGET REQUEST FOR FISCAL YEAR 2022

STAY AT HOME IN LITTLE COMPTON, INC. is requesting a stroke in the 2022

Budget for SENIOR TRANSPORTATION in the amount of $10,900.

With the sale of the previous Town of Little Compton Van and the purchase of a replacement shuttle-style van, Stay at Home in Little Compton, Inc. will schedule riders and assigning drivers for the benefit of our Senior Citizens.

With the return to some degree of normal, regularly scheduled rides to the Little Compton Community Center luncheons, shopping trips bi-weekly to Market Basket, and additional events will continue.

Advertising for these services appear weekly in the Sakonnet Times publication.

Respectfully Submitted,

Denise A. Wilkie,  
President  
denise@stayathomeinlc.org  
margaret@stayathomeinlc.org

Margaret M. Tirpaeck,  
VP, Operations

Stay At Home in Little Compton, Inc.  
401-592-0342  

Cc: Robert Mushen, President, Little Compton Town Council  
    Antonio Teixeira, Town Administrator  
    George Crowell, Chair, Budget Committee
Grant Request

The information requested below will be used to assist the Little Compton Town Council in determining its support for annual grant requests:

Name of Organization: East Bay Community Action Program — (EBCAP) Address of Organization: 19 Broadway, Newport, RI 02840

Chief Executive: Dennis Roy, President and Chief Executive Officer

Point of Contact: Jim Dealy, Grants Writer

Is your organization recognized by the IRS as a 501 ( C ) (3) tax exempt entity? Yes

How many years has your organization existed: New Visions for Newport County, Inc and Self Help merged in June 2004 to create East Bay Community Action Program, New Visions and Self Help both existed as separate entities for approximately 40 years prior to the merger.

What types of services does your organization provide:

- Head Start, Early Head Start and Child Care
- Integrated primary and behavioral health care and dental services including the East Bay Smiles and Molar Express community based dental programs for children.
- Women, Infants and Children Supplemental Feeding Program (WIC)
- Social services information and referral, emergency housing assistance and food pantries
- Heating and Energy Assistance, weatherization, appliance management program and boiler replacement program
- Ocean State Dining Program — meals in a social setting for senior citizens
- Retired and Senior Volunteer Program, Foster Grandparents Program and Senior Citizens case management services
- Adult literacy services – GED and English as a Second Language
- Career training for youth and adults, including the RI Works program
- Healthy Families America and Parents as Teachers family home visiting program
- Baby Steps – a community-based literacy program for children 0-3 and their families.
Before and after school licensed child care and enrichment programs for elementary school children.

The primary sites for services for Little Compton residents are the EBCAP Center at 1048 Stafford Road, Tiverton; our main facility at 19 Broadway, Newport and our Health Center at 6 John Chafee Boulevard.

Our site at 1048 Stafford Road, Tiverton houses our food pantry; social services and basic human needs programs; our WIC program; heating and energy assistance and one Head Start classroom.

Our health services center at 6 John Chafee Boulevard in Newport houses primary health care, the WIC Program, behavioral health services and a health family advocate.

The residents of the Little Compton continue to benefit from the many services offered by EBCAP at its main facility – 19 Broadway, Newport. Our Family Center at this location offers social service information and referral; assistance with enrolling in health insurance; emergency food pantry; special holiday programs, the fuel assistance program; Healthy Families America, Parents as Teachers and Head Start home visiting programs; youth counseling services; and our Education and Career Pathways job readiness and training program. In addition, our family dental clinic at 19 Broadway, continues to provide the residents of Little Compton with a full range of emergency and preventative services.

How many Little Compton residents are served annually by your organization: Please see attached 2021 annual report of services for Little Compton residents.

How many staff members (either paid or volunteer) does your organization have? 519 employees and approximately 400 volunteers in 2021. How many residents of Little Compton are employed by EBCAP? Three.

What is your organization's total annual budget? $43,845,247

What is the allocation of budget for services to Little Compton? EBCAP does not allocate funds by municipality.

Do you wish to appear before the Town Council or the Budget Committee to describe your program needs? We would welcome the opportunity.

Please enclose a copy of your current budget and forward to Town Council President, Town of Little Compton, PO Box 226, Little Compton, RI 02837.
East Bay Community Action Program

FY 2022 Annual Budget - Sources & Uses of Funds

Executive Summary

Sources of Funds

<table>
<thead>
<tr>
<th>Revenue &amp; Support</th>
<th>$ 24,388,617</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grant Revenues</td>
<td></td>
</tr>
<tr>
<td>Program Income less Contractual Allowance</td>
<td>19,328,963</td>
</tr>
<tr>
<td>Donations &amp; Foundation Support</td>
<td>403,707</td>
</tr>
<tr>
<td>Other Income</td>
<td>268,960</td>
</tr>
<tr>
<td><strong>Total Sources of Funds</strong></td>
<td><strong>44,390,247</strong></td>
</tr>
</tbody>
</table>

Uses of Funds

| Program Expenses                      |              |
| Personnel                             | 29,968,451   |
| Contracted Services                   | 6,250,643    |
| Supplies                              | 2,706,404    |
| Travel                                | 164,285      |
| Facilities                            | 1,323,353    |
| Furniture and Equipment               | 483,210      |
| Program Activities                    | 71,553       |
| Staff Development & Training          | 304,285      |
| Client Expenses                       | 381,902      |
| Insurance                             | 265,322      |
| General & Administrative              | 1,216,740    |
| Capital & Operating Reserves          | 709,100      |
| **Total Uses of Funds for Operations**| **43,845,247**|

Sources of Funds > (>) Uses of Funds for Operations before

Capital Funding & other Sources (Uses) of funds 545,000

| Capital Grant Funding                  |              |
|                                       | 1,508,685    |
|                                       | 2,053,686    |

| Capital Grant Funded Project Costs    | (1,508,685)  |
| Capital Projects Funded From Operations | (545,000)   |

Sources > (>) Uses of Funds, net $ 0

No depreciation is reported with Sources & Uses of Funds presentation.
EBCAP Services to Little Compton Residents in Calendar Year 2021

Residents employed by EBCAP
Total wages
# Households getting heating assistance
Total heating payments
# Households getting AMPS
# Households getting food assistance
# Basic safety net assessments, referrals
# Individuals getting WIC
# Family practice medicine patients
# Dental patients
# Behavioral health clients

3
$104,632
40
$39,540
4
8
2
10
16
10
4
2022 Federal Certification Review of the State Planning Council - Metropolitan Planning Organization for the Providence, RI – MA Transportation Management Area

Overview
At least once every four years, the U.S. Department of Transportation (DOT) must certify that a Metropolitan Planning Organization (MPO) serving a Transportation Management Area (TMA) – an urbanized area with a population over 200,000 – is carrying out the metropolitan transportation planning process in adherence with federal requirements under 23 U.S.C. 134 and 49 U.S.C. 5303. The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) jointly conduct this review, make a certification determination, and produce a report that may include compliance issues (corrective actions), areas for improvement (recommendations), and/or notable practices (commendations). Based on these findings, the MPO will either be “certified,” “certified with conditions or restrictions,” or “not certified”.

Providence, RI - MA TMA

Designated MPO: State Planning Council

Staffed by: RI Division of Statewide Planning

Comprised Of:
State, Local and Public Representatives and Other Attorneys

Metropolitan Transportation Planning Process
A continuous, cooperative, and comprehensive (3-C) process that informs transportation decisions, including how projects are selected and prioritized for implementation within a region.

With limited funds, this is critical for prioritizing regional needs and identifying projects that best meet performance goals and objectives while providing public benefit. The process assists in developing a framework for the future transportation system.

3-C Planning Process
Continuous: Regularly addressing short-term needs and long-term regional goals
Cooperative: Involving all interested parties through a public participation process
Comprehensive: Multimodal in scope and consistent with other regional and statewide planning products and federal planning factors
Four Key MPO Planning Documents

Please note that there are other federal requirements applicable to MPOs, however these are four core planning documents that frame the metropolitan transportation planning process.

Unified Planning Work Program (UPWP)
Lists transportation tasks, products, and associated costs that MPO staff and other responsible parties will perform to support the metropolitan transportation planning process.
Updated annually

Public Participation Plan (PPP)
Documents public involvement strategies that provide the general public and planning stakeholders with meaningful opportunities to influence transportation decisions throughout the planning process.
Updated as needed

State Transportation Improvement Program (STIP)
Identifies transportation investments, and associated costs, by year for implementation in the region over the next 4 years. Projects reflect investment priorities from the MTP and activities from the UPWP.
Updated regularly; New STIP prepared at least every 4 years

Metropolitan Transportation Plan (MTP)
Also known as a Long Range Transportation Plan (LRTP)
Establishes regional goals, strategies, projects, and priorities for an integrated intermodal transportation system that reflect current and future demand over at least 20 years.
Updated every four years

Things to Think About...
What are your views on the planning process?
- What are some challenges?
- What are some strengths?
Do you feel you understand how the planning process works and how to get involved?
Do you feel like you have adequate opportunities to participate and be heard?

How is the Process Going? We Want Your Input!
Written comments can be submitted by February 25, 2022 to:

FHWA: Randy Warden, FHWA Rhode Island Division
randy.warden@dot.gov or
380 Westminster Street, Suite 601; Providence, RI 02903

FTA: Leah Sirmin, FTA Region 1
leah.sirmin@dot.gov or
55 Broadway, Suite 920; Cambridge, MA 02142

Comments can also be submitted on-line using Smart Comment:
https://planning.ri.com/movingsmartcommentinput/?id=KR9MC

Si desea esta información en español por favor mande un correo electrónico a audry.bendigo@dot.gov con su información.
Public Input Opportunity

Come share your views about the transportation planning process in Rhode Island!

Federal law requires every metropolitan area with a population over 50,000 to have a designated Metropolitan Planning Organization (MPO) to qualify for receipt of federal highway and transit funds. The State Planning Council (SPC), which is staffed by the Rhode Island Department of Administration’s Division of Statewide Planning, is the designated MPO responsible for transportation planning in the State of Rhode Island. Every four years, the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) are required to review the metropolitan transportation planning process conducted by the SPC, along with its state and local partners, in order to certify that they are carrying out the process in accordance with all applicable Federal requirements.

As part of this review, the Federal agencies would like to hear from members of the public regarding how the transportation planning process is conducted in the region.

Comments can be offered at the virtual public meetings conducted by FHWA and FTA, which are to be held during the regularly scheduled meetings of the:

**State Planning Council**
February 10, 2022 at 9:00 AM

**Transportation Advisory Committee**
February 17, 2022 at 5:30 PM

*Please visit the Division of Statewide Planning website for meeting location and/or Zoom log-on information at [http://www.planning.ri.gov/](http://www.planning.ri.gov/)*

If you are unable to attend, you may also submit your comments or observations in writing at [https://planning.ri.com/submitinput.com/?id=KR9MC](https://planning.ri.com/submitinput.com/?id=KR9MC)

Additionally, feedback on the planning process may be submitted to either of the federal contacts below:

**Federal Contacts:**

FHWA: Randy Warden  
380 Westminster Street, Suite 601  
Providence, RI 02903  
Email: randy.warden@dot.gov

FTA: Leah Sirmin  
55 Broadway, Suite 920  
Cambridge, MA 02142  
Email: leah.sirmin@dot.gov

All Comments must be received no later than 4:00 pm on February 25, 2022.

*The meeting location is accessible to handicapped persons and individuals with disabilities. Any individual requiring accommodation to participate in this meeting should contact Lisa Middleton at 401-222-2180 (voice) or #711 (R.I. Relay) as soon as possible. Any individual requiring the services of an interpreter should contact Benny Bergantino at 222-1755 (voice) as soon as possible.*
Oportunidad para que el público opine

Venga a compartir sus ideas con respecto al proceso de planificación para transporte en el estado de Rhode Island

Las leyes federales requieren que cada área metropolitana con una población de más de 50,000 habitantes tenga designado una Organización de Planificación Metropolitana (OPM) (en inglés Metropolitan Planning Organization (MPO)) para calificar por fondos monetarios federales de carreteras y tránsito. El Consejo de Planificación Estatal, es la organización designada por ley federal como la Organización de Planificación Metropolitana (OPM) responsable por la planificación de transporte en Rhode Island. La División de Planificación Estatal del Departamento de Administración de Rhode Island, provee el personal para el OPM. Cada cuatro años, la Administración Federal de Carreteras (en inglés Federal Highway Administration (FHWA)) y la Administración Federal de Transporte (en inglés Federal Transit Administration (FTA)) están obligados a hacer un análisis del proceso de planificación metropolitana de transporte que lleva a cabo el Consejo de Planificación Estatal junto con sus asociados de los gobiernos locales y estatales. Para así certificar que estén cumpliendo con el proceso de acuerdo con los requerimientos federales.

Como parte del análisis, las agencias federales desean oír las opiniones del público con respecto a cómo el proceso de planificación de transporte es conducido en la región.

Puede dar sus opiniones en la reunión virtual conducido por la Administración Federal de Carreteras y la Administración Federal de Transporte, que se llevaran a cabo durante las reuniones regulares de las entidades que siguen:

- **Consejo de Planificación Estatal**
  - 10 febrero 2022 a las 9:00 AM

- **Comité Asesor de Transporte**
  - 17 febrero 2022 a las 5:30 PM

Por favor visite la página web de la División de Planificación Estatal para averiguar a donde se llevará a cabo la reunión o para conseguir la información de entrada para el programa Zum a [http://www.planning.ri.gov/](http://www.planning.ri.gov/)

Si no puede asistir a las reuniones, puede someter sus comentarios u observaciones por escrito a [https://planning.ri.commeninput.com/?id=KR9MC](https://planning.ri.commeninput.com/?id=KR9MC)
Además, puede dirigir sus comentarios sobre el proceso de planificación a cualquiera de las agencias federales como sigue:

Contactos de las agencias Federales:

**FHWA:**
Nombre: **Randy Warden**  
380 Westminster Street, Suite 601  
Providence, RI 02903  
randy.warden@dot.gov

**FTA:**
Nombre: **Leah Sirmin**  
55 Broadway, Suite 920  
Cambridge, MA 02142  
leah.sirmin@cot.gov

Todos los comentarios deben ser recibidos a más tardar a las 4:00 pm el 25 febrero 2022.

*El lugar de la reunión es accesible a personas minusválidas e incapacitadas. Las personas que requieren acomodación especial para atender a la reunión pueden ponerse en contacto con Lisa Middleton al 401-222-2180 (voz) o al #711 (Relé RI) lo más pronto posible. Personas que necesitan los servicios de un intérprete por favor comuníquense con Benny Bergantino al 401-222-1755 (voz) lo más pronto posible.*
TOWN OF TIVERTON
RESOLUTION 2022-0002

RESOLUTION REQUESTING AMENDMENTS TO THE RHODE ISLAND GENERAL
LAWS RELATED TO NOTIFICATION OF AQUACULTURE APPLICATIONS
BEFORE THE COASTAL RESOURCES MANAGEMENT COMMISSION (CRMC)

WHEREAS, The Town of Tiverton is a coastal community whose residents enjoy access to ocean
and other related waterbodies for the purposes of recreation, fishing, boating, and other water-type
recreational activities;

WHEREAS, over the last several months, the Rhode Island Coastal Resources Management
Commission (CRMC) has considered and reviewed applications for private commercial
aquaculture farms in Tiverton’s coastal waters; and

WHEREAS, Rhode Island General Laws posit the approval of all such applications solely in the
jurisdiction of the CRMC; and

WHEREAS, approval of such applications is subject to a public hearing requirement as set forth
in R.I.G.L. 20-10-5(e); and

WHEREAS, residents of Tiverton, including but not limited to property owners, have petitioned
the Tiverton Town Council regarding their lack of knowledge and/or notice of such public
hearings; and

WHEREAS, in the spirit of openness and transparency, the Tiverton Town Council believes that
the current notice requirements for approval of coastal aquaculture applications is insufficient and
does not adequately protect the public’s interests;

Now, therefore, the Tiverton Town Council hereby by Resolves and Petitions the General
Assembly legislative delegation from the Town of Tiverton to seek amendments to R.I.G.L. 20-
10-4 and 20-10-5 which will ensure:

1. The CRMC, or an applicant before said body, is required to give actual written notice to
any owner of property within 1,000 feet from the boundary of any proposed aquaculture
project; and

2. The CRMC, or an applicant before said body, is required to publish a large block-style
advertisement in any newspaper of general circulation notifying the public of any such
aquaculture project that is before that body, said advertisement to include the dates of any
such public hearing and a map showing the location of any such aquaculture project; and

3. Any other additional measures that will ensure full public notification of any pending
applications; and
4. Upon passage of this Resolution, the Tiverton Town Clerk is requested to send a certified copy of this Resolution to each and every member of the Rhode Island General Assembly who represents the Town of Tiverton and to all coastal Cities and Towns in Rhode Island.

Introduced by: Councilor Edwards
Date: January 24, 2022

Read and passed by a vote of the Town Council at the Tiverton Town Council meeting of January 24, 2022.

[Signature]
Joan Chabot
Town Clerk
January 24th, 2022

Little Compton Town Council
40 Commons
Little Compton, Rhode Island 02837

Good morning Gentlemen.

I was unable to get online for the recent town hall zoom meeting. You can’t imagine my shock after going to bed knowing the most recent flag policy was a foregone conclusion. Passing the final proposed policy would confirm my mere existence set people’s hair on fire. The visibility expected by some of these 'kids' today likely drives some people to distraction as well. These kids today, I'll tell you, *shakes head* dragging me out of the comfort of invisibility provided by living at the end of a dirt road. So be it.

I've written two notes to you all, both unsent and deleted. One was earnest and hopefully reasoned. The other was more along the lines, "Are you kiddin' me? This?" Neither was a thank you note. This note is.

I cannot thank you enough for eventually supporting the existing reasonable flag policy. That, over the objections of a minority of folks who wanted to beat us back into our place, wherever that is. Thank you especially for not forcing us to live in a town where town policy was weaponized against a group of its citizens. Their only 'offense' was having a picnic with cold pizza and warm sodas on a Sunday afternoon, to which all were welcome.

I was equally sorry the Armenian flag would no longer hang as a reminder of the million-plus lost souls at the end of World War I. Too few remember the Armenian genocide under the boots of the Ottoman Empire. Flying that flag is a perfect response to the continued outlandish denial of the Turkish Government that they massacred over one million Armenians. They committed that atrocity. You folks should be proud of yourselves for approving that flag. I am further proud of the town for flying it.

Finally, while I may not agree with a flag or other decisions you all make in the future, I know they will be robustly discussed and honorably decided. Again, great thanks.

Chip McLaughlin
2021–64

THE TOWN OF MIDDLETOWN
RESOLUTION OF THE COUNCIL

Resolution Prioritizing Quality Education
for Middletown Students, Families, and Residents

WHEREAS, the Town of Middletown wishes to dramatically improve educational outcomes and the quality of life for Middletown residents; and

WHEREAS, the people of Middletown have expressed a strong desire for the further improvement and development of Middletown's educational system; and

WHEREAS, the Rhode Island Constitution provides that "The diffusion of knowledge, as well as of virtue among the people" is "essential to the preservation of their rights and liberties";

WHEREAS, education is the best pathway to securing future prosperity for our children and our town, at a time when we face extraordinary economic challenges; and

WHEREAS, a high performing educational system can attract new families and new investment to Middletown, and is an important component to Middletown being recognized as a great place to live; and

WHEREAS, Middletown is not currently ranked as one of the top performing school districts in the state, but has dedicated and creative teachers, administrators, parents and residents who can contribute in a variety of ways, great and small, to increasing the success of our schools and all Middletown students; and

WHEREAS, whereas the Middletown School Department is expanding the ways it delivers public education to its students, through innovative programs such as such as the Beyond the Bell and others that are addressing areas of need; and

WHEREAS, ensuring that all students have access to high-quality and personalized support from adults, through extended learning, before and after-school partnerships, and summer learning opportunities is an absolute priority identified in the Rhode Island Department of Education's LEAP Task Force Report; and

WHEREAS, the demand for "Out of School Time" ("OST") programs is so great that two out of every three families cannot find or afford afterschool and summer learning programs in Rhode Island, and as a result, there is an urgent need for OST programs; and

WHEREAS, to address these needs, the Middletown Town Council has established a Department of Children, Youth & Learning ("CYL"), with a goal of increasing educational opportunities in Middletown; and
WHEREAS, creating municipal learning programs through the CYL will allow Middletown to supplement the programs currently offered to its students, to identify and target areas of unmet need, and to offer OST educational opportunities that allow all students to learn, grow and lead.

NOW, THEREFORE BE IT RESOLVED, the Middletown Town Council proclaims a Declaration of Education to commit and align resources across governmental institutions and community based organizations, and pledges to work collaboratively with the Middletown School Committee to identify areas of need, funding opportunities and programs that will improve the Middletown School system for the benefit of all Middletown students, families and taxpayers; and

BE IT FURTHER RESOLVED, we hereby commit to make the Middletown School System among the very best public education systems in Rhode Island, and further commit to ensuring that our students are competitive with other students across New England, the nation and the world, and honor this commitment by establishing the Town of Middletown as a community focused on the value of an excellent education; and

BE IT FURTHER RESOLVED, we hereby resolve to work together to foster a culture of innovation, collaboration and increased awareness of learning opportunities for all community members who live in the town in Middletown; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to every Rhode Island Municipality, our State Senator, our State Representative, and the Governor.

December 20, 2021
READ AND PASSED IN COUNCIL

[Signature]
Wendy J. W. Marshall, CMC
Town Clerk
STATE OF RHODE ISLAND

DEPARTMENT OF ADMINISTRATION
DIVISION OF STATEWIDE PLANNING
State Planning Council
235 Promenade Street, Suite 230
Providence, RI 02908

TRANSPORTATION ADVISORY COMMITTEE
PUBLIC NOTICE
FFY 2022-2031 State Transportation Improvement Program
Minor Amendment #2

The State Planning Council’s Transportation Advisory Committee (TAC) is accepting written comments on a proposed Minor Amendment, classified as Amendment #2, to the FFFY 2022-2031 State Transportation Improvement Program (STIP) for the State of Rhode Island.

The Minor Amendment has been requested by the Rhode Island Department of Transportation (RIDOT) and the Rhode Island Public Transit Authority (RIPTA). The Amendment proposes an addition of $550.81 million over the STIP’s constrained period (FFY2022 – FFY2025) and a total addition of $748.43 million over the STIP’s 10 years. RIDOT’s proposed changes include 152 project changes to ten (10) RIDOT STIP programs including: 11 project changes in the Active Transportation Program; 34 in the Bridge Program; 8 in the Corridor Projects Program; 2 in the Headquarters Operations Program; 7 in the Maintenance Operations Program; 5 in the Major Capital Projects Program; 58 in the Pavement Program; 7 in the Study and Development Program; 10 in the Traffic Safety Program; and 6 in the RIDOT Transit Program. RIPTA’s proposed changes includes 4 project changes to two (2) of RIPTA’s STIP programs: 2 project changes in the Transit Capital Program, and 2 in the RIPTA Transit Support Operations Program.

The proposed amendment is available for review at www.planning.ri.gov or by appointment at the R.I. Division of Statewide Planning’s Office between 8:30 a.m. and 4:00 p.m., Monday through Friday.

The TAC will be requested to act on the proposed Minor Amendment #2 at its public meeting scheduled for Thursday, February 17, 2022 at 5:30 p.m. The public can participate in the online TAC meeting at https://us02web.zoom.us/j/85336842260?pwd=UVRpSn8RWVJVNVQ0VEk1MVh1ZGUrUT09 Password: 570944

Or by phone at US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782 or 833 548 0276 (Toll Free) or 833 548 0276 (Toll Free) or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free) Webinar ID: 853 3684 2260, Passcode: 570944

Written comments must be submitted via the Online Public Comment Form accessible at https://planning.ri.commentinput.com/?id=6WVFJ. All comments on the STIP Amendment must be received by 4:00 on February 14, 2022. The TAC will not accept oral public comments during the meeting related to Amendment #2.

Any individual requiring a reasonable accommodation in order to participate in this meeting should contact Dr. Thomas Mannock at 401-222-6377 (voice) as soon as possible. Individuals requesting foreign language translation services should contact Benny Bergantino at (401) 222-1755 at least five (5) business days prior to the scheduled start of a meeting.

Linsey J. Callaghan
Secretary, Transportation Advisory Committee
February 3, 2022
El Comité Consultivo de Transporte (TAC) del Consejo de Planificación Estatal acepta notas por escrito sobre una Enmienda Menor, clasificada como Enmienda Menor n.º 2, para el Programa Estatal de Mejoras del Transporte (State Transportation Improvement Program, STIP) del año fiscal 2022/2031 para el Estado de Rhode Island.

El Departamento de Transporte de Rhode Island (Rhode Island Department of Transportation, RIDOT) y la Autoridad de Transporte Público de Rhode Island (Rhode Island Public Transit Authority, RIPTA) solicitaron la Enmienda Menor. La Enmienda propone la incorporación de una suma de $550.81 millones durante el período restringido del STIP (del año fiscal 2022 al año fiscal 2025) y una suma total de $748.43 millones durante los 10 años del STIP. Los cambios que propone el RIDOT comprenden 152 cambios de proyecto en diez (10) programas del STIP del RIDOT, que incluyen lo siguiente: 11 cambios de proyecto en el Programa de Transporte Activo, 34 en el Programa de Puentes, 8 en el Programa de Proyectos en los Pasillos, 2 en el Programa de Operaciones de la Oficina Central, 7 en el Programa de Operaciones de Mantenimiento, 5 en el Programa de Proyectos de Capital Principal, 58 en el Programa de Pavimentación, 7 en el Programa de Estudio y Desarrollo, 10 en el Programa de Seguridad Vial y 6 en el Programa de Transporte del RIDOT. Los cambios que propone la RIPTA comprenden 4 cambios de proyecto en dos (2) programas del STIP de la RIPTA, que incluyen lo siguiente: 2 cambios de proyecto en el Programa de Capital para el Transporte y 2 en el Programa de Operaciones de Respaldo al Transporte de la RIPTA.

La enmienda propuesta está disponible para su revisión en www.planning.ri.gov o mediante una cita en la Oficina de la División de Planificación Estatal de R.I. de lunes a viernes, de 8:30 a.m. a 4:00 p.m.

Se requerirá la actuación del TAC en relación con la Enmienda Menor n.º 2 propuesta, en la reunión pública que tendrá lugar el jueves 17 de febrero de 2022, a las 5:30 p.m. El público puede participar en la reunión virtual de TAC, en https://us02web.zoom.us/j/85336842260?pwd=UVRpbmRlVW1VQ0VEk1MVBhZGUrUT09 Contraseña: 570944


Las notas por escrito deben enviarse a través del Formulario de notas públicas en línea, disponible aquí: https://planning.ri.commentinput.com/?id=6WVF1. Todas las notas sobre la Enmienda del STIP se recibirán hasta el 14 de febrero de 2022, a las 4:00. El TAC no aceptará notas públicas en forma oral durante la reunión relativas a la enmienda n.º 2.

Si necesita un hospedaje adecuado para participar en la reunión, comuníquese con el Dr. Thomas Mannock al 401-222-6377 (por voz) lo antes posible. Si necesita servicios de traducción a otros idiomas, comuníquese con Benny Bergantino al (401) 222-1755 por lo menos cinco (5) días hábiles antes de una reunión programada.

Linsey J. Callaghan  
Secretaría, Comité Asesor de Transporte
3 de febrero de 2022
PUBLIC NOTICE

File Number: 2022-01-022 Date: February 2, 2022

This office has under consideration the application of: The Army Corps of Engineers, New England District.

US Army Corps of Engineers
696 Virginia Road
Concord, MA 01742

for a State of Rhode Island Federal Consistency for the:

Replacement and revision of the Army Corps of Engineers Rhode Island General Permit for a standard period of 5 years.

Copies of the proposed General Permit may be seen at the CRMC office in Wakefield or on the CRMC web page.

In accordance with the Administrative Procedures Act (Chapter 42-35 of the Rhode Island General Laws) you may request a hearing on this matter.

You are advised that if you have good reason to enter protests against the proposed work it is your privilege to do so. It is expected that objectors will review the application and plans thoroughly, visit site of proposed work if necessary, to familiarize themselves with the conditions and cite what law or laws, if any, would in their opinion be violated by the work proposed.

If you desire to protest, you must attend the scheduled hearing and give sworn testimony. A notice of the time and place of such hearing will be furnished you as soon as possible after receipt of your request for hearing. If you desire to request a hearing, to receive consideration, it should be in writing (with your correct mailing address, e-mail address and valid contact number) and be received at this office on or before March 2, 2022.
DEPARTMENT OF THE ARMY
GENERAL PERMITS FOR THE STATE OF RHODE ISLAND AND
LANDS LOCATED WITHIN THE BOUNDARIES OF THE
NARRAGANSETT LAND CLAIM SETTLEMENT AREA

The New England District of the U.S. Army Corps of Engineers (Corps) hereby issues twenty-one (21) general permits (GPs), 11 Programmatic General Permits (PGPs) and 10 Regional General Permits (RGP), for activities subject to Corps jurisdiction in waters of the United States (U.S.), including navigable waters, within the boundaries of the State of Rhode Island, adjacent ocean waters to the seaward limit of the outer continental shelf, and lands located within the boundaries of the Narragansett Land Claim Settlement Area. These GPs are issued in accordance with Corps regulations at 33 CFR 320 - 332 [see 33 CFR 325.2(e)(2)], and authorizes activity-specific categories of work that are similar in nature and cause no more than minimal individual and cumulative adverse environmental impacts. These GPs will provide protection to the aquatic environment and the public interest while effectively authorizing activities that have no more than minimal individual and cumulative adverse environmental effects.

GENERAL CRITERIA

In order for activities to qualify for these GPs, they must meet the terms and eligibility criteria of the general permits in Appendix A as well as the general conditions in Appendix B.

Projects may qualify for Self-Verification (SV) or Pre-Construction Notification (PCN). If your project is ineligible for self-verification (SV), it may be screened under PCN or may require an individual permit. The thresholds for activities eligible for SV and PCN are defined in Appendix A. These GPs do not affect the Corps individual permit review process or activities exempt from Corps regulation.

Tammy R. Turley
Chief, Regulatory Division

Date
Rhode Island Programmatic General Permits

An activity is authorized under GPs 1-21 below only if that activity and the permittee satisfy all of the GPs terms and conditions.

1. Aids to navigation & temporary recreational structures
2. Repair or maintenance of existing currently serviceable, authorized or grandfathered structures and fills, removal of structures
3. Moorings
4. Pile-supported structures and floats, including boat lifts/hoists and other miscellaneous structures and work
5. Boat ramps and marine railways
6. Utility line activities
7. Dredging, transport & disposal of dredged material, beach nourishment, rock removal and rock relocation
8. Discharges of dredged or fill material incidental to the construction of bridges
9. Shoreline and bank stabilization projects
10. Aquatic habitat restoration, establishment and enhancement activities
11. Fish and wildlife harvesting activities
12. Oil spill and hazardous material cleanup
13. Cleanup of hazardous and toxic waste
14. Scientific measurement devices
15. Survey activities
16. Aquaculture projects and fisheries
17. New or expanded developments and recreational facilities
18. Linear transportation projects — wetland crossings only
19. Stream, river & brook crossings (not including wetland crossings)
20. Energy generation and renewable energy generation facilities and hydropower projects
21. Temporary fill not associated with any other GP activities
SECTION 1

REVIEW CATEGORIES AND APPLICATION PROCEDURES WITHIN NON-TIDAL WATERS

ACTIVITIES COVERED:

The discharge of dredged or fill material into waters of the United States which is regulated by the Corps under Section 404 of the Clean Water Act (CWA), see 33 CFR 328.

REVIEW PROCESS:

1. RI DEM and CRMC Approvals:

In order for authorizations under these GPs to be valid and before commencing any work within Corps jurisdiction, Section 401(a)(1) of the Clean Water Act (33 USC Sec. 1341) requires that applicants obtain a Water Quality Certification (WQC) or waiver from the state water pollution control agency to discharge dredged or fill material into waters of the U.S. In Rhode Island, the RIDEM - Office of Water Resources - Water Quality Certification Program (RIDEM–OWR–WQC) is the state water pollution control agency. The RIDEM–OWR–WQC has conditionally granted WQC for all activities authorized under these RI GPs provided those activities meet the criteria as contained in these General Permits.

The work may also need approval from the Coastal Resources Management Council (CRMC) pursuant to its jurisdiction over freshwater wetlands in the vicinity of the coast, as well as any local approvals, as applicable (see General Condition 1). For non-tidal waters that are not under the jurisdiction of the CRMC (see Section 2), applicants must apply to the RIDEM, Office of Water Resources, Freshwater Wetlands Program (RIDEM-OWR-FWP). Any permit issued by RIDEM-OWR-FWP may act as the WQC in accordance with Rule 1.15.A.3.d. of the RI Water Quality Regulations, 250-RICR-150-05-1.

2. Self-Verification Review Category

   a. Notification: An application to the USACE is not required. However, submittal of a SVNF and required accompanying materials to USACE in accordance with Section 2(c) below, at least two weeks prior to commencement of work authorized by these GPs, is required.

   b. Eligibility Criteria: Activities in Rhode Island and tribal lands that meet the following criteria are eligible under SV of this GP if they:

      • Are subject to USACE jurisdiction (see Appendix B, GC 2);
      • Meet the SV criteria in Appendix A - General Permits;
      • Meet the requirements of the applicable GCs in Appendix B;
      • Meet all other applicable terms and conditions of these GPs; and
      • Result in no more than minimal impacts to the aquatic environment.

Project proponents seeking authorization under these GPs by qualifying for SV must comply with all GCs and other relevant federal laws such as the National Historic Preservation Act (NHPA), the Endangered Species Act (ESA) and the Wild and Scenic Rivers Act. Consequently, applicant information submittals to USACE and outside experts such as the Rhode Island Historical Preservation
and Heritage Commission (HPHC), The Narragansett Indian Tribe (NIT) (see Appendix D) and the National Park Service, is required for SV eligible activities when there is a likelihood of the presence of resources of concern and the proposed work has the potential to affect these resources. Federal agencies should follow their own procedures for complying with the above requirements and shall provide USACE with the appropriate documentation to demonstrate compliance with those requirements for both SV and PCN review.

c. **How to Obtain Self-Verification Verification:** Applicants must:
   
   (1) Confirm that the activity meets all the applicable SV eligibility criteria, terms and conditions stated in 2(b) above;
   
   (2) Notify the RI HPHC and the Tribal Historic Preservation Officers (THPOs) listed in Appendix D and GC 11 for submission requirements;
   
   (3) Obtain an Official Species List of federally threatened and endangered species that may occur in the activity’s action area (see GC 12); and
   
   (4) Submit the SVNf and its required accompanying materials (see Appendix E) to USACE at least two-weeks prior to start of project construction. Digital submittals by email (preferred), CD/DVD or USB flash drive are strongly encouraged. Please communicate with USACE staff if you are unable to provide a digital copy as allowances will be made. See [https://www.nae.usace.army.mil/Missions/Regulatory/Submitting-Electronic-Correspondence](https://www.nae.usace.army.mil/Missions/Regulatory/Submitting-Electronic-Correspondence) for information about our electronic submittal process.

   Email: cenea-r-ct@usace.army.mil

   Mail: Regulatory Division - Branch B, U.S. Army Corps of Engineers, New England District, 696 Virginia Road, Concord, MA 01742-2751

   (5) RI CRMC or RI DEM will confirm if the activity is eligible for SV.

3. **PCN Review Category**

   a. **Notification:** For activities that are not eligible for SV or when it is stated that a PCN is required, an application to, and written verification from, USACE is required. **No work requiring a PCN may proceed until written verification from USACE has been received.**

   b. **Eligibility Criteria:** Activities in Rhode Island and tribal lands that meet the following criteria may be eligible for authorization under these GPs:
      
      - Are subject to USACE jurisdiction (see Appendix B, GC 2);
      - Meet the criteria of PCN in Appendix A – General Permits;
      - Meet the requirements of the applicable GCs in Appendix B;
      - Meet all other applicable terms and conditions of these GPs;
      
      - Result in no more than minimal impacts to the aquatic environment, as determined by USACE in conjunction with the interagency review team which consists of Federal and State resource agencies. In some instances, this may require project modifications involving avoidance, minimization, and/or compensatory mitigation for unavoidable impacts to ensure the net effects of a project are minimal; and

   c. **Applying for authorization through the PCN process:** Applicants must submit a PCN to USACE. Digital submittals by email (preferred), CD/DVD or USB flash drive are strongly encouraged. Please communicate with USACE staff if you are unable to provide a digital copy as allowances will be made. See [https://www.nae.usace.army.mil/Missions/Regulatory/Submitting-Electronic-](https://www.nae.usace.army.mil/Missions/Regulatory/Submitting-Electronic-
Correspondence for information about our electronic submittal process. USACE staff will notify you if a paper copy or large-scale drawings are required for the evaluation.

Email: cenae-r-ct@usace.army.mil
Mail: Regulatory Division - Branch B, U.S. Army Corps of Engineers, New England District, 696 Virginia Road, Concord, MA 01742-2751

4. **Emergency Procedures:** Written authorization under these emergency procedures is required. Contact USACE immediately in the event of an emergency to obtain information on the verification process and coordination requirements. USACE regulation at 33 CFR 325.2(e)(4) states that an “emergency” is a situation which would result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen and significant economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process the application under standard procedures. Emergency work is subject to the same terms and conditions of these GPs as non-emergency work, and similarly, must qualify for authorization under these GPs; otherwise, an Individual Permit shall be required. Upon notification, USACE will determine if a project qualifies for emergency procedures under the GPs and whether work may proceed prior to submittal of an application. Where an application is required, USACE staff will work with all applicable agencies to expedite verification according to established procedures in emergency situations.

5. **Individual Permit Procedures:** Work that is NOT eligible for authorization under the GPs as defined in Appendix A – General Permits and applicable GCs, or that does not meet the applicable terms and conditions of the GPs, will require review under USACE Individual Permit procedures (see 33 CFR 325.1). Applicants shall submit the appropriate application materials to USACE. General information and the application form can be obtained at http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/ObtainaPermit.aspx.
SECTION 2

REVIEW CATEGORIES AND APPLICATION PROCEDURES FOR PROJECTS WITHIN TIDAL, COASTAL AND NAVIGABLE WATERS

Navigable Waters: Navigable waters of the United States are those waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

ACTIVITIES COVERED:

- Work and structures that are located in, under or over any navigable water of the U.S. (defined at 33 CFR 329) that affect the course, location, condition, or capacity of such waters; or the excavating from or depositing material in navigable waters. (Regulated by the Corps under Section 10 of the Rivers and Harbors Act of 1899);
- The discharge of dredged or fill material into waters of the U.S. (defined at 33 CFR 328), which is regulated by the Corps under Section 404 of the Clean Water Act (CWA); and
- The transportation of dredged material for the purpose of disposal in the ocean. The Corps regulates these activities under Section 103 of the Marine Protection, Research and Sanctuaries Act. See 33 CFR 324.

REVIEW PROCESS:

1. RI CRMC approvals:

In order for authorizations under these GPs to be valid and before commencing any work within Corps jurisdiction, applicants are responsible for applying for and obtaining any of the following required State or local approvals (see General Condition 1):

a. Water Quality Certification (WQC): Issuance or waiver under Section 401 of the Federal CWA (33 USC Section 1341). Section 401(a)(1) of the Clean Water Act requires that applicants obtain a WQC or waiver from the state water pollution control agency (RIDEM-OWR-WQC) to discharge dredged or fill material into waters of the U.S. The RIDEM-OWR-WQC has conditionally granted WQC for all activities authorized under these RI GPs provided those activities meet the criteria as contained in these General Permits.

b. Coastal Zone Management (CZM): Section 307 of the Coastal Zone Management Act of 1972, as amended, requires applicants to obtain a permit, federal consistency certification or waiver from CRMC that the activity complies with the state’s CZM program for activities affecting the state’s coastal area. The CRMChas conditionally granted CZM Consistency for all activities authorized under these RI GPs provided those activities meet the criteria as contained in these General Permits.
2. Self-Verification Review Category

a. Notification: An application to the USACE is not required. The following GPs are Non-Reporting to the Corps if they meet the requirements of self-verification and RI CRMC performs a review; GPs: 1, 2, 3, 4, 5, 7, 8, 14, 15, 16, and 20. If the CRMC issues a permit for the proposed work, CRMC will insert appropriate language in their authorization to notify the applicant that the CRMC authorization is also their Corps authorization provided they comply with the GP's conditions. Written approval from CRMC giving joint state/federal authorization is required before work can commence. A SVNF is not required if Non-Reporting.

b. Eligibility Criteria: Activities in Rhode Island and tribal lands that meet the following criteria are eligible under SV of this GP if they:
   - Are subject to USACE jurisdiction (see Appendix B, GC 2);
   - Meet the SV criteria in Appendix A - General Permits;
   - Meet the requirements of the applicable GCs in Appendix B;
   - Meet all other applicable terms and conditions of these GPs; and
   - Result in no more than minimal impacts to the aquatic environment.

Project proponents seeking authorization under these GPs by qualifying for SV must comply with all GCs and other relevant federal laws such as the National Historic Preservation Act (NHPA), the Endangered Species Act (ESA) and the Wild and Scenic Rivers Act. Consequently, applicant information submittals to USACE and outside experts such as the Rhode Island Historical Preservation and Heritage Commission (RHPHC), The Narragansett Indian Tribe (NIT) (see Appendix D) and the National Park Service, is required for SV eligible activities when there is a likelihood of the presence of resources of concern and the proposed work has the potential to affect these resources. Federal agencies should follow their own procedures for complying with the above requirements and shall provide USACE with the appropriate documentation to demonstrate compliance with those requirements for both SV and PCN review.

c. How to Obtain Self-Verification Verification: Applicants must:
   1. Confirm that the activity meets all the applicable SV eligibility criteria, terms and conditions stated in 2(b) above;
   2. Notify the RI HPHC and the Tribal Historic Preservation Officers (THPOs) listed in Appendix D and GC 11 for submission requirements;
   3. Obtain an Official Species List of federally threatened and endangered species that may occur in the activity's action area (see GC 12); and
   4. Submit the SVNF and its required accompanying materials (see Appendix E) to USACE at least two-weeks prior to start of project construction. Digital submittals by email (preferred), CD/DVD or USB flash drive are strongly encouraged. Please communicate with USACE staff if you are unable to provide a digital copy as allowances will be made. See https://www.nae.usace.army.mil/Missions/Regulatory/Submitting-Electronic-Correspondence for information about our electronic submittal process.
   
   Email: cenae-r-ct@usace.army.mil
   
   Mail: Regulatory Division - Branch B, U.S. Army Corps of Engineers, New England District, 696 Virginia Road, Concord, MA 01742-2751
(5) RI CRMC or RI DEM will confirm if the activity is eligible for SV.

3. PCN Review Category

a. **Notification:** For activities that are not eligible for SV or when it is stated that a PCN is required, an application to, and written verification from USACE is required. No work requiring a PCN may proceed until written verification from USACE has been received.

b. **Eligibility Criteria:** Activities in Rhode Island and tribal lands that meet the following criteria may be eligible for authorization under these GPs:
   - Are subject to USACE jurisdiction (see Appendix B, GC 2);
   - Meet the criteria of PCN in Appendix A – General Permits;
   - Meet the requirements of the applicable GCs in Appendix B;
   - Meet all other applicable terms and conditions of these GPs;
   - Result in no more than minimal impacts to the aquatic environment, as determined by USACE in conjunction with the interagency review team which consists of Federal and State resource agencies. In some instances, this may require project modifications involving avoidance, minimization, and/or compensatory mitigation for unavoidable impacts to ensure the net effects of a project are minimal; and

c. **Applying for authorization through the PCN process:** Applicants must submit a PCN to USACE. Digital submittals by email (preferred), CD/DVD or USB flash drive are strongly encouraged. Please communicate with USACE staff if you are unable to provide a digital copy as allowances will be made. See [https://www.nae.usace.army.mil/Missions/Regulatory/Submitting-Electronic-Correspondence](https://www.nae.usace.army.mil/Missions/Regulatory/Submitting-Electronic-Correspondence) for information about our electronic submittal process. USACE staff will notify you if a paper copy or large-scale drawings are required for the evaluation.

   Email: cenae-r-ct@usace.army.mil
   Mail: Regulatory Division - Branch B, U.S. Army Corps of Engineers, New England District, 696 Virginia Road, Concord, MA 01742-2751

4. **Emergency Procedures:** Written authorization under these emergency procedures is required. Contact USACE immediately in the event of an emergency to obtain information on the verification process and coordination requirements. USACE regulation at 33 CFR 325.2(e)(4) states that an “emergency” is a situation which would result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen and significant economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process the application under standard procedures.” Emergency work is subject to the same terms and conditions of these GPs as non-emergency work, and similarly, must qualify for authorization under these GPs; otherwise, an Individual Permit shall be required. Upon notification, USACE will determine if a project qualifies for emergency procedures under the GPs and whether work may proceed prior to submittal of an application. Where an application is required, USACE staff will work with all applicable agencies to expedite verification according to established procedures in emergency situations.
5. **Individual Permit Procedures**: Work that is **NOT** eligible for authorization under the GPs as defined in Appendix A – General Permits and applicable GCs, or that does not meet the applicable terms and conditions of the GPs, will require review under USACE Individual Permit procedures (see 33 CFR 325.1). Applicants shall submit the appropriate application materials to USACE. General information and the application form can be obtained at [http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/ObtainaPermit.aspx](http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/ObtainaPermit.aspx).
APPENDIX A - GENERAL PERMITS FOR THE STATE OF RHODE ISLAND & TRIBAL LANDS

All Self-Verification and Pre-Construction Notification activities must comply with all applicable terms, general conditions, and any additional eligibility requirements below.

Section 10 of the Rivers and Harbors Act of 1899 (S10): a permit is required for all work, including structures, seaward of the mean high water line in navigable waters of the U.S. For purposes of Section 10, navigable waters of the U.S. are those subject to the ebb and flow of the tide within the boundaries of the State of Rhode Island and adjacent ocean waters to the seaward limit of the outer continental shelf.

Section 404 of the Clean Water Act (S404): a permit is required for activities which involve the discharge of dredged or fill material into waters of the U.S., including not only navigable waters of the U.S. but also inland rivers, lakes, streams, and wetlands. In coastal waters, Corps jurisdiction under S404 extends landward to the high tide line or the landward limit of any wetlands, whichever is more extensive. In inland waters, Corps jurisdiction extends landward to the ordinary high water mark or the landward limit of any wetlands, whichever is more extensive.

<table>
<thead>
<tr>
<th>GP #</th>
<th>Category of Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>GP 1</td>
<td>Aids to navigation &amp; temporary recreational structures</td>
</tr>
<tr>
<td>GP 2</td>
<td>Repair or maintenance of existing serviceable, authorized, or grandfathered structures &amp; fills and removal of structures</td>
</tr>
<tr>
<td>GP 3</td>
<td>Moorings</td>
</tr>
<tr>
<td>GP 4</td>
<td>Pile-supported structures &amp; floats, including boat lifts/hoists &amp; other miscellaneous structures &amp; work</td>
</tr>
<tr>
<td>GP 5</td>
<td>Boat ramps and marina walkways</td>
</tr>
<tr>
<td>GP 6</td>
<td>Utilities including lines, outfall and intake structures and appurtenant features</td>
</tr>
<tr>
<td>GP 7</td>
<td>Dredging, transport &amp; disposal of dredged material, beach nourishment &amp; rock removal and rock relocation</td>
</tr>
<tr>
<td>GP 8</td>
<td>Discharges of dredged or fill material incidental to the construction of bridges</td>
</tr>
<tr>
<td>GP 9</td>
<td>New shoreline and bank stabilization projects and Living Shorelines</td>
</tr>
<tr>
<td>GP 10</td>
<td>Aquatic habitat restoration, establishment, and enhancement activities</td>
</tr>
<tr>
<td>GP 11</td>
<td>Fish and wildlife harvesting activities</td>
</tr>
<tr>
<td>GP 12</td>
<td>Oil spill and hazardous material response operations</td>
</tr>
<tr>
<td>GP 13</td>
<td>Cleanup of hazardous and toxic waste and removal of contaminated soil</td>
</tr>
<tr>
<td>GP 14</td>
<td>Scientific measurement and monitoring devices</td>
</tr>
<tr>
<td>GP 15</td>
<td>Survey and exploratory survey activities</td>
</tr>
<tr>
<td>GP 16</td>
<td>Aquaculture &amp; Mariculture Activities</td>
</tr>
<tr>
<td>GP 17</td>
<td>New and expansion of recreational, residential, institutional, and commercial developments</td>
</tr>
<tr>
<td>GP 18</td>
<td>Wetland crossings for linear transportation projects</td>
</tr>
<tr>
<td>GP 19</td>
<td>Stream river and brook crossings (not including wetland crossings)</td>
</tr>
<tr>
<td>GP 20</td>
<td>Energy generation and renewable energy facilities and hydropower projects</td>
</tr>
<tr>
<td>GP 21</td>
<td>Temporary fill not associated with a regulated General Permit activity</td>
</tr>
</tbody>
</table>
GP 1. AIDS TO NAVIGATION & TEMPORARY RECREATIONAL STRUCTURES

The placement of aids to navigation and regulatory markers which are approved by and installed in accordance with the requirements of the U.S. Coast Guard (see 33 CFR, chapter I, subchapter C, part 66). The installation of temporary buoys, markers, floats, or similar structures solely for recreational use or short-term events such as water-skiing competitions, fireworks display or seasonal swim floats.

Applies to: Section 10: navigable waters of the U.S.

<table>
<thead>
<tr>
<th>SELF-VERIFICATION (SV)</th>
<th>PRE-CONSTRUCTION NOTIFICATION (PCN)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not eligible for SV (PCN or Individual Permit required):</td>
<td>Not eligible for PCN (Individual Permit required):</td>
</tr>
<tr>
<td>• Aids to Navigation/temporary structures in submerged aquatic vegetation (SAV).</td>
<td>•</td>
</tr>
<tr>
<td>• Aids to Navigation/temporary structures in USACE Federal navigation projects (FNPs). FNPs are comprised of Federal channels, anchorage and turning basins. Please click on the link below for more information: <a href="https://www.nae.usace.army.mil/Missions/Navigation/Rhode-Island-Projects/">https://www.nae.usace.army.mil/Missions/Navigation/Rhode-Island-Projects/</a> on the limits of these Federal projects.</td>
<td>• Aids to Navigation/temporary structures in SAV.</td>
</tr>
<tr>
<td>• Temporary structures in place longer than one season and/or not removed within 30 days after use is discontinued.</td>
<td>• Aids to Navigation/temporary structures in FNPs.</td>
</tr>
<tr>
<td>Eligible for SV - Non-Reporting to the Corps:</td>
<td>• Temporary structures in place longer than one season and/or not removed within 30 days after use is discontinued. Must be in accordance with USCG requirements.</td>
</tr>
<tr>
<td>• Aids to navigation and regulatory markers (both permanent and temporary) approved by the U.S. Coast Guard (USCG) that are not located within FNPs.</td>
<td></td>
</tr>
<tr>
<td>• Temporary buoys, markers, floats, etc. for recreational use during specific seasonal or short-term events, provided they are not located within USACE FNPs, are in place no longer than the defined seasonal timeframe and are removed within 30 days after use is discontinued.</td>
<td></td>
</tr>
</tbody>
</table>

If the project meets self-verification, it is Non-Reporting to the Corps. If CRMC issues a permit for the proposed work, CRMC will insert appropriate language in their authorization to notify the permittee that the CRMC authorization is also the Corps authorization provided they comply with the GP’s conditions. A Self-Verification Notification Form (SVNF) is not required.
GP 2. REPAIR OR MAINTENANCE OF EXISTING CURRENTLY SERVICEABLE, AUTHORIZED OR GRANDFATHERED Structures & Fills.

REMOVAL OF STRUCTURES

Repair, rehabilitation, or replacement of any previously authorized, currently serviceable structure, or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3, provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification. Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction technique requirements of other regulatory agencies, or current construction codes or safety standards that are necessary to make the repair, rehabilitation, or replacement are authorized. Includes removal of structures and fill and accumulated sediment/debris. Stream, river, brook, or other watercourse crossings are not eligible under GP 2 (see GP 19). Maintenance dredging, beach nourishment or beach restoration are not eligible under GP 2 (see GP 7).

APPLIES TO: Section 10 & 404: tidal and non-tidal waters of the U.S.

Not authorized under GP 2: (a) Permanent impacts >1/2 acre in tidal and 1 acre in non-tidal waters and/or wetlands, >1000 SF in tidal Special Aquatic Site (SAS) other than vegetated shallows, or >100 SF in tidal vegetated shallows.

<table>
<thead>
<tr>
<th>SELF-VERIFICATION (SV)</th>
<th>PRE-CONSTRUCTION NOTIFICATION (PCN)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Not eligible for SV (PCN or Individual Permit required):</strong></td>
<td><strong>Not eligible for PCN (Individual Permit required):</strong></td>
</tr>
<tr>
<td>• Fill in tidal waters &amp; wetlands.                                                     • New fill (temporary or permanent) &gt; 5,000 SF in waters and wetlands.</td>
<td></td>
</tr>
<tr>
<td>• Impacts in SAS (see Appendix D - Definitions).                                       • New riprap fill that exceeds the minimum necessary to protect the existing fill/structure.</td>
<td></td>
</tr>
<tr>
<td>• Slip lining or culvert relining that changes invert elevation.                       • Eligible for PCN:</td>
<td></td>
</tr>
<tr>
<td>• Additional riprap beyond the existing, previously authorized footprint.              • Fill and impacts (structures or work) ≤ 5,000 SF in waters and wetlands</td>
<td></td>
</tr>
<tr>
<td>• Unconfinned work in streams with diadromous fish occurring between April 1 and June 30.</td>
<td>• Additional riprap beyond the existing, previously authorized footprint</td>
</tr>
<tr>
<td>• Unconfinned fill in waterways identified as habitat for Atlantic sturgeon and shortnose sturgeon including designated critical habitat, foraging, and overwintering areas.</td>
<td>• Removal of accumulated sediments and debris in the vicinity of existing structures (e.g., bridges, culverted road crossings, water intake structures, etc.)</td>
</tr>
</tbody>
</table>

**Eligible for SV - Non-Reporting to the Corps if CERC Reviews:**

| ≤ 5,000 SF of impacts in non-tidal waters & wetlands includes <5,000 SF removal of sediment or riprap placement. |
| Bulkhead replacement via installation of new bulkhead within 18” of existing bulkhead & associated backfill. |
| Pile supported structures re-constructed in the same footprint using the same materials except steel piles installed using an impact hammer. |
| Drawdown of impoundment for dam/levee repair provided it does not exceed 18 months and one growing season (April through September). |
| Any stream channel modification is limited to the minimum necessary for the repair, rehabilitation, or replacement of the structure or fill; such modifications, including the removal of material from the stream channel, must be immediately adjacent to the project or within the boundaries of the structure or fill. |
| Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary |

| Eligible for PCN:                                                                   |
| • Fill and impacts (structures or work) ≤ 5,000 SF in waters and wetlands          |
| • Additional riprap beyond the existing, previously authorized footprint           |
| • Removal of accumulated sediments and debris in the vicinity of existing structures (e.g., bridges, culverted road crossings, water intake structures, etc.) |
| • Removal of bridge structures subject to USCG jurisdiction are covered under GP 8, provided the USCG issues a bridge permit. |
| • Any bank stabilization measures not directly associated with the structure requires a separate authorization under GP 9. |
| • The removal of a accumulated sediment is limited to the minimum necessary to restore the waterway in the vicinity of the structure to the approximate dimensions that existed when the structure was built but cannot extend farther than 200 feet in any direction from the structure. Excavated materials must be deposited and retained in an area that has no waters of the U.S. |
| • Pile supported structures using steel piles installed using an impact hammer.    |
discharges, such as sandbag cofferdams, access fills, etc. are necessary for construction activities or dewatering of construction sites.

- Temporary fills must consist of materials installed in a manner that will not be eroded by high flows. Materials must be removed in their entirety and affected areas returned to pre-construction elevations and must be re-vegetated as appropriate.
- Work to previously approved tide gates with a Corps-approved operation and maintenance plan and tide gates not affecting the hydraulic regime.

If the project meets self-verification and CRMC performs a review, it is Non-Reporting to the Corps. If CRMC issues a permit for the proposed work, CRMC will insert appropriate language in their authorization to notify the permittee that the CRMC authorization is also the Corps authorization provided they comply with the GP’s conditions. A SVNF is not required if Non-Reporting.

**Notes:**
1. Removal of bridge structures in navigable waters are covered under GP 8, if the Coast Guard issues a bridge permit.
2. Stream, river, brook or other watercourse crossings are not eligible under GP 2 (See GP 19).
3. Grandfather dates include work performed & structures installed before 1968 & fill placed before 1975.
4. Construction mats of any area necessary to conduct activities do not count towards the impact thresholds and should be removed as soon as work is completed.
### GP 3. MOORINGS

New private, non-commercial, non-rental, single-boat moorings & temporary moorings including moorings to facilitate construction or dredging, minor relocation of previously authorized moorings and mooring field expansions, boundary reconfigurations or modifications of previously authorized mooring fields and maintenance and replacement of moorings.

**Applies to:** Section 10: navigable waters of the U.S.

Not authorized under GP 3: Moorings within Federal Navigation channels.

<table>
<thead>
<tr>
<th>SELF-VERIFICATION (SV)</th>
<th>PRE-CONSTRUCTION NOTIFICATION (PCN)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Not eligible for SV (PCN or Individual Permit required):</strong></td>
<td><strong>Not eligible for PCN (Individual Permit required):</strong></td>
</tr>
<tr>
<td>- New moorings located in FNP, including anchorages</td>
<td>- Moorings in Federal Navigation Channels</td>
</tr>
<tr>
<td>- New moorings located in tidel SAS</td>
<td></td>
</tr>
<tr>
<td>- New moorings located in shellfish beds</td>
<td></td>
</tr>
<tr>
<td><strong>Eligible for SV – Non-Reporting to the Corps:</strong></td>
<td><strong>Eligible for PCN:</strong></td>
</tr>
<tr>
<td>- Private, non-commercial, non-rental, single-boat moorings as well as temporary moorings needed to facilitate construction or dredging.</td>
<td>- New moorings, including expansion of existing mooring fields, that are associated with an existing or proposed boating facility.</td>
</tr>
<tr>
<td>- Minor relocation of previously authorized moorings provided no impact to SAS or shellfish beds.</td>
<td>- Private moorings without harbormaster or local approval.</td>
</tr>
<tr>
<td>- Must receive local harbormaster or municipal commission authorization.</td>
<td>- Moorings located such that they, a nd/or vessels docked or moored at them, are within the buffer zone of the horizontal limits of a Federal Anchorage. The buffer zone is equal to 3 times the authorized depth of that channel.</td>
</tr>
<tr>
<td>- Replacement of existing moorings within SAS (e.g., eelgrass) with low impact mooring technology that prevents mooring chains from resting or dragging on the bottom substrate at all tides, helical anchors, or equivalent SAS protection systems.</td>
<td>- New individual moorings in SAS, including eelgrass. Locating moorings in SAS should be avoided to the maximum extent practicable. If SAS cannot be avoided, plans should show elastic mooring systems that prevent mooring chains from resting or dragging on the bottom substrate at all tides, helical anchors, or equivalent SAS protection systems, where practical. USACE may require an eelgrass survey to document presence or absence of SAS to determine the appropriate type and amount of compensatory mitigation for impact to SAS.</td>
</tr>
</tbody>
</table>

If the project meets self-verification, it is Non-Reporting to the Corps. If CRMC issues a permit for the proposed work, CRMC will insert a proper language in their authorization to notify the permittee that the CRMC authorization is also the Corps authorization provided they comply with the GP’s conditions. A SVNF is not required.

**Notes:**

1. Locating new individual moorings in SAS, including eelgrass, should be avoided to the maximum extent practicable. If SAS cannot be avoided, plans should show elastic mooring systems that prevent mooring chains from resting or dragging on the bottom substrate at all tides and helical anchors, or equivalent SAS protection systems, where practicable. For moorings that appear to impact SAS, the Corps may require an eelgrass survey.

2. Boating facilities provide for a fee, rent, or sell mooring space, such as marinas, yacht clubs, boat clubs, boatyards, town facilities, dockominiums, etc.
### GP 4. PILE-SUPPORTED STRUCTURES & FLOATS, INCLUDING BOAT LIFTS/HOISTS & OTHER MISCELLANEOUS STRUCTURES & WORK

New, expansions, reconfigurations, or modifications of structures for navigation access including floats, stairs/pads, and boat/float lifts as well as other miscellaneous structures.

**Applies to:** Section 10; navigable waters of the U.S.

Not authorized under GP 4: (a) fill or excavation; (b) no structures within Federal Navigation channels; or (c) structures associated with a NEW non-residential boating facility, which are facilities that provide for a fee, rent, or sell mooring space, such as marinas, yacht clubs, boat clubs, boatyards, town facilities, dockominiums, etc.

<table>
<thead>
<tr>
<th>SELF-VERIFICATION (SV)</th>
<th>PRE-CONSTRUCTION NOTIFICATION (PCN)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Not eligible for SV (PCN or Individual Permit required):</strong></td>
<td><strong>Not eligible for PCN (Individual Permit required):</strong></td>
</tr>
<tr>
<td>- New structures or floats associated with non-residential boating facilities.</td>
<td>- Permanent structures in a Federal Navigation Channel or in the buffer zone</td>
</tr>
<tr>
<td>- Structures located over, or within 25-feet of SAV.</td>
<td>- New structures associated with an existing non-residential boating facility that are located beyond the existing footprint of the facility.</td>
</tr>
<tr>
<td>- Structures or floats located within the buffer zone (3x the authorized depth of the FNP) of the horizontal limits of FNPs.</td>
<td><strong>Eligible for PCN:</strong></td>
</tr>
<tr>
<td>- Wooden piles &gt; 12 inches in diameter.</td>
<td>- Wave attenuation structures and timber groins.</td>
</tr>
<tr>
<td>- Structures or floats that extend across &gt;25% of the waterway width at mean low water (MLW).</td>
<td>- New pile-supported/fixed structures within an existing boating facility, provided those structures do not extend beyond the existing RI CRMC perimeter limit of the facility.</td>
</tr>
</tbody>
</table>

**Eligible for SV – Non-Reporting to the Corps:**

- Private residential structures including lifts with a length limit not to exceed 75’ beyond mean low water and limited to 4’ in width. Structures shall have ≥1:1 height/width ratio over salt marsh. The height should be measured from the marsh substrate to the bottom of the longitudinal support beam.
- Floats must be supported at least 18” above the intertidal and shallow subtidal substrate during all tide cycles. Float stops are acceptable.
- Wooden piles for a single and complete project ≤ 25 piles.
- Private boat lifts.
- Letter of no objection from riparian property owner is required for new structures within 25 feet of riparian property line extensions.
- Reconfiguration of existing authorized structures or new floating structures; provided those structures do not extend beyond the existing RI CRMC marina or structural perimeter limits of the facility or encroach into SAS. No new steel piles.

*Boating Facility: Facilities that provide for a fee, rent, or sell mooring space, such as marinas, yacht clubs, boat clubs, boatyards, town facilities, dockominiums, etc.

**Footprint is defined as the limit of structures, such as docks, piling, piers, or platforms, at an established marina or docking facility.

If CRMC issues a permit for the proposed work, CRMC will insert appropriate language in their authorization to notify the permittee that the CRMC authorization is also the Corps authorization provided they comply with the GP’s conditions. A SVNF is not required.
**GP 5. BOAT RAMPS & MARINE RAILWAYS**
Activities required for the construction of boat ramps and marine railways, including excavation and fill.

**Applies to: Sections 10 & 404: tidal and non-tidal waters of the U.S.**
Not authorized under GP 5: (a) Permanent and temporary fill > 1 acre of non-tidal waters and/or wetlands, (b) permanent and temporary impacts > 1/2 acre in tidal waters; >1000 SF in tidal SAS other than vegetated shallows, or >100 SF in tidal vegetated shallows; or (c) dredging in navigable waters of the U.S. (see GP 7)

<table>
<thead>
<tr>
<th>SELF-VERIFICATION (SV)</th>
<th>PRE-CONSTRUCTION NOTIFICATION (PCN)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Not eligible for SV (PCN or Individual Permit required):</strong></td>
<td><strong>Not eligible for PCN (Individual Permit required):</strong></td>
</tr>
<tr>
<td>- Boat ramps or marine railways in tidal waters.</td>
<td>- Permanent and temporary impacts &gt; 1/2 acre of waters and wetlands.</td>
</tr>
<tr>
<td>- Unconfined fill or excavation discharges in waterways identified as a habitat</td>
<td>- Permanent and temporary impacts &gt; 1000 SF in tidal SAS, other than vegetated shallows.</td>
</tr>
<tr>
<td>for Atlantic sturgeon and shortnose sturgeon, including designated critical</td>
<td>- Impacts &gt;100 SF in SAV.</td>
</tr>
<tr>
<td>habitat, foraging, and overwintering areas. (See GC 12 for a hyperlink to the</td>
<td></td>
</tr>
<tr>
<td>NOAA ESA)</td>
<td></td>
</tr>
<tr>
<td>- Fill or excavation discharges in vegetated shallows with <em>Vallisneria americana</em></td>
<td></td>
</tr>
<tr>
<td>(also known as water celery, American eelgrass or tapegrass).</td>
<td></td>
</tr>
<tr>
<td>- Boat ramps located within 25 feet of riparian property line extensions unless the</td>
<td></td>
</tr>
<tr>
<td>properties are owned by the same owner or a letter of no objection from the</td>
<td></td>
</tr>
<tr>
<td>abutter is provided.</td>
<td></td>
</tr>
<tr>
<td>- No work April 1 through June 30 in non-tidal waters that support diadromous</td>
<td></td>
</tr>
<tr>
<td>fish species.</td>
<td></td>
</tr>
</tbody>
</table>

**Eligible for SV – Non-Reporting to the Corps if CRMC Reviews:**

- Ramp construction with ≤5,000 SF of non-tidal waters and/or wetland fill (permanent and temporary).

- Ramps constructed in inland waters that support anadromous fish (see Appendix H) provided construction occurs during low (at or below the normal water elevation) or no-flow condition and/or behind a cofferdam between July 1 and March 31. The cofferdam shall be constructed of non-erodible materials (steel sheets, a qua barriers, or geotextile liner; earthen cofferdams are not permissible).

If the project meets self-verification and CRMC performs a review, it is Non-Reporting to the Corps. If CRMC issues a permit for the proposed work, CRMC will insert appropriate language in their authorization to notify the permittee that the CRMC authorization is also the Corps authorization provided they comply with the GP’s conditions. A SVNF is not required if Non-Reporting.

Note: If boat ramps are located within 25 feet of a riparian property line and the property is not held by the same owner, USACE may require a letter of no objection from the abutter(s) or require an appropriate buffer if one is needed.
### GP 8. Utility line activities, outfall and intake structures and appurtenant features

Activities required for: (a) The construction, maintenance, relocation, repair, & removal of utility lines, including outfall and intake structures, and the associated excavation, backfill, or bedding of utility lines. This GP applies to utility lines such as electric, water, oil, sewer, gas or cable; (b) The construction, maintenance or expansion of utility line substation and other appurtenant facilities associated with an electric line, gas line or other utility line in non-tidal waters; and (c) The construction and maintenance of foundations for overhead utility line towers, poles, and anchors provided the foundations are the minimum size necessary and separate footings for each tower leg (rather than a larger single pad) are used where practical, considering system reliability and other factors. This GP applies to the construction of access roads to facilitate construction of the activities described in this activity, in combination with all other activities included in one single and complete project, does not cause the permanent loss of greater than 1 acre of non-tidal waters of the U.S. (see Note 1 below). Impacts resulting from mechanized pushing, dragging or other similar activities that redeposit excavated soil material shall be figured into the area limit determination.

**Applies to: (Sections 10 & 404; tidal & non-tidal waters of the U.S.)**

Not authorized under GP 6: (a) Permanent and temporary fill >1 acre of non-tidal waters and/or wetlands (see Note 1), (b) permanent and temporary impacts >1/2 acre in tidal waters; >1000 SF in tidal SAS other than vegetated shallows, or >100 SF in tidal vegetated shallows; or (c) blasting or storage of equipment in wetlands.

### Self-Verification (SV)

**Not eligible for SV (PCN or Individual Permit required):**
- Work in, over or under tidal waters.
- Outfalls.
- New riprap beyond the existing previously authorized footprint.
- Fill in waterways identified as habitat for Atlantic sturgeon and shortnose sturgeon including designated critical habitat, foraging, and over-wintering areas. (See GC 12 for a hyperlink to the NOAA ESA maps)
- Unconfined work or silt producing activities in streams with diadromous fish between April 1 and June 30. (See Appendix H)

**Eligible for SV:**
- Cumulative permanent and temporary impacts of ≤5,000 SF of fill for each single and complete project (see CC 5) provided none of the individual single and complete linear project impact areas for the entire project exceed the threshold for the SV (≤5,000 SF).
- Backfill of the trench over the pipe and to the ground surface shall occur with native materials, to the extent practicable for industry standard and may not facilitate wetland or watershed drainage below, or on the ground surface. Trench plugs shall be installed to prevent drainage of waters and wetlands.
- Activities may not intentionally or unintentionally impound waters, including wetlands.
- Intake structures such as dry hydrants, if located within a stream, intake must be equipped with an appropriately sized mesh screen to prevent entrainment and the intake velocity must not exceed 0.5 foot-per-second to prevent ingestion of aquatic organisms.

### Pre-construction Notification (PCN)

**Not eligible for PCN (Individual Permit required):**
- Permanent and temporary fill >1/2 acre of waters and wetlands.
- Permanent and temporary fill >1000 SF in tidal SAS other than vegetated shallows.
- >100 SF in tidal SAV.
- New tide gates that are not affiliated with a permitted stormwater discharge or authorized National Pollutant Discharge Elimination system.
- Work that includes blasting.

**Eligible for PCN:**
- Permanent and temporary fill ≤1/2 acre of waters and wetlands.
- Permanent and temporary fill ≤1000 SF in tidal SAS other than vegetated shallows.
- Utility activities including excavation and trench backfill with impact to riffle and pools or vegetated shallows.
- New outfalls and/or intakes.
- New riprap armor for utility-related structures and scour protection.
- Temporary utility access roads for construction (see GPs 18 and 19 for permanent maintenance access roads)
- Streambed installation of utility lines or mains via open-cut trench excavation in flowing waters or dam and pump diversion.
- Temporary fill, including fill for construction access roads, must be removed upon completion of work and the area shall be completely restored to pre-construction elevation and condition, and re-vegetated with native species as appropriate.
• Construction occurs during low (at or below the normal water elevation) or no-flow condition between July 1 and March 31 in streams with diadromous fish (see Appendix H) or work conducted behind a cofferdam at any time. The cofferdam shall be constructed of non-erodible materials (steel sheets, aqua barriers, sandbag, or geotextile liner; earthen cofferdams are not permissible).
• Temporary fill, including fill for construction access roads, must be removed upon completion of work and the area shall be completely restored to pre-construction elevation and condition, and re-vegetated with native species as appropriate.
• Pad/foundations are the minimum size necessary and are configured as a separate footing for each tower leg (rather than a larger single pad).
• Impacts in waters or wetlands resulting from mechanized pushing or dragging, and temporary side cast of excavated material from trenches shall be figured into the ≤5,000 SF “single and complete” project category threshold.
• No silt producing activities from April 1 through June 30 in non-tidal waters that support diadromous fish species.

Note: Construction mats of any area necessary to conduct activities do not count towards the impact thresholds and should be removed as soon as work is completed.

Notes:
1. Construction mats of any area necessary to conduct activities do not count towards the 5,000 SF or 1-acre threshold and should be removed as soon as work is completed.
**GP 7. DREDGING, TRANSPORT AND DISPOSAL OF DREDGED MATERIAL, BEACH NOURISHMENT, ROCK REMOVAL AND ROCK RELOCATION**

New, improvement and maintenance dredging (see note below) including: (a) Disposal of dredged material at a confined aquatic disposal, beach nourishment, near shore, designated open water or ocean water disposal site, provided the Corps finds the dredged material to be suitable for such disposal; (b) Beach nourishment not associated with dredging; and (c) Rock removal and relocation for navigation.

**Applies to: Sections 10, 404, & 103: tidal waters of the U.S.**

Not authorized under GP 7: (a) New dredging with >1000 SF of impacts to intertidal areas or salt marsh or >100 SF of impacts to vegetated shallows; (b) Maintenance dredging and/or disposal with >1/2 acre of impacts to tidal Special Aquatic Sites (SAS); (c) New dredging where the primary purpose is sand mining for beach nourishment; (d) Beach scraping; (e) Beach nourishment or rock relocation > 1 acre in non-tidal areas; or (f) Blasting.

<table>
<thead>
<tr>
<th>SELF-VERIFICATION (SV)</th>
<th>PRE-CONSTRUCTION NOTIFICATION (PCN)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Not eligible for SV (PCN or Individual Permit required):</strong></td>
<td><strong>Not eligible for PCN (Individual Permit required):</strong></td>
</tr>
<tr>
<td>• Beach nourishment and beach grading.</td>
<td>• New dredging (not previously authorized) with &gt;1000 SF of impacts to intertidal areas or tidal SAS</td>
</tr>
<tr>
<td><strong>Eligible for SV – Non-Reporting to the Corps if CRMC Reviews:</strong></td>
<td>• Maintenance dredging and/or disposal with &gt;1/2 acre of impacts to tidal SAS other than vegetated shallows (salt marsh, mud flats).</td>
</tr>
<tr>
<td>• Maintenance dredging in tidal waters of any volume provided:</td>
<td>• New dredging for the primary purpose of mining or borrowing sand for beach nourishment.</td>
</tr>
<tr>
<td>o Upland disposal above the HTL;</td>
<td>• Rock removal and relocation for navigation with impacts &gt;1/2 acre.</td>
</tr>
<tr>
<td>o Proper siltation controls used &amp; maintained to prevent runback into waterway/wetland;</td>
<td><strong>Eligible for PCN:</strong></td>
</tr>
<tr>
<td>o No impacts to SAS or intertidal areas;</td>
<td>• Maintenance dredging not eligible for SV; improvement dredging and new dredging.</td>
</tr>
<tr>
<td>• Work occurs from October 1 through January 31.</td>
<td>• Dredged material disposal including open water disposal, confined a quatic disposal cells (CAD cells), near-shore disposal or beach nourishment.</td>
</tr>
<tr>
<td>• In tidal areas rock/boulder relocation with ≤200 SF of impacts and no impacts to SAS.</td>
<td>• Beach nourishment and beach grading.</td>
</tr>
<tr>
<td>• ≤5000 SF of beach nourishment in non-tidal areas.</td>
<td>• Rock removal mechanically or by blasting (see below for additional criteria).</td>
</tr>
<tr>
<td>• Beach grooming or raking between November 1 and January 31.</td>
<td>• For work that includes blasting, a blasting plan must be submitted and approved by USACE, CT DEEP and National Marine Fisheries Service (NMFS).</td>
</tr>
</tbody>
</table>

If the project meets self-verification and CRMC performs a review, it is Non-Reporting to the Corps. If CRMC issues a permit for the proposed work, CRMC will insert appropriate language in their authorization to notify the permittee that the CRMC authorization is also the Corps authorization provided they comply with the GP’s conditions. A SVNF is not required.

**Note:** Improvement is dredging to deeper depths in areas previously dredged or authorized. Maintenance dredging includes areas and depths previously authorized by the Corps and dredged.
GP 8. DISCHARGES OF DREDGED OR FILL MATERIAL INCIDENTAL TO THE CONSTRUCTION OF BRIDGES

Discharges of dredged or fill material incidental to the construction, modification, or removal of bridges across navigable waters of the U.S., including cofferdams, abutments, foundation seals, piers, approach fills, and temporary construction and access fills provided that the USCG authorizes the construction of the bridge structure under Section 9 of the Rivers and Harbors Act of 1899 or other applicable laws. A USCG Authorization Act Exemption or a STURRA (144b) exemption do not constitute USCG authorization.

Applies to: Sections 10 & 404: navigable waters of the U.S.

Not authorized under GP 8: Causeways.

GP 8 is not applicable to bridges over inland waters or wetlands that are not tidally influenced or regulated as navigable under Section 10 (see definitions on Appendix A, Page 1 and at 33 CFR Part 329; Definition for Navigable Waters of the U.S.).

For projects that are not subject to USCG regulations see eligibility criteria for GPs 2, 18 or 19.

<table>
<thead>
<tr>
<th>SELF-VERIFICATION (SV)</th>
<th>PRE-CONSTRUCTION NOTIFICATION (PCN)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not eligible for SV (PCN or Individual Permit required):</td>
<td>Not eligible for PCN (Individual Permit required):</td>
</tr>
<tr>
<td>• Construction of causeways and approach fills.</td>
<td>• Permanent and temporary fill &gt; 1 acre of waterways.</td>
</tr>
<tr>
<td>• Fill in SAS or shellfish beds.</td>
<td></td>
</tr>
<tr>
<td>Eligible for SV – Non-Reporting to the Corps if CRMC Reviews:</td>
<td>Eligible for PCN:</td>
</tr>
<tr>
<td>• Permanent or temporary discharges of dredged or fill material incidental to the construction and/or modification of bridges.</td>
<td>• Permanent and temporary fill ≤ 1 acre of waterways.</td>
</tr>
<tr>
<td>• Pier foundations.</td>
<td>• Permanent and temporary fill ≤ 1000 SF in tidel SAS, other than SAV.</td>
</tr>
<tr>
<td>• Cofferdam and water handling facilities.</td>
<td>• Permanent and temporary fill ≤ 100 SF in SAV.</td>
</tr>
<tr>
<td>• Bridges authorized by the USCG under Section 9 of the Rivers and Harbors Act of 1899 or other applicable laws including 2002 transfer of authorities to Secretary of Homeland Security under 6 U.S.C. 552(d).</td>
<td></td>
</tr>
</tbody>
</table>

If the project meets self-verification and CRMC performs a review, it is Non-Reporting to the Corps. If CRMC issues a permit for the proposed work, CRMC will insert appropriate language in their authorization to notify the permittee that the CRMC authorization is also the Corps authorization provided they comply with the GP’s conditions. A SVN is not required if Non-Reporting.
**GP 9. NEW SHORELINE & BANK STABILIZATION PROJECTS AND LIVING SHORELINES**

Bank stabilization activities necessary for erosion protection along the banks of lakes, ponds, streams, estuarine and ocean waters, and any other open waters. Includes bulkheads, seawalls, riprap, revetments, or slope protection & similar structures, specifically for the purpose of shoreline protection. Also includes vegetative planting, soil bioengineering or alternative techniques that rely on a substantial biological component (e.g., fringe wetland, shellfish reef) or include discharges associated with planned shoreline retreat to maintain, restore, or enhance the natural continuity of the land-water interface and natural ecological processes. See **GP 2** for replacement of existing bank stabilization structures/fills.

**Applies to: Sections 10 & 404: tidal and non-tidal waters of the U.S.**

Not authorized under **GP 9**: (a) Bank stabilization >500 LF in total length including both stream banks; (b) Permanent and temporary impacts >1/2 acre in tidal waters or 1 acre in non-tidal waters, >1000 SF in tidal Special Aquatic Sites (SAS) other than vegetated shallows, or >100 SF in tidal vegetated shallows; (c) Stream channelization or relocation activities; or (d) breakwaters, groins, and jetties.

<table>
<thead>
<tr>
<th>SELF-VERIFICATION (SV)</th>
<th>PRE-CONSTRUCTION NOTIFICATION (PCN)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Not eligible for SV (PCN or Individual Permit required):</strong></td>
<td><strong>Not eligible for PCN (Individual Permit required):</strong></td>
</tr>
<tr>
<td>- Vertical stone structures or embankments angled steeper than 1V:1H.</td>
<td>- Shoreline &amp; bank stabilization projects &gt;500 LF.</td>
</tr>
<tr>
<td>- New bulkheads &amp; retaining walls.</td>
<td>- Living shorelines &gt;1,500 LF in length.</td>
</tr>
<tr>
<td>- Fill beyond the toe of slope within the streambed other than necessary to secure the toe of slope.</td>
<td>- New breakwaters, groins, and jetties.</td>
</tr>
<tr>
<td>- The use of grouted riprap, poured/unformed concrete/asphalt, or asphalt pieces.</td>
<td>- Discharge of fill material &gt;1,000 sf within SAS, including mud flats, tidal wetlands, or shellfish beds and &gt;100 sf in vegetated shallows/SAV.</td>
</tr>
<tr>
<td>- Discharges of fill material within SAS, including mud flats, tidal wetlands, SAV and/or shellfish beds.</td>
<td><strong>Eligible for PCN:</strong></td>
</tr>
<tr>
<td><strong>Eligible for SV:</strong></td>
<td>- Shoreline &amp; bank stabilization projects ≤500 LF (total length including both stream banks).</td>
</tr>
<tr>
<td>- Tidal and non-tidal shoreline &amp; bank stabilization projects and other stream, river, or brook bank stabilization projects ≤200 linear feet (includes total for more than one stream bank) provided:</td>
<td>- Living shorelines ≤1,500 LF (total length including both stream banks).</td>
</tr>
<tr>
<td>1. No discharge of fill material within SAS, including mud flats, tidal wetlands, vegetated shallows, and shellfish beds.</td>
<td></td>
</tr>
<tr>
<td>2. Soft stabilization measures such as bioengineered fiber roll revetments or equivalent, shall be used wherever practicable.</td>
<td></td>
</tr>
<tr>
<td>3. No vertical stone structures or embankments angled steeper than 1V:1H. No new bulkheads.</td>
<td></td>
</tr>
<tr>
<td>4. Fill is limited to 1 foot or less seaward of existing toe of bank.</td>
<td></td>
</tr>
<tr>
<td>5. ≤5,000 SF (temporary or permanent) fill in non-tidal waters and/or wetlands.</td>
<td></td>
</tr>
<tr>
<td>6. No fill within the streambed.</td>
<td></td>
</tr>
<tr>
<td>7. Unconfined work, not including installation and removal of cofferdams, is limited to July 1 through October 31 in non-tidal waters.</td>
<td></td>
</tr>
<tr>
<td>8. Work occurring behind a cofferdam may occur at any time.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>•</strong> Soft biodegradable (see definition) stabilization measures such as bioengineered fiber roll revetments or equivalent, shall be used wherever practicable.</td>
<td></td>
</tr>
<tr>
<td><strong>•</strong> After construction, temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.</td>
<td></td>
</tr>
</tbody>
</table>
**GP 10. AQUATIC HABITAT RESTORATION, ESTABLISHMENT & ENHANCEMENT ACTIVITIES**

Activities in waters of the U.S. associated with the restoration, enhancement and establishment of non-tidal and tidal wetlands and riparian areas, including invasive, non-native or nuisance species control; the restoration and enhancement of non-tidal streams and other non-tidal open waters; the relocation of non-tidal waters, including non-tidal streams and associated wetlands for reestablishment of a natural stream morphology and reconnection of the floodplain; the restoration and enhancement of shellfish, finfish and wildlife; and the rehabilitation or enhancement of tidal streams, tidal wetlands and tidal open waters; provided those activities result in net increases in a quatic resource functions and services.

**Applies to: Sections 10 & 404: tidal & non-tidal waters of the U.S.**

Not authorized under GP 10: (a) Conversions of wetlands to open water, except for the excavation of new salt pannes; or (b) Artificial reefs.

<table>
<thead>
<tr>
<th>SELF-VERIFICATION (SV)</th>
<th>PRE-CONSTRUCTION NOTIFICATION (PCN)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Not eligible for SV (PCN or Individual Permit required):</strong></td>
<td><strong>Not eligible for PCN (Individual Permit required):</strong></td>
</tr>
<tr>
<td>• Permanent &amp; temporary fill &gt;1/2 acre of inland waters and/or wetlands.</td>
<td>• Conversion of wetland to open water.</td>
</tr>
<tr>
<td>• Permanent fill in, or conversion of, tidal wetland.</td>
<td>• New wildlife, waterfowl impoundments or fish ponds.</td>
</tr>
<tr>
<td>• Thin layer deposition for saltmarsh restoration.</td>
<td>• New tide gate installation.</td>
</tr>
<tr>
<td>• Fill for purposes of converting marsh to upland.</td>
<td>• Artificial reefs.</td>
</tr>
<tr>
<td><strong>New or improvement dredging (deepening) discharges (including side-casting of excavated material from ditching) to eliminate mosquito breeding habitat. Eligible for SV:</strong></td>
<td>• Permanent and temporary impacts &gt;1/2 acre in tidal waters.</td>
</tr>
<tr>
<td><strong>Eligible for SV:</strong></td>
<td>• Permanent and temporary impacts &gt;1000 SF in tidal SAS, other than vegetated shallows.</td>
</tr>
<tr>
<td>• ≤5,000 SF of permanent &amp; temporary fill and/or excavation discharges.</td>
<td>• Permanent and temporary impacts &gt;100 SF of tidal SAV</td>
</tr>
<tr>
<td>• Maintenance ditching to eliminate mosquito breeding habitat and new ditching ≤100 LF.</td>
<td><strong>Eligible for PCN:</strong></td>
</tr>
<tr>
<td>• Placement of boulders clusters, woody debris clumps, log vannes or deflectors in waters for fish habitat restoration.</td>
<td>• Pond or lake restoration or enhancement for water quality or ecological habitat renovation.</td>
</tr>
<tr>
<td>• Salt marsh restoration work that includes draining of ponded dieback areas through excavation of runnels and shallow creeks with handheld tools or low-impact ground equipment; blocking or unclogging of historic mosquito ditches to restore tidal flushing and to drain impounded water; new mosquito ditching of ≤100 LF; excavation of pools to support fish habitat and waterfowl foraging habitat; and placing excavated materials on the marsh surface to allow for salt marsh recolonization.</td>
<td>• Dam removals not eligible for SV.</td>
</tr>
<tr>
<td>• Placement of caged shellfish brood stock, seed shellfish, spatted-shell, cultch, or shellfish restoration materials in tidal waters for the restoration or enhancement of existing, publicly-managed, shellfish beds provided there is no placement in or impacts to SAS and does not result in degradation of habitat for other aquatic resources. This applies only to RIDEM projects or projects conducted in partnership with RIDEM.</td>
<td>• Stream channel reconstruction, relocation, realignment, and stream bed modification.</td>
</tr>
<tr>
<td></td>
<td>• Installation of fish ladders.</td>
</tr>
<tr>
<td></td>
<td>• Management of existing wildlife or waterfowl impoundments.</td>
</tr>
<tr>
<td></td>
<td>• Integrated Marsh Management in tidal waters and wetlands for combined wetland enhancement, mosquito control and reduction which may include draining of ponded dieback areas through excavation of runnels with handheld tools or low-impact ground equipment; blocking or unclogging of historic mosquito ditches or tidal creeks to restore tidal flushing and natural salinity levels; excavation of new salt pannes to increase shorebird and waterfowl foraging habitat and larvivorous fish habitat.</td>
</tr>
<tr>
<td></td>
<td>• Pro-active saltmarsh restoration with thin layer discharge provided there is no net loss of wetland area.</td>
</tr>
<tr>
<td></td>
<td>• New ditching to eliminate mosquito breeding habitat &gt;100 LF.</td>
</tr>
<tr>
<td>≤5,000 SF of non-tidal waterway and/or non-tidal wetland fill provided the activity is permitted by a state agency.</td>
<td>Stream channelization that would alter the hydrology of nearby wetlands and waterbodies.</td>
</tr>
<tr>
<td>SAS planting and transplanting ≤ 100 SF.</td>
<td></td>
</tr>
<tr>
<td>Placement of seed shellfish, spatted shell, or cultch in tidal waters for the restoration or enhancement of existing, publicly managed, recreational shellfish beds (nativeseed stock only).</td>
<td></td>
</tr>
<tr>
<td>Removal of non-native invasive, exotic or nuisance vegetation.</td>
<td></td>
</tr>
</tbody>
</table>

Note: Construction mats of any area necessary to conduct activities do not count towards the impact thresholds and should be removed as soon as work is completed.
**GP 11. FISH & WILDLIFE HARVESTING ACTIVITIES**

Activities in tidal waters of the U.S. associated with fish and wildlife harvesting and harvesting devices including pound nets, crab traps, crab dredging, eel pots, lobster traps, duck blinds, clam and oyster digging, fish aggregating devices, and small fish attraction devices such as open water fish concentrators (sea kites, etc.).

**Applies to: Sections 10 & 404; tidal & non-tidal waters of the U.S.**

Not authorized under GP 11: (a) Artificial reefs, impoundment(s) or semi-impoundment(s) of water; (b) Permanent and temporary impacts >1/2 acre in tidal waters, >1000 SF in tidal Special Aquatic Sites (SAS) other than vegetated shallows, or >100 SF in tidal vegetated shallows; or (c) Shellfish dredging, either mechanical or hydraulic in SAS.

GP 11 is not applicable to inland waters or wetlands that are not tidally influenced or navigable under Section 10 (see definitions on Appendix A Page 1 and 33 CFR Part 329; Definition for Navigable Waters of the U.S.).

### SELF-VERIFICATION (SV)

- Not eligible for SV (PCN or Individual Permit required):
  - Permanent impacts to SAS, including intertidal mud flats, salt marshes and SAV.
  - Placement in FNPs or interference with navigation. FNPs are comprised of Federal Channels, anchorages and turning basins. More information on the limits of these FNPs can be found at: [https://www.nae.usace.army.mil/Missions/Navigation/Rhode-Island-Projects](https://www.nae.usace.army.mil/Missions/Navigation/Rhode-Island-Projects).
  - No structures, cages or traps located in SAS.

- Eligible for SV:
  - Activities associated with fish and wildlife harvesting devices including pound nets, crab traps, crab dredging, eel pots, lobster traps, duck blinds, clam and oyster digging and dredging, small fish aggregating and attraction devices such as open water fish concentrators (sea kites, etc.).
  - All gear, except for permanent mooring tackle shall be removed when not in use and stored at an upland location above MHW and outside of wetland, including saltmarsh.

### PRE-CONSTRUCTION NOTIFICATION (PCN)

- Not eligible for PCN (Individual Permit required):
  - Artificial Reefs, impoundment(s) or semi-impoundment(s) of water
  - >1/2 acre temporary or permanent impacts, fill, excavation, and/or secondary impacts.
  - Temporary and/or permanent fill or excavation in SAV >100 SF.
  - Permanent fill or excavation in other SAS >1000 SF.

- Eligible for PCN:
  - ≤1/2 acre temporary or permanent impacts, fill, excavation, and/or secondary impacts.
  - Temporary and/or permanent fill or excavation in SAV ≤100 SF
  - Permanent fill or excavation in other SAS ≤1000 SF
  - Devices (structures) proposed to be used or located in tidal SAS, including salt marsh, mud flats and SAV.
**GP 12. OIL SPILL & HAZARDOUS MATERIAL RESPONSE OPERATIONS**

(a) Activities conducted in response to a discharge or release of oil and hazardous substances that are subject to the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR 300) including containment, cleanup, and mitigation efforts, provided activities are done under either (i) The Spill Prevent, Control & Countermeasure Plan required by 40 CFR 112.3; (ii) The direction or oversight of the Federal on-site coordinator designated by 40 CFR 300; or (iii) Any approved existing State, regional or local contingency plan provided that the Regional Response Team concurs with the proposed response efforts or does not object to the response effort. (b) Activities required for the cleanup of oil releases in waters of the U.S. from electrical equipment that are governed by EPA’s polychlorinated biphenyl (PCB) spill response regulations at 40 CFR 761. (c) Booms placed in tidal waters. (d) Use of structures & fills for spill response training exercises. Special Aquatic Sites (SAS) must be restored in place to pre-impact elevations.

**Applies to:** Sections 10 & 404; tidal & non-tidal waters of the U.S.

<table>
<thead>
<tr>
<th>SELF-VERIFICATION (SV)</th>
<th>PRE-CONSTRUCTION NOTIFICATION (PCN)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Eligible for SV:</strong></td>
<td><strong>Not eligible for PCN (Individual Permit required):</strong></td>
</tr>
<tr>
<td>- Activities that are conducted in accordance with (a) or (b) above.</td>
<td>- &gt;1 acre of permanent waterway and/or wetland fill and associated secondary impacts.</td>
</tr>
<tr>
<td>- Booms placed in navigable waters for hazardous and toxic waste containment, absorption and prevention, provided they are removed upon completion of the cleanup.</td>
<td>- Establishment of new sites for disposal of hazardous/toxic waste.</td>
</tr>
<tr>
<td>- Temporary impacts for spill response training exercises are ≤5,000 SF in non-tidal waters and ≤1,000 SF in tidal waters, and temporary structures in tidal waters with no impacts to SAS and in place for ≤30 days.</td>
<td>- Activities that will have more than minimal individual or cumulative adverse environmental effects. See GC 4.</td>
</tr>
</tbody>
</table>

Note: Permittees have up to two weeks following commencement of these activities to submit the SVNF.

**Not eligible for SV (PCN or Individual Permit required):**

- Training activities with impacts to tidal SAS, including SAV, natural rocky habitats and/or shellfish beds.
- Clean up activities are planned, scheduled, or not conducted during the initial emergency response.

- ≤1 acre of permanent waterway and/or wetland fill & secondary impacts to include impacts for spill response training exercises.
- The activity is planned or scheduled, not an emergency response, and will cause turbidity or sediment resuspension in tidal waters or streams.
- Permanent structures or impacts for spill response training exercises.
**GP 13. CLEANUP OF HAZARDOUS & TOXIC WASTE**

Specific activities to affect the containment, stabilization, or removal of hazardous or toxic waste materials, including court ordered remedial action plans or related settlements which are performed, ordered, or sponsored by a government agency with established legal or regulatory authority. Activities undertaken entirely on a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) site by authority of CERCLA, are not required to obtain permits under Section 404 of the CWA or Section 10 of the Rivers and Harbors Act.

**Applies to: Sections 10 & 404: tidal & non-tidal waters of the U.S.**

Not authorized under GP 13: (a) the establishment of new disposal sites; or (b) the expansion of existing sites used for the disposal of hazardous or toxic waste.

<table>
<thead>
<tr>
<th>SELF-VERIFICATION (SV)</th>
<th>PRE-CONSTRUCTION NOTIFICATION (PCN)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Not eligible for SV:</strong></td>
<td><strong>Not eligible for PCN (Individual Permit required):</strong></td>
</tr>
<tr>
<td>- Fill in coastal waters or wetlands.</td>
<td>- &gt;1/2 acre of permanent or temporary waterway and/or wetland fill and associated secondary impacts.</td>
</tr>
<tr>
<td>- Stream channelization, relocation, or loss of streambed including impoundments.</td>
<td>- Establishment of new disposal sites or expansion of existing sites for the disposal of hazardous or toxic waste.</td>
</tr>
<tr>
<td>- Establishment of new disposal sites or expanding existing sites used for the disposal of hazardous or toxic waste.</td>
<td>- Activities that will have more than minimal individual or cumulative adverse environmental effects. See GC 4.</td>
</tr>
<tr>
<td>- Permanent discharges in, or conversion of, SAS or a vernal pool depression that is located within waters of the U.S.</td>
<td></td>
</tr>
<tr>
<td>- All cleanup activities except for the use of booms</td>
<td>Eligible for PCN:</td>
</tr>
<tr>
<td></td>
<td>- ≤1/2 acre of permanent or temporary waterway and/or wetland fill and associated secondary impacts, and temporary fills.</td>
</tr>
<tr>
<td></td>
<td>- SAS must be restored in place and at pre-impact elevation, to the maximum extent practicable.</td>
</tr>
<tr>
<td></td>
<td>- Booms placed in waters for containment, absorption, and prevention, provided they are removed upon completion of the cleanup.</td>
</tr>
<tr>
<td><strong>Eligible for SV:</strong></td>
<td></td>
</tr>
<tr>
<td>- ≤5,000 square feet (SF) of permanent or temporary waterway and/or wetland fill and a associated secondary impacts.</td>
<td></td>
</tr>
<tr>
<td>- SAS must be restored in place and at pre-impact elevation, to the maximum extent practicable.</td>
<td></td>
</tr>
<tr>
<td>- Booms placed in waters for containment, absorption, and prevention, provided they are removed upon completion of the cleanup.</td>
<td></td>
</tr>
</tbody>
</table>

Note: Permittees have up to two weeks following commencement of these activities to submit the SVNF.

Note: Activities undertaken entirely on a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) site by authority of CERCLA, are not required to obtain permits under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act.
### GP 14. SCIENTIFIC MEASUREMENT AND MONITORING DEVICES

Scientific devices for measuring and recording scientific data, such as staff gauges, tide and current gauges, meteorological stations, water recording and biological observation devices, water quality testing and improvement devices, and similar structures. Also eligible are small temporary weirs and flumes constructed primarily to record water quantity and velocity provided the discharge is less than 25 cubic yards. Upon completion of the use of the installed device, and any other structures of fills associated with the device (e.g., foundations, anchors, buoys, lines, etc.), must be removed and the site restored to preconstruction elevation and condition, to the greatest extent practicable.

**Applies to: Sections 10 & 404: tidal & non-tidal waters of the U.S.**

Not authorized under GP 14: (a) Permanent and temporary impacts >1 acre in non-tidal waters and wetlands; or (b) Permanent and temporary impacts >1/2 acre in tidal waters, >1000 SF in tidal SAV other than vegetated shallows, or >100 SF in tidal vegetated shallows.

<table>
<thead>
<tr>
<th>SELF-VERIFICATION (SV)</th>
<th>PRE-CONSTRUCTION NOTIFICATION (PCN)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Not eligible for SV (PCN or Individual Permit required):</strong></td>
<td><strong>Not eligible for PCN (Individual Permit required):</strong></td>
</tr>
<tr>
<td>• Permanent and temporary impacts &gt;1,000 SF in inland waters and wetlands.</td>
<td>• Permanent and temporary impacts &gt;5,000 SF</td>
</tr>
<tr>
<td>• Fill in tidal waters and wetlands.</td>
<td></td>
</tr>
<tr>
<td>• Permanent impacts to tidal SAV or natural rocky habitats.</td>
<td>Eligible for PCN:</td>
</tr>
<tr>
<td>• Fill in a vernal pool depression that is located within waters of the U.S.</td>
<td>• Permanent and temporary impacts ≤5,000 SF</td>
</tr>
<tr>
<td>• Biological sampling devices.</td>
<td>• Temporary weirs and flumes constructed primarily to record water quantity and velocity.</td>
</tr>
<tr>
<td>• Weirs and flumes.</td>
<td></td>
</tr>
<tr>
<td>• Interference with navigation or encroachment into an FNP.</td>
<td></td>
</tr>
</tbody>
</table>

**Eligible for SV – Non-Reporting to the Corps if CRMC Reviews:**

- Permanent and temporary impacts are ≤5,000 SF in non-tidal waters and wetlands.
- Non-fill temporary or permanent impacts ≤1,000 SF of tidal SAV (except SAV).
- Devices in tidal waters that do not restrict or concentrate movement of aquatic organisms and will not adversely affect the course, condition, or capacity of a waterway.

If the project meets self-verification and CRMC performs a review, it is Non-Reporting to the Corps. If CRMC issues a permit for the proposed work, CRMC will insert appropriate language in their authorization to notify the permittee that the CRMC authorization is also the Corps authorization provided they comply with the GP's conditions. A SVNF is not required if Non-Reporting.

**Note:** Upon completion of the use of the device to measure and record scientific data, the measuring device, and any other structures or fills associated with that device (e.g., foundations, anchors, buoys, lines, etc.), must be removed to the maximum extent practicable.
GP 15. SURVEY AND EXPLORATORY SURVEY ACTIVITIES

Survey activities such as soil borings, core sampling, seismic exploratory operations, plugging of seismic shot holes and other exploratory type bore holes, exploratory trenching (mechanical land clearing of the upper soil profile to expose bedrock or substrate for the purpose of mapping or sampling the exposed material) and historic resources surveys.

Applies to: Sections 10 & 404: tidal & non-tidal waters of the U.S.

Not authorized under GP 15: (a) Permanent and temporary fill > 1 acre of non-tidal waters and/or wetlands; or (b) permanent and temporary impacts > 1/2 acre in tidal waters; > 1,000 SF in tidal SAS other than vegetated shallows or > 100 SF in SAV.

<table>
<thead>
<tr>
<th>SELF-VERIFICATION (SV)</th>
<th>PRE-CONSTRUCTION NOTIFICATION (PCN)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Not eligible for SV (PCN or Individual Permit required):</strong></td>
<td><strong>Not eligible for PCN (Individual Permit required):</strong></td>
</tr>
<tr>
<td>- Permanent fill in inland waters &gt; 5,000 SF.</td>
<td>- Permanent and temporary impacts &gt; 1/2 acres; &gt; 1,000 SF in SAS, other than SAV; or &gt; 100 SF in SAV</td>
</tr>
<tr>
<td>- Permanent or temporary fill or permanent structures in tidal waters.</td>
<td></td>
</tr>
<tr>
<td>- Drilling &amp; discharge of excavated material from test wells for oil &amp; gas exploration and seismic exploration.</td>
<td></td>
</tr>
<tr>
<td>- Exploratory trenching and silt producing activities.</td>
<td></td>
</tr>
<tr>
<td>- Blasting.</td>
<td></td>
</tr>
<tr>
<td>- Interference with navigation.</td>
<td></td>
</tr>
<tr>
<td>- Biological sampling devices.</td>
<td></td>
</tr>
<tr>
<td><strong>Eligible for SV – Non-Reporting to the Corps if CRMC Reviews:</strong></td>
<td><strong>Eligible for PCN:</strong></td>
</tr>
<tr>
<td>- Permanent and temporary impacts ≤ 5,000 SF in non-tidal waters and wetlands.</td>
<td>- Permanent and temporary impacts ≤ 1/2 acres; ≤ 1,000 SF in SAS, other than SAV; or ≤ 100 SF in SAV.</td>
</tr>
<tr>
<td>- Temporary structures ≤ 1,000 SF removed when survey is concluded.</td>
<td></td>
</tr>
<tr>
<td>- Sampling plots, resource surveys, soil borings, and core sampling.</td>
<td></td>
</tr>
<tr>
<td>- Eligible for SV without SV notification: Wetland delineation, soil surveys, sampling plots, historic resource surveys.</td>
<td></td>
</tr>
</tbody>
</table>

If the project meets self-verification and CRMC performs a review, it is Non-Reporting to the Corps. If CRMC issues a permit for the proposed work, CRMC will insert appropriate language in their authorization to notify the permittee that the CRMC authorization is also the Corps authorization provided they comply with the GP’s conditions. A SVNF is not required if Non-Reporting.

Note: Construction mats of any area necessary to conduct activities do not count towards the impact thresholds and should be removed as soon as work is completed.

Notes:

1. For the purposes of this GP, the term “exploratory trenching” means mechanical land clearing of the upper soil profile to expose bedrock or substrate, for the purpose of mapping or sampling the exposed material.
2. The area in which the exploratory trench is dug must be restored to its preconstruction elevation upon completion of the work and must not drain a water of the U.S. In wetlands, the top 6 to 12 inches of the trench should normally be backfilled with topsoil from the trench.

3. Construction mats of any area necessary to conduct activities do not count towards the 5,000 SF or 1-acre threshold and should be removed as soon as work is complete.
## GP 16. AQUACULTURE PROJECTS AND FISHERIES
The installation of buoys, floats, rafts, rafts, trawls, nets, lines, tubes, posts, or other structures in navigable waters for the containment and cultivation of indigenous species of shellfish and seaweed/kelp. Also authorized are anchored upweller floats, spat-collection structures, seawater intake/discharge structures, and discharges of dredged or fill material associated with cultivation such as the placement of culch or spatted-shell on bottom. Boundaries of vegetated shallows may be required to be located/surveyed in the field. See Corps website for guidance: [http://www.nae.usace.army.mil/Missions/Regulatory/Jurisdiction-and-Wetlands/](http://www.nae.usace.army.mil/Missions/Regulatory/Jurisdiction-and-Wetlands/).

### Applies to: Sections 10 and 404: navigable waters of the U.S
Not authorized under GP 16: Impacts to SAS, including vegetated shallows.

### NOTE: All facilities must be installed and operated in compliance with Appendix C – Standard Aquaculture Terms and Conditions.

<table>
<thead>
<tr>
<th>SELF-VERIFICATION (SV)</th>
<th>PRE-CONSTRUCTION NOTIFICATION (PCN)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Not eligible for SV (PCN or Individual Permit required):</strong></td>
<td><strong>Not eligible for PCN (Individual Permit required):</strong></td>
</tr>
<tr>
<td>• Structures in or within three times the authorized depth of an FNP.</td>
<td>• New or expansion of existing impoundment(s) or semi-impoundment(s) of water for the culture of holding of motile aquatic organisms.</td>
</tr>
<tr>
<td>• Culture of non-indigenous species or a aquatic nuisance species.**</td>
<td>• Structures and work for finfish culture.</td>
</tr>
<tr>
<td>• Enclosures and impoundments for aquaculture activities with in tidal waters. Kelp/seaweed or finfish aquaculture.</td>
<td>• Aquaculture activities that may obstruct navigation or has the potential for greater than minimal impact on navigation or other existing public uses.</td>
</tr>
<tr>
<td>• Attendant features such as docks, piers, or boat ramps (see GP 4 or GP 5).</td>
<td>• Structures for the culture of non-indigenous species that are not present in the waterbody.</td>
</tr>
<tr>
<td>• Structures in established danger zones or restricted areas designated in 33 CFR part 334.</td>
<td><strong>Eligible for PCN (includes work not eligible for SV):</strong></td>
</tr>
<tr>
<td>• Aquaculture activities that will result in conversion of habitat type (soft bottom to hard, or vice versa).</td>
<td>• Activities with in-water ropes, lines and chains including, but not limited to, vertical drop lines, horizontal longlines or suspended gear for the rearing of shellfish or seaweed.</td>
</tr>
</tbody>
</table>

**Eligible for SV – Non-Reporting to the Corps if CRMC Reviews:**

- Impacts ≤1000 SF of tidal SAS, in tidal areas, or areas containing shellfish.
- Impacts ≤1/2 acre of tidal resources.
- Placement of shellfish seed, spatted-shell or culch for commercial shellfish aquaculture or restoration.
- The installation of temporary (≤3-years) structures for research, educational or experimental aquaculture gear impacting ≤1,000 SF for indigenous species under the supervision of the CRMC Aquaculture Coordinator. Cannot be located within an FNP or FNP side slope.
- Suspended cages or bags located wholly below and within the footprint of an existing authorized fixed or floating structure provided no loose lines and there is a vertical clearance of at least 2 feet between the bottom of the gear and the sea floor at MLW.
- Shellfish upweller floats not to exceed 160 sf (anchored/berthed only, no piling installation), with a vertical clearance of at least 2 feet between the bottom of the gear and the sea floor at MLW, cannot be located within an FNP or FNP side slope.
- Land-based shellfish hatchery or nursery intake and/or outlet provided diameter is ≤3 inches and properly screened to prevent entrainment or impingement of aquatic organisms.

If the project meets self-verification and CRMC performs a review, it is Non-Reporting to the Corps. If CRMC issues a permit for the proposed work, CRMC will insert appropriate language in their authorization to notify the permittee that the CRMC authorization is also the Corps authorization provided they comply with the GP’s conditions. A SVNF is not required.

**The Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990** defined: (a) nonindigenous species as “any species or other viable biological material that enters an ecosystem beyond its historic range, including any such organism transferred from one country into another”; and (b) aquatic nuisance species as “a nonindigenous species that threatens the diversity or abundance of native species or the ecological stability of infested waters, or commercial, agricultural, aquacultural, or recreational activities dependent upon such waters.”
GP 17. NEW AND EXPANSION OF RECREATIONAL, RESIDENTIAL, INSTITUTIONAL AND COMMERCIAL DEVELOPMENTS

Discharges of dredged or fill material for the construction or expansion of residences and residential subdivisions; commercial and institutional buildings or subdivisions; recreational facilities such as playing fields, bikeways, trails, etc.; and attendant features including but not limited to roads, parking lots, garages, yards, and utilities. This GP authorizes attendant features if they are necessary for the use of the project purpose. Fill area includes all temporary and permanent fill, and regulated discharges associated with excavation. See GPs 18 & 19 for crossings in inland waters and/or wetlands.

**Applies to:** Section 404: non-tidal waters of the U.S.

Not authorized under GP 17: (a) Temporary and permanent impacts that are >1 acre (see note below) in non-tidal waters and wetlands; (b) Stormwater treatment or detention systems, or subsurface sewage disposal systems in waters of the U.S.; or (c) New roadway and driveway crossings in non-tidal waters and/or wetlands. See GPs 18 & 19.

<table>
<thead>
<tr>
<th>SELF-VERIFICATION (SV)</th>
<th>PRE-CONSTRUCTION NOTIFICATION (PCN)</th>
</tr>
</thead>
</table>
| **Not eligible for SV (PCN or Individual Permit required):**  
  - Permanent and temporary impacts ≤5,000 SF of non-tidal waters and/or wetlands provided no impacts to Special Aquatic Sites other than wetlands.  
  - Fill in a vernal pool depression that is located within waters of the U.S.  
| **Not eligible for PCN (Individual Permit required):**  
  - Permanent and temporary impacts >1 acre  
  - New road and driveway crossings.  
| **Eligible for SV:**  
  - Permanent and temporary impacts ≤5,000 SF  
| **Eligible for PCN:**  
  - Permanent and temporary impacts ≤1 acre of non-tidal waters and/or wetlands.  
  - Impacts in non-tidal SAS.  

Note: Construction mats of any area necessary to conduct activities do not count towards the impact thresholds and should be removed as soon as work is completed.

Note: Construction mats of any area necessary to conduct activities do not count towards the 5,000 SF or 1-acre threshold and should be removed as soon as work is completed. See GC16.
**GP 18. WETLAND CROSSINGS FOR LINEAR TRANSPORTATION PROJECTS (INLAND)**

Discharges of dredged or fill material required for the construction, expansion, modification, or improvement of linear transportation projects (e.g., driveways, roads, highways, railways, trails, airport runways, and taxiways) and attendant features.

**Applies to: Section 404: non-tidal waters of the U.S.**

Not authorized under GP 18: (a) Permanent and temporary impacts for any single and complete projects >1 acre (see note below); or (b) Stream, river, or brook crossing projects (see GP 19).

<table>
<thead>
<tr>
<th>SELF-VERIFICATION (SV)</th>
<th>PRE-CONSTRUCTION NOTIFICATION (PCN)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Not eligible for SV (PCN or Individual Permit required):</strong></td>
<td><strong>Not eligible for PCN (Individual Permit required):</strong></td>
</tr>
<tr>
<td>- Permanent and temporary impacts &gt;5,000 SF</td>
<td>- Permanent and temporary impacts &gt;1 acre</td>
</tr>
<tr>
<td>- Work in SAS other than wetlands.</td>
<td></td>
</tr>
<tr>
<td>- Slip lining or culvert relining that changes invert elevation.</td>
<td></td>
</tr>
<tr>
<td>- Work that results in flooding (impoundment) or impedes wetland drainage from the upgradient side of the wetland crossing</td>
<td></td>
</tr>
<tr>
<td>- Fill in a vernal pool depression that is located within waters of the U.S.</td>
<td></td>
</tr>
</tbody>
</table>

**Eligible for SV:**

- Permanent and temporary impacts ≤5,000 SF
- Permanent wetland crossings shall be constructed in such a manner as to preserve hydraulic and ecological connectivity, at its present level, between the wetlands on either side of the road or fill feature.

**Note:** Construction mats of any area necessary to conduct activities do not count towards the impact thresholds and should be removed as soon as work is completed.

**Note:** Construction mats of any area necessary to conduct activities do not count towards the 5,000 SF or 1 acre threshold and should be removed as soon as work is completed. See GC16.
### GP 19. STREAM, RIVER & BROOK CROSSINGS (NOT INCLUDING WETLAND CROSSINGS)

Discharges of dredged or fill material required for the construction, expansion, modification, or improvement of linear transportation projects (e.g., driveways, roads, highways, railways, bikeways, trails, airport runways, and taxiways) and attendant features. Recommend crossings be designed in accordance with the most recent RIDOT Road-Stream Crossing Design Manual: [https://www.dot.ri.gov/business/documents/Road_Stream_Crossing_Design_Manual_8_2021.pdf](https://www.dot.ri.gov/business/documents/Road_Stream_Crossing_Design_Manual_8_2021.pdf)

**Applies to: Sections 10 & 404: tidal & non-tidal waters of the U.S.**

Not authorized under GP 19: (a) Permanent impacts: for any single and complete projects >1 acre in non-tidal waters and wetlands (see note below), >1/2 acre in tidal waters of the U.S., >1000 SF in tidal SAS or >100 SF in tidal vegetated shallows; (b) Temporary impacts: >1 acre in tidal waters, >5000 SF in tidal SAS or >1000 SF in vegetated shallows.

### SELF-VERIFICATION (SV)

**Not eligible for SV (PCN or Individual Permit required):**
- Permanent & temporary impacts >5,000 SF.
- Impacts to tidal waters and/or wetlands.
- Stream relocations; dams, dikes; culvert crossings at new locations within perennial streams.
- Slip lining or culvert relining that changes invertebrate elevation.
- Open trench excavation in flowing waters. Work occurring behind a cofferdam may occur at any time.
- Stream relocations; dams or dikes; new culvert crossings of perennial streams. Slip lining or culvert relining that changes invertebrate elevation.
- Riprap beyond the minimum necessary to protect the structure.
- Fill in a vernal pool depression that is located within waters of the U.S.

**Eligible for SV:**
- Permanent and temporary impacts ≤5,000 SF of non-tidal waters and wetlands provided for stream, river, brook crossings by means of a bridge or open-bottom structure. Full culverts (with bottoms) in non-perennial streams.
- The use of a single culvert or bridge opening is required to the extent practicable over the use of multiple small openings.
- Unconfined in stream work, not including installation and removal of cofferdams, is limited to the low-flow period, July 1 through September 30 unless RIDEM requires different resource-driven time of year restriction.

### PRE-CONSTRUCTION NOTIFICATION (PCN)

**Not eligible for PCN (Individual Permit required):**
- Permanent and temporary impacts >1 acre in inland waters.
- Permanent impacts that are >1/2 acre in tidal waters.
- Temporary impacts >1 acre in tidal waters.
- Permanent impacts that are >1000 SF in tidal SAS other than vegetated shallows.
- Permanent impacts that are >100 SF in tidal vegetated shallows.
-湿地 crossings (see GP 18).

**Eligible for PCN:**
- Permanent and temporary impacts ≤1 acre.
- Permanent impacts that are ≤1/2 acre in tidal waters of the U.S.
- Temporary impacts ≤1 acre in tidal waters.
- Permanent impacts that are ≤1000 SF in tidal SAS other than vegetated shallows.
- Permanent impacts that are ≤100 SF in tidal vegetated shallows.
- Full culverts with bottoms in perennial streams.
- Riprap placed across the bed of the brook.

**Note:** Construction mats of any area necessary to conduct activities do not count towards the 5,000 SF or 1-acre threshold and should be removed as soon as work is completed. See GC16.
GP 20. ENERGY GENERATION AND RENEWABLE ENERGY AND HYDROPOWER PROJECTS

Structures and work and discharges of dredged or fill material into waters of the U.S. for the construction, expansion, modification, or removal of: (a) land-based renewable energy production facilities (e.g., solar and wind) and their attendant features; (b) water-based wind or hydrokinetic renewable energy generation and their attendant features; and (c) discharges of dredged or fill material associated with hydropower projects. Attendant features may include, but are not limited to, land-based collection and distribution facilities, control facilities, and parking lots.

Applies to: Sections 10 & 404: tidal & non-tidal waters of the U.S.

<table>
<thead>
<tr>
<th>SELF-VERIFICATION (SV)</th>
<th>PRE-CONSTRUCTION NOTIFICATION (PCN)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Eligible for SV – Non-Reporting to the Corps if CRMC Reviews:</strong></td>
<td><strong>Not eligible for PCN (Individual Permit required):</strong></td>
</tr>
<tr>
<td>• Permanent and temporary impacts ≤5,000 SF in non-tidal waters and wetlands.</td>
<td>• Projects with &gt;1 acre of permanent and/or temporary impact in waters and wetlands.</td>
</tr>
</tbody>
</table>

If the project meets self-verification and CRMC performs a review, it is Non-Reporting to the Corps. If CRMC issues a permit for the proposed work, CRMC will insert an appropriate language in their authorization to notify the permittee that the CRMC authorization is also the Corps authorization provided they comply with the GP’s conditions. A SVNF is not required if Non-Reporting.

**Eligible for PCN:**
- Projects with ≤1 acre of permanent and/or temporary impacts in waters and wetlands.
- Temporary and/or permanent fill or excavation in ≤1,000 SF of SAV
- Permanent fill or excavation in ≤5,000 SF in SAS (except for SAV)

Temporary or permanent impacts are ≤1 acre in non-tidal waters or wetlands. Mechanical clearing of areas within USACE jurisdiction without grubbing or other soil disturbance >1 acre as a secondary impact may still be eligible for PCN at the discretion of USACE.

Note: Construction mats of any area necessary to conduct activities do not count towards the 5,000 SF or 1-acre threshold and should be removed as soon as work is completed. See GC16.
**GP 21. TEMPORARY FILL NOT ASSOCIATED WITH ANY OTHER GP ACTIVITIES**
Temporary discharges, such as sandbag/earth cofferdams, access fills, etc., necessary for construction activities, dewatering of construction sites, and temporary flood control for storm events.

**Applies to: Section 404; non-tidal waters of the U.S.**
Not authorized under GP 21: Temporary impacts >1 acre in non-tidal waters and wetlands. Construction mats of any area necessary to conduct activities do not count towards the 5,000 SF or 1-acre threshold and should be removed as soon as work is completed.

<table>
<thead>
<tr>
<th>SELF-VERIFICATION (SV)</th>
<th>PRE-CONSTRUCTION NOTIFICATION (PCN)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Not eligible for SV (PCN or Individual Permit required):</strong></td>
<td><strong>Not eligible for PCN (Individual Permit required):</strong></td>
</tr>
<tr>
<td>• Temporary impacts &gt;5,000 SF not associated with construction mats.</td>
<td>• Temporary impacts &gt;1 acre.</td>
</tr>
<tr>
<td>• Temporary fill in a vernal pool depression that is located within waters of the U.S.</td>
<td></td>
</tr>
<tr>
<td><strong>Eligible for SV:</strong></td>
<td><strong>Eligible for PCN:</strong></td>
</tr>
<tr>
<td>• Construction mats of any area necessary to conduct activities.</td>
<td>• Temporary impacts ≤ 1 acre.</td>
</tr>
<tr>
<td>• Construction mats must be removed as soon as work is completed (See GC 17 Temporary Fill)</td>
<td>•</td>
</tr>
<tr>
<td>• Temporary impacts ≤ 5,000 SF of non-tidal waters and wetlands.</td>
<td>•</td>
</tr>
</tbody>
</table>
APPENDIX B - GENERAL CONDITIONS

1. Other Permits. Permittees must obtain other Federal, State, or local authorizations required by law. Applicants are responsible for applying for and obtaining all required State or local approvals. Work that is not regulated by the State, but is subject to Corps jurisdiction, may be eligible for these programmatic general permits (PGPs).

2. Federal Jurisdiction
   a. Applicability of these PGP s shall be evaluated with reference to Federal jurisdictional boundaries. Activities shall be evaluated with reference to “waters of the U.S.” under the Clean Water Act (33 CFR 328) and “navigable waters of the U.S.” under §10 of the Rivers and Harbors Act of 1899 (33 CFR 329). Applicants are responsible for ensuring that the boundaries used satisfy the Federal criteria defined at 33 CFR 328-329. (Note: Waters of the U.S. includes all waters, including wetlands, pursuant to 33 CFR 328.3(a).)
   b. Applicants shall identify all aquatic resources on the project site. They are all presumed to be waters of the U.S. unless an Approved Jurisdictional Determination (AID) has been obtained from the Corps that determines otherwise. Wetlands shall be delineated in accordance with the Corps of Engineers Wetlands Delineation Manual and the most recent Northcentral/Northeast Regional Supplement.

3. Avoidance, Minimization, and Compensatory Mitigation
   a. Avoid and Minimize: Activities must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the U.S. to the maximum extent practicable at the project site. Avoidance and minimization is required to the extent necessary to ensure that the adverse effects to the aquatic environment (both area and function) are no more than minimal.
   b. Compensatory mitigation: for effects to waters of the U.S., which are unavoidable and have been minimized to the greatest extent practicable, including direct, secondary and temporal, will generally be required for projects with permanent impacts that exceed the SV area limits, and may be required for temporary impacts that exceed the SV area limits. Proactive restoration projects or temporary impact work with no secondary effects may generally be excluded from this requirement.

4. Discretionary Authority. Notwithstanding compliance with the terms and conditions of this permit, the Corps retains discretionary authority to require an Individual Permit (IP) review based on concerns for the aquatic environment or for any other factor of the public interest [33 CFR 320.4(a)]. This authority is invoked on a case-by-case basis whenever the Corps determines that the potential consequences of the proposal warrant IP review. This authority may be invoked for projects with cumulative adverse environmental effects that are more than minimal, or if there is a special resource or concern associated with a particular project. Whenever the Corps notifies an applicant that an IP may be required, authorization under these PGP s is voided and no work may be conducted until a Corps IP is obtained.

5. Single and Complete Projects. The term “single and complete project” is defined at 33 CFR 330.2(i) as the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers. The PGP s shall not be used for piecemeal work and shall be applied to single and complete projects.
   a. For non-linear projects, a single and complete project must have independent utility. Portions of a multi-phase project that depend upon other phases of the project do not have independent utility. Phases of a project that would be constructed, even if the other phases were not built, can be considered as separate single and complete projects with independent utility.
   b. Unless the Corps determines the activity has independent utility, all components of a single project

---

1 Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR 332. Also reference the New England District Compensatory Mitigation Guidance at http://www.nae.usace.army.mil/Missions/Regulatory/Mitigation.aspx
2 Temporal loss: The time lag between the losses of aquatic resource functions caused by the permitted impacts and the replacement of aquatic resource functions at the compensatory mitigation site(s) (33 CFR 332.2).
and/or all planned phases of a multi-phased project (e.g., subdivisions should include all work such as roads, utilities, and lot development) shall be treated together as constituting one single and complete project.

c. For linear projects such as power lines or pipelines with multiple crossings, a “single and complete project” is all crossings of a single water of the U.S. (i.e. single waterbody) at a specific location. For linear projects crossing a single waterbody several times at separate and distant locations, each crossing is considered a single and complete project. However, individual channels in a braided stream or river, or individual arms of a large, irregularly-shaped wetland or lake, etc., are not separate waterbodies, and crossings of such features cannot be considered separately.

6. Use of Multiple General Permits. When a single and complete project requires the use of multiple PGPs, the acreage of impacts (loss) to Waters of the U.S. cannot exceed the acreage limit as specified. For example, if a road crossing over inland waters is constructed under PGP 18, with an associated utility line crossing authorized by PGP 6, the maximum acreage loss of Waters of the U.S. for the total project cannot exceed one (1) acre.

   a. In addition to any authorization under these PGPs, applicants must contact the Corps Real Estate Division at (978) 318-8585 for work occurring on or potentially affecting Corps properties and/or Corps-controlled easements to initiate reviews and determine what real estate instruments are necessary to perform work. Permittees may not commence work on Corps properties and/or Corps-controlled easements until they have received any required Corps real estate documents evidencing site-specific permission to work.
   b. Any proposed temporary or permanent modification or use of a Federal project (including but not limited to a levee, dike, floodwall, channel, anchorage, seawall, bulkhead, jetty, wharf, pier or other work built but not necessarily owned by the United States), or any use which would obstruct or impair the usefulness of the Federal project in any manner, and/or would involve changes to the authorized Federal project’s scope, purpose, and/or functioning, is not eligible for SV and will also require review and approval by the Corps pursuant to 33 USC 408. Where Section 408 is applicable, a decision on a Department of the Army general permit application will not be rendered prior to the decision on a Section 408 request.

8. National Lands. Activities that impinge upon the value of any National Wildlife Refuge, National Forest, National Marine Sanctuary or any area administered by the National Park Service, U.S. Fish and Wildlife Service (USFWS) or U.S. Forest Service are not eligible for SV.

9. Wild and Scenic Rivers. No activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river”, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g. National Park Service, U.S. Forest Service, Bureau of Land Management, USFWS). See https://www.rivers.gov/rhode-island.php for additional information.

10. Historic Properties
   a. No undertaking shall cause effects (defined at 33 CFR 325 Appendix C and 36 CFR 800) to properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unknown historic properties within the permit area, unless USACE or another Federal action agency has satisfied the consultation requirements of Section 106 of the National Historic Preservation Act (NHPA). The State Historic Preservation Officer (SHPO),

---

3 Many historic properties are not listed on the National Register of Historic Places and may require identification and evaluation by qualified historic preservation and/or archaeological consultants in consultation with USACE and the SHPO and/or THPO.
Tribal Historic Preservation Officer (THPO) and the National Register of Historic Places can assist with locating information on:
1) Previously identified historic properties; and
2) Areas with potential for the presence of historic or cultural resources, which may require identification and evaluation by qualified historic preservation and/or archaeological consultants or tribal entities in consultation with USACE and the SHPO and/or THPO(s).

b. RIDEM and CRMC Notification Requirements:
1) For RIDEM applications: For activities eligible for SV and PCN, applicants must document that the activity will not cause effects as stated in 10(a). To comply with this condition, both SV and PCN applicants shall notify the RI SHPO and THPO and request their identification of historic properties and cultural resources. The notification shall consist of the project location, plans, and brief narrative and state that a federal permit is required. Documentation of the notification to the SHPO/THPO shall be included with the SV or PCN submittal and dated. If no response is received within 30-days from the SHPO/THPO notification, the Corps may accept an SV or PCN as submitted. If a project meets the requirements of SV, no further authorization from the Corps is required to proceed with the project. A PCN or IP is required if any activity may have an adverse effect on a historic property or cultural resource.
2) For RICRMC applications: For activities eligible for SV and PCN, applicants must document that the activity will not cause effects as stated in 10(a). To comply with this condition, both SV and PCN applicants shall notify the RI THPO and request their identification of historic properties and cultural resources. The notification shall consist of the project location, plans, and brief narrative and state that a federal permit is required. Documentation of the notification to the THPO shall be included with the SV or PCN submittal and dated. If no response is received within 30-days from the THPO notification, the Corps may accept an SV as submitted. If a project meets the requirements of SV, no further authorization from the Corps is required to proceed with the project. A PCN or IP is required if any activity may have an adverse effect on a historic property or cultural resource.

c. Applicants must submit a PCN to USACE as soon as possible if the proposed activity may cause effects as stated in 10(a) to ensure that USACE is aware of any potential effects of the permitted activity on any historic property or cultural resource so that the consultation requirements of Section 106 of NHPA can be satisfied. All PCN submittals shall:
1) Show notification to the SHPO and THPO for their identification of historic properties or cultural resources. If no response is received within 30-days from the SHPO/THPO notification, the Corps may proceed to a permit decision on a PCN.
2) State which historic properties or cultural resources may be affected by the proposed work or include a vicinity map indicating the location of them, and
3) Include any available documentation from the SHPO or THPO indicating that there are, or are not, historic properties or cultural resources affected. Starting consultation early in project planning can save proponents time and money.

d. If you discover any previously unknown historic, cultural, or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

e. Federal agencies should follow their own procedures for complying with the requirements of Section 106 of the NHPA. Along with the application, Federal applicants shall provide USACE with the appropriate documentation to demonstrate compliance with those requirements.

f. Federal and non-federal applicants should coordinate with USACE before conducting any onsite archeological work (reconnaissance, surveys, recovery, etc.) requested by the SHPO or the THPO, as USACE will determine the permit area for the consideration of historic properties based on 33 CFR 325 Appendix C. This is to ensure that work done is in accordance with USACE requirements.

11. Federal Threatened and Endangered Species
a. No activity is authorized by these GPs which:
1) Is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat or proposed critical habitat of such species.

2) “May affect” a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed.

3) Is “likely to adversely affect” a listed species or critical habitat unless Section 7 consultation has been completed by USACE or another lead action agency in coordination with USACE.

4) Violates the ESA.

b. All applicants shall attach to their SV form or PCN an Official Species List obtained from the U.S. Fish and Wildlife Service’s Information for Planning and Consultation (IPaC) found at: https://ecos.fws.gov/ipac and provide the email address of the person who generated the list.

c. For proposed activities in waters with tidal influence, applicants shall also refer to the National Oceanic and Atmospheric Administration (NOAA) Fisheries’ Section 7 Mapper for federally-listed species found at: https://noaa.maps.arcgis.com/apps/webappviewer/index.html

d. A PCN is required if a threatened or endangered species, a species proposed for listing as threatened or endangered, or designated or proposed critical habitat (all hereinafter referred to as “listed species or habitat”), as identified under the ESA, may be affected by the proposed work, unless consultation is completed by another lead Federal agency, in which case, an applicant can be SV. An activity may remain eligible for SV if the only listed species affected is the northern long-eared bat (Myotis septentrionalis), and only after Section 7 consultation has been completed by USACE under the 4(d) Rule Streamlined Consultation.

e. Federal agencies shall follow their own procedures for complying with the requirements of the ESA while ensuring that USACE and any other federal action agencies are included in the consultation process.

f. Non-federal representatives designated by USACE to conduct informal consultation or prepare a biological assessment shall follow the requirements in the designation document(s) and the ESA. Non-federal representatives shall also provide USACE with the appropriate documentation to demonstrate compliance with those requirements. The USACE will review the documentation and determine whether it is sufficient to address ESA compliance for the GP activity, or whether additional ESA consultation is necessary.

g. The requirements to comply with Section 7 of the ESA may be satisfied by a programmatic agreement (PA) or programmatic consultation (PC) with USACE, the New England District, or another federal agency. New England District PAs and PCs are found at: https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Rhode-Island-General-Permit/

12. Pile Removal. Derelict, degraded or abandoned piles and sheet piles in navigable waters, except for those inside of existing work footprints for piers, must be completely removed or cut and/or driven to 3 feet below the substrate to prevent interference with navigation and in some cases to remove polluting materials. Existing creosote piles in the project area that are affected by project activities should be completely removed. In areas of fine-grained substrates, piles must be removed by the direct, vibratory or clamshell pull method to minimize turbidity and sedimentation impacts. Removed piles shall be disposed of in an upland location landward of MHW or OHW and not in wetlands, tidal wetlands, or mudflats.

Descriptions of Pile Removal methods:

- **Direct Pull**: Each piling is wrapped with a choker cable or chain that is attached at the top to a crane. The crane then pulls the piling directly upward, removing the piling from the sediment.

- **Vibratory Pull**: The vibratory hammer is a large mechanical device (5-16 tons) that is suspended from a crane by a cable. The vibrating hammer loosens the piling while the crane pulls up.

- **Clamshell Pull**: This can remove intact, broken or damaged pilings. The clamshell bucket is a hinged steel apparatus that operates like a set of steel jaws. The bucket is lowered from a crane and the jaws
grasp the piling stub as the crane pulls up. The size of the clamshell bucket is minimized to reduce turbidity during piling removal.

   a. No activity may cause more than a minimal adverse effect on navigation.
   b. Any safety lights and signals prescribed by the U.S. Coast Guard, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the U.S.
   c. Any structure or work that extends closer to the horizontal limits of any Corps Federal Navigation Project than a distance of three times the project's authorized depth shall be subject to removal at the owner's expense prior to any future Corps dredging or the performance of periodic hydrographic surveys. This is applicable to SV eligible and PCN activities.
   d. There shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein, and no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized herein.
   e. The permittee understands and agrees that if future U.S. operations require the removal, relocation, or other alteration of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or their authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the U.S. No claim shall be made against the U.S. on account of any such removal or alteration.
   f. A PCN is required for all work in, over or under an FNP or its buffer zone unless otherwise indicated in Appendix A as the work may also require a Section 408 permit.

14. Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following: a) damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes; b) damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the U.S. in the public interest; c) damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit; (d) design or construction deficiencies associated with the permitted work; e) damage claims associated with any future modification, suspension, or revocation of this permit.

15. Heavy Equipment in Wetlands. Operating heavy equipment (drill rigs, fixed cranes, etc.) within wetlands shall be minimized, and such equipment shall not be stored, maintained or repaired in wetlands, to the maximum extent practicable. Where construction requires heavy equipment operation in wetlands, the equipment shall: a) have low ground pressure (typically <6 psi); b) be placed on swamp/construction/timber mats (herein referred to as "construction mats" or "mats") that are adequate to support the equipment in such a way as to minimize disturbance of wetland soil and vegetation; or c) be operated on adequately dry or frozen wetlands such that shear pressure does not cause subsidence of the wetlands immediately beneath equipment and upheaval of adjacent wetlands. Construction mats are to be placed in the wetland from the upland or from equipment positioned on swamp mats if working within a wetland. Dragging construction mats into position is prohibited. Other support structures that are capable of safely supporting equipment may be used with written Corps authorization. Similarly, the permittee may request written authorization from the Corps to waive use of mats during frozen or dry conditions. An adequate supply of spill containment equipment shall be maintained on site. Construction mats should be managed in accordance with the following construction mat best management practices:
   - Mats should be in good condition to ensure proper installation, use and removal.
   - Where feasible, place mats in a location that would minimize the amount needed for the wetlands crossing.
   - Minimize impacts to wetland areas during installation, use, and removal.
   - Install adequate erosion and sediment controls at approaches to mats to promote a smooth transition to, and minimize sediment tracking onto, mats.
   - In most cases, mats should be placed along the travel area so that the individual boards are resting perpendicular to the direction of traffic. No gaps should exist between mats. Place mats far enough on either side of the resource area to rest on firm ground.
• Provide standard construction mat BMP details to work crews.

16. Temporary Fill
a. Temporary fill, construction mats and corduroy roads shall be entirely removed as soon as they are no longer needed to construct the authorized work. Temporary fill shall be placed in its original location or disposed of at an upland site and suitably contained to prevent its subsequent erosion into waters of the U.S.
b. All temporary fill and disturbed soils shall be stabilized to prevent its eroding into waters of the U.S. where it is not authorized. Work shall include phased or staged development to ensure only areas under active development are exposed and to allow for stabilization practices as soon as practicable. Temporary fill must be placed in a manner that will prevent it from being eroded by expected high flows. A PCN is required for: (i) all temporary fill that is in place for >2 years; or (ii) construction mats filling >5000 SF that are in place for: (1) >1 year when installed during the growing period; or (2) any portion of more than one growing period when installed outside the growing period. The growing period is from May 1 to October 1 for the purposes of these GPs. A PCN is required for construction mats that involve underlying fill.
c. Unconfined temporary fill authorized for discharge into waters of the U.S. shall consist of material that minimizes impacts to water quality (e.g. washed stone, stone, etc.).
d. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable when temporary structures, work, and discharges of dredged or fill material, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Materials shall be placed in a location and manner that does not adversely impact surface or subsurface water flow into or out of the wetland. Temporary fill authorized for discharge into wetlands shall be placed on geotextile fabric or other appropriate material laid on the pre-construction wetland grade where practicable to minimize impacts and to facilitate restoration to the original grade. Construction mats are excluded from this requirement.
e. Construction debris and/or deteriorated materials shall not be located in waters of the U.S.

17. Soil Erosion and Sediment Controls
a. Appropriate soil erosion and sediment controls\(^5\) (hereinafter referred to as “controls”) must be used and maintained in effective operating condition during construction. All exposed soil and other fills, as well as any work below the OHW mark or HTL, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the U.S. during periods of low-flow or no-flow, or during low tides.
b. Controls in streams should be installed and removed during the same TOY work window when practicable. A PCN is required for controls that encroach: i) >25% of the stream width measured from OHW in non-tidal diadromous streams from March 15 to June 30; or ii) >25% of the waterway width measured from MHW in tidal waters from Feb. 1 to June 30, or >50% of the waterway width measured from MHW in tidal waters from July 1 to Jan. 14. This is to protect upstream fish passage. Proponents must also maintain downstream fish passage throughout the project. These conditions may be modified if specified by the Corps in writing.
c. No dewatering shall occur with direct discharge to waters or wetlands. Excess water in isolated work areas shall be pumped or directed to a sedimentation basin, tank or other dewatering structures in an upland area adequately separated from waters or wetlands where suspended solids shall be removed prior to discharge back into waters or wetlands. All discharge points back into waters and wetlands shall use appropriate energy dissipaters and erosion and sedimentation control BMPs.
d. Controls shall be removed upon completion of work, but not until all exposed soil and other fills, as well as any work waterward of OHW or the HTL, are permanently stabilized at the earliest practicable

---
\(^5\)Appropriate soil erosion, sediment and turbidity controls include cofferdams, bypass pumping around barriers immediately up and downstream of the work footprint (i.e., dam and pump), installation of sediment control barriers (i.e., silt fence, vegetated filter strips, geotextile silt fences, filter tubes, erosion control mixes, hay bales or other devices) downhill of all exposed areas, stream fords, retention of existing vegetated buffers, application of temporary mulching during construction, phased construction, and permanent seeding and stabilization, etc.
date. Sediment and debris collected by these devices shall be removed and placed at an upland location in a manner that will prevent its later erosion into a waterway or wetland. Controls may be left in place if they are biodegradable, and flows and aquatic life movements are not disrupted.

e. The material within sandbags shall not be released during their removal and trenches must be backfilled as soon as practicable to reduce turbidity impact duration.

18. Restoration of Inland Wetland Areas

a. Upon completion of construction, all disturbed wetland areas shall be stabilized with a wetland seed mix containing only plant species native to New England and shall not contain any species listed in the “Invasive and Other Unacceptable Plant Species” Appendix D in the “New England District Compensatory Mitigation Guidance” found at http://www.nae.usace.army.mil/Missions/Regulatory/Mitigation.aspx.

b. The introduction or spread of invasive plant species in disturbed areas shall be controlled. If swamp or timber mats are to be used, they shall be thoroughly cleaned before re-use.

c. In areas of authorized temporary disturbance, if trees are cut they shall be cut at or above ground level and not uprooted in order to prevent disruption to the wetland soil structure and to allow stump sprouts to revegetate the work area, unless otherwise authorized.

d. Wetland areas where permanent disturbance is not authorized shall be restored to their original condition and elevation, which under no circumstances shall be higher than the pre-construction elevation. Original condition means careful protection and/or removal of existing soil and vegetation, and replacement back to the original location such that the original soil layering and vegetation schemes are approximately the same, unless otherwise authorized.

19. Coastal Bank Stabilization. Projects involving construction or reconstruction/maintenance of bank stabilization structures within Corps jurisdiction should be designed to minimize environmental effects, effects to neighboring properties, scour, etc. to the maximum extent practicable. For example, vertical bulkheads should only be used in situations where reflected wave energy can be tolerated. A revetment is sloped and is typically employed to absorb the direct impact of waves more effectively than a vertical seawall. It typically has a less adverse effect on the beach in front of it, abutting properties and wildlife. For more information on this topic, go to the Corps Coastal Engineering Manual, located at http://www.publications.usace.army.mil/USACE-Publications/Engineer-Manuals/?adt_43544_param_page=4.

20. Aquatic Life Movements and Management of Water Flows

a. No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity’s primary purpose is to impound water. Unless otherwise stated, activities impounding water in a stream require a PCN to ensure impacts to aquatic life species are avoided and minimized. All permanent and temporary crossings of waterbodies (e.g., streams, wetlands) shall be:

i. Suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species; and

ii. Properly aligned and constructed to prevent bank erosion or streambed scour both adjacent to and inside the culvert. All wetland crossings shall preserve hydraulic and ecological connectivity between the wetlands on either side of the road.

b. To avoid adverse impacts on aquatic organisms, the low flow channel/trailway shall remain unobstructed during periods of low flow, except when it is necessary to perform the authorized work.

c. To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization and storm water management activities. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the preconstruction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).
d. Recommend crossings be designed in accordance with the most recent RIDOT Road-Stream Crossing Design Manual:

21. Discharge of Pollutants. All activities involving any discharge of pollutants into waters of the U.S. authorized under these GPs shall be consistent with applicable water quality standards, effluent limitations, standards of performance, prohibitions, and pretreatment standards and management practices established pursuant to the CWA (33 U.S.C. 1251), and applicable state and local laws. Applicants may presume that State Water Quality Standards are met with the issuance of a 401 WQC or waiver (Applicable to the Section 404 activity). Note however, that this permit does not cover point source discharges of pollutants like construction dewatering of contaminated water; separate State permits are required for point sources.

22. Spawning, Breeding, and Migratory Areas
   a. Jurisdictional activities and impacts such as excavations, discharges of dredged or fill material, and/or suspended sediment producing activities in jurisdictional waters that provide value as fish migratory areas, fish and shellfish spawning or nursery areas, or amphibian and migratory bird breeding areas, during spawning or breeding seasons shall be avoided and minimized to the maximum extent practicable.
   b. Jurisdictional activities in waters of the U.S. that provide value as breeding areas for migratory birds must be avoided to the maximum extent practicable. The permittee is responsible for obtaining any “take” permits required under the USFWS’s regulations governing compliance with the Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act. The permittee should contact the appropriate local office of the USFWS to determine if such “take” permits are required for a particular activity.

23. Storage of Seasonal Structures. Coastal structures, such as pier sections and floats, that are removed from the waterway for a portion of the year shall be stored in an upland location, located above MHW and not in tidal wetlands. These seasonal structures may be stored on the fixed, pile-supported portion of the structure that is seaward of MHW. This is intended to prevent structures from being stored on the marsh substrate and the substrate seaward of MHW.

24. Vernal Pools
   a. On projects requiring a PCN, vernal pools must be identified on the plan showing aquatic resource delineations.
   b. A PCN is required if a discharge of dredged or fill material is proposed in a vernal pool located within Federal jurisdiction.
   c. Adverse impacts to vernal pools should be avoided and minimized to the maximum extent practicable.

25. Invasive Species. The introduction, spread, or the increased risk of invasive plant or animal species on the project site, into new or disturbed areas, or areas adjacent to the project site caused by the work shall be avoided.

26. Permit On Site. The permittee shall ensure that any contractor(s) and or workers executing the activities authorized by this PGP(s) have knowledge of the terms and conditions of this authorization and any modification(s), and that a copy of this PGP document and any accompanying verification letter and attached plans are at the site of the authorized work throughout the period(s) of time the work is underway.

27. Inspections. The permittee shall allow the Corps to make periodic inspections at any time to ensure that the work is being or has been performed in accordance with the terms and conditions of this permit. The Corps may also require post-construction engineering drawings for completed work or post-dredging survey drawings for any dredging work.

28. Maintenance. The permittee shall maintain the activity authorized by these GPs in good condition and in conformance with the terms and conditions of this permit. This does not include maintenance of dredging projects. Maintenance dredging is subject to the review thresholds in General Permit #7 in Appendix A as well
as any conditions included in a written Corps authorization. Maintenance dredging includes only those areas and depths previously authorized and dredged. Some maintenance activities may not be subject to regulation under Section 404 in accordance with 33 CFR 323.4(a)(2).

29. **Property Rights.** These GPs do not convey any property rights, either in real estate or material, or any exclusive privileges, nor does it authorize any injury to property or invasion of rights or any infringement of federal, state, or local laws or regulations.

30. **Transfer of GP Verifications.** When the work authorized by these GPs are still in existence at the time the property is transferred, the terms and conditions, including any special conditions, will continue to be binding on the entity or individual who received the authorization, as well as the new owner(s) of the property. If the permittee sells the property associated with a GP authorization, the permittee may transfer the GP authorization to the new owner by submitting a letter to the Corps to validate the transfer. A copy of the GP authorization letter must be attached to the letter, and the letter must include the following statement: “The terms and conditions of these general permits, including any special conditions, will continue to be binding on the new owner(s) of the property”. This letter should be signed by both the seller and new property owner(s).

31. **Modification, Suspension, and Revocation.** This permit and any individual authorizations issued thereof may either be modified, suspended, or revoked in whole or in part pursuant to the policies and procedures of 33 CFR 325.7; and any such action shall not be the basis for any claim for damages against the United States.

32. **Special Conditions.** The Corps may impose other special conditions on a project authorized pursuant to this general permit that are determined necessary to minimize adverse environmental effects or based on any other factor of the public interest. These may be based on concerns from the Rhode Island Department of Environmental Management, the Rhode Island Coastal Resources Management Council or a Federal resource agency. Failure to comply with all conditions of the authorization, including special conditions, will constitute a permit violation and may subject the permittee to criminal, civil, or administrative penalties and/or restoration.

33. **False or Incomplete Information.** If the Corps makes a determination regarding the eligibility of a project under this permit, and subsequently discovers that it has relied on false, incomplete, or inaccurate information provided by the permittee, the authorization will not be valid, and the U.S. government may institute appropriate legal proceedings.

34. **Abandonment.** If the permittee decides to abandon the activity authorized under this GP, unless such abandonment is merely the transfer of property to a third party, he/she may be required to restore the area to the satisfaction of the Corps.

35. **Enforcement cases.** These GPs do not apply to any existing or proposed activity in Corps jurisdiction associated with an on-going Corps or EPA enforcement action, until such time as the enforcement action is resolved or the Corps determines that the activity may proceed independently without compromising the enforcement action.

36. **Duration of Authorization**

a. These GPs expire five years from the date issued as listed at the top of the cover sheet. Activities authorized by these GPs that have either commenced (i.e., are under construction) or are under contract to commence will have an additional year from the expiration date to complete the work. The permittee must be able to document to the Corps satisfaction that the project was under construction or under contract by the expiration date of these GPs. If work is not completed within the one-year extended timeframe, the permittee must contact the Corps. The Corps may issue a new authorization provided the project meets the terms and conditions of the RI GPs in effect at the time.

b. Activities authorized under these GPs will remain authorized until the GP expires, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 325.2(e)(2). Activities completed under the SV or PCN authorizations of these GPs will continue to be authorized after its expiration date.
APPENDIX C

CONTACTS FOR RHODE ISLAND GENERAL PERMIT:

1. FEDERAL

**U.S. Army Corps of Engineers**
New England District, Regulatory Division
696 Virginia Road
Concord, Massachusetts 01742-2751
cena-e-ri@usace.army.mil
(800) 343-4789 or (978) 318-8335
(978) 318-8303 - fax

**Federal Endangered Species (F&WS):**
U.S. Fish and Wildlife Service
70 Commercial Street, Suite 300
Concord, New Hampshire 03301-5087
maria.tur@fws.gov
www.fws.gov
(603) 223-2541

**U.S. Environmental Protection Agency, Region I**
5 Post Office Square, Suite 100
Boston, Massachusetts 02109
sachs.eric@epa.gov
www.epa.gov/owow/wetlands/
(617) 918-2000

**National Park Service**
North Atlantic Region
15 State Street
Boston, Massachusetts 02109
jamie_fosburgh@nps.gov
www.nps.gov/rivers/index.html/
(617) 223-5203
(Wild and Scenic Rivers)

**Federal Endangered Species & EFH (NMFS)**
National Marine Fisheries Service
55 Great Republic Dr:ve
Gloucester, MA 01930
christopher.boelke@noaa.gov
www.nmfs.noaa.gov
(978) 281-9102
(978) 281-9301 - fax

2. STATE OF RHODE ISLAND

**RI Department of Environmental Management**
Office of Water Resources
235 Promenade Street
Providence, Rhode Island 02908
Ron.gagnon@dem.ri.gov
www.dem.ri.gov/programs/water
(401) 222-6820(401) 222-3564 (fax)

**RI Coastal Resources Management Council**
Oliver Stedman Government Center
4808 Tower Hill Road
Wakefield, Rhode Island 02879-1900
Cstaff1@crmc.ri.gov
www.crmc.ri.gov
(401) 783-3370
(401) 783-3767 (fax)
3. HISTORIC RESOURCES

Archaeological Information

Rhode Island Historical Preservation & Heritage Commission
150 Benefit Street
Providence, Rhode Island 02908
http://www.preservation.ri.gov/
hphc.info@preservation.ri.gov
(401) 222-2678
(401) 222-2968 (fax)

Tribal Historic Preservation Officer

Tribal Historic Preservation Office
Narragansett Tribe

P.O. Box 268
Charlestown, RI 02813
https://narragansettindiannation.org/
tashtesook@aol.com
coradot@yahoo.com; coradot@gmail.com
(401) 364-1100
(401) 364-1104 (fax)
APPENDIX D

DEFINITIONS

Artificial Reef: A structure which is constructed or placed in waters for the purpose of enhancing fishery resources and commercial and recreational fishing opportunities.

Boating facilities: These provide, rent or sell mooring space, such as marinas, boat/yacht clubs, boat yards, dockominiums, town facilities, etc. Not classified as boating facilities are piers shared between two abutting properties or town mooring fields that charge an equitable user fee based on the actual costs incurred.

Construction mats: Construction, swamp and timber, mats are generic terms used to describe structures that distribute equipment weight to prevent wetland damage while facilitating passage and providing work platforms for workers and equipment. They are comprised of sheets or mats made from a variety of materials in various sizes. A timber mat consists of large timbers bolted or cabled together.

Compensatory mitigation: The restoration (re-establishment or rehabilitation), establishment (creation), enhancement, and/or, in limited circumstances, preservation of aquatic resources for the purposes of offsetting unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved.

Currently serviceable: Useable as is or with some minor maintenance, but not so degraded as to essentially require reconstruction.

Direct effects: Effects that are caused by the activity and occur at the same time and place.

Discharge of dredged material: means any addition of dredged material into U.S. waters. The term includes, without limitation, the addition of dredged material to a specified discharge site located in U.S. waters and the runoff or overflow from a contained land or water disposal area...
The term does not include plowing, cultivating, seeding and harvesting for the production of food, fiber, and forest products. The term does not include de minimis, incidental soil movement occurring during normal dredging operations. (33 CFR 323)

Discharge of fill material: means the addition of fill material into U.S. waters. The term does not include plowing, cultivating, seeding and harvesting for the production of food, fiber, and forest products. The term generally includes, without limitation, the following activities:

a. placement of fill that is necessary for the construction of any structure in U.S. waters;
b. building any structure or impoundment requiring rock, sand, dirt, or other material for construction;
c. site-development fills for recreational, industrial, commercial, residential, and other uses;
d. causeways or road fills;
e. dams and dikes;
f. artificial islands;
g. property protection or reclamation devices such as riprap, groins, seawalls, breakwaters, revetments;
h. beach nourishment;
i. levees;
j. artificial reefs; and
k. fill for structures such as sewage treatment facilities, intake and outfall pipes associated with power plants and subaqueous utility lines. (33 CFR 323)

Dredged material: means material that is excavated or dredged from U.S. waters. (33 CFR 323)

Enhancement: The manipulation of the physical, chemical, or biological characteristics of an aquatic resource to heighten, intensify, or improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.

Ephemeral stream: A stream with flowing water only during, and for a short duration, after precipitation events in a typical year. Ephemeral stream beds are located above the water table year-round. Groundwater is not a source of water for the stream. Runoff from rainfall is the primary source of water for stream flow.
Establishment (creation): The manipulation of the physical, chemical or biological characteristics to develop an aquatic resource that did not previously exist at an upland site. Establishment results in a gain in aquatic resource area.

Expansions: Work that increases the footprint of fill, depth of basin or drainage feature, structures or floats, or slip capacity.

Fill material: any material used for the primary purpose of replacing an aquatic area with dry land or of changing the bottom elevation of a waterbody. The term does not include any pollutant discharged into the water primarily to dispose of waste. (33 CFR 323)

Federal navigation projects (FNP): These areas are maintained by the Corps; authorized, constructed and maintained on the premise that they will be accessible and available to all on equal terms; and are comprised of Corps Federal anchorages, Federal channels and Federal turning basins. Information, including the limits, is provided at [http://www.nae.usace.army.mil/Missions/Navigation.aspx](http://www.nae.usace.army.mil/Missions/Navigation.aspx)

FNP Buffer Zone: The buffer zone of a Corps FNP is equal to three times the authorized depth of the FNP. For additional information see [http://www.nae.usace.army.mil/Missions/Navigation/Rhode-Island-Projects/High Tide Line (HTL): means the line of intersection of the land with the water's surface at the maximum height reached by a rising tide. The high tide line may be determined, in the absence of actual data, by a line of oil or scum along shore objects, a more or less continuous deposit of fine shell or debris on the foreshore or berm, other physical markings or characteristics, vegetation lines, tidal gages, or other suitable means that delineate the general height reached by a rising tide. The line encompasses spring high tides and other high tides that occur with periodic frequency but does not include storm surges in which there is a departure from the normal or predicted reach of the tide due to the piling up of water against a coast by strong winds. (33 CFR 328) Refer to the highest predicted tide for the current year at the nearest NOAA tide gage at either Newport or Providence.[https://tidesandcurrents.noaa.gov/map/index.html?type=active&region=Rhode%20Island](https://tidesandcurrents.noaa.gov/map/index.html?type=active&region=Rhode%20Island)

Historic Property: any property listed or eligible for listing in the National Register of Historic Places. (33 CFR 325)

Intermittent stream: An intermittent stream has flowing water during certain times of the year, when groundwater provides water for stream flow. During dry periods, intermittent streams may not have flowing water. Runoff from rainfall is a supplemental source of water for stream flow.

Indirect effects: Effects that are caused by the activity and are later in time or farther removed in distance but are still reasonably foreseeable.

Individual Permit: A Department of the Army authorization that is issued following a case-by-case evaluation of a specific project in accordance with the procedures of the applicable regulation and 33 CFR Part 325, and a determination that the proposed structure or work is in the public interest pursuant to 33 CFR Part 320. (33 CFR 322)

Living Shoreline: A term used to describe a combination of natural materials including plants, shell and rock or rock-like surfaces that are used along an erosive shoreline to dissipate wave energy and collect naturally deposited sediment.

Maintenance:

a. The repair, rehabilitation, or in-kind replacement of any previously authorized, currently serviceable structure or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3 – “Activities occurring before certain dates,” provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification.

- Minor deviations in the structure’s configuration or filled area, including those due to changes in materials, construction techniques, or current construction codes or safety standards that are necessary to make repair, rehabilitation, or replacement are authorized.
- Currently serviceable means useable as is or with some maintenance, but not so degraded as to essentially require reconstruction.
- No seaward expansion for bulkheads or any other fill activity is considered SV maintenance.
• Only structures or fills that were previously authorized and are in compliance with the terms and condition of the original authorization can be maintained as a non-regulated activity under 33 CFR 323.4(a)(2).

b. The state’s maintenance provisions may differ from the Corps and may require reporting and written authorization from the state.

c. Contact the Corps to determine whether stream crossing replacements require a PCN.

d. Exempted Maintenance. In accordance with 33 CFR 323.4(a)(2), any discharge of dredged or fill material that may result from any of the following activities is not prohibited by or otherwise subject to regulation under Section 404 of the CWA: “Maintenance, including emergency reconstruction of recently damaged parts, of currently serviceable structures such as dikes, dams, levees, groins, riprap, breakwaters, causeways, bridge abutments or approaches, and transportation structures. Maintenance does not include any modification that changes the character, scope, or size of the original fill design.”

The following definition is also applicable:

**Minor deviations**: Deviations in the structure’s configuration or filled area, including those due to changes in materials, construction techniques, or current construction codes or safety standards, which are necessary to make repair, rehabilitation, or replacement are permitted, provided the adverse environmental effects resulting from such repair, rehabilitation, or replacement are minimal.

**Navigable waters of the United States**: Navigable waters of the United States are those waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

**Ordinary High Water Mark (OHWM)**: A line on the shore established by the fluctuations of water and indicated by physical characteristics, or by other appropriate means that consider the characteristics of the surrounding areas. (33 CFR 328.3(e))

**Perennial stream**: A perennial stream has flowing water year-round during a typical year. The water table is located above the stream bed for most of the year. Groundwater is the primary source of water for stream flow. Runoff from rainfall is a supplemental source of water for stream flow.

**Practicable**: Available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.

**Preservation**: The removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions.

**Re-establishment**: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former aquatic resource. Re-establishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area.

**Rehabilitation**: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area.

**Restoration**: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: reestablishment and rehabilitation.

**Secondary effects**: These are effects on an aquatic ecosystem that are associated with a discharge of dredged or fill materials, but do not result from the actual placement of the dredged or fill material. Information about secondary effects on aquatic ecosystems shall be considered prior to the time final Section 404 action is taken by permitting authorities. Some examples of secondary effects on an aquatic ecosystem are a) aquatic areas drained, flooded, fragmented, or mechanically cleared, b) fluctuating water levels in an impoundment and downstream associated with the operation of a dam, c) septic tank leaching
and surface runoff from residential or commercial developments on fill, and d) leachate and runoff from a sanitary landfill located in waters of the U.S. See 40 CFR 230.11(h).

**Shellfish dredging:** Shellfish dredging typically consists of a net on a frame towed behind a boat to capture shellfish and leave the sediment behind. Dredges may skim the surface, utilize hydraulic jets, toothed rakes or suction apparatus.

**Special aquatic sites:** These include inland and saltmarsh wetlands, mud flats, vegetated shallows (submerged aquatic vegetation), sanctuaries and refuges, coral reefs, and riffle and pool complexes. These are defined at 40 CFR 230.3 and listed in 40 CFR 230 Subpart E.

**Stream bed:** The substrate of the stream channel between the OHW marks. The substrate may be bedrock or inorganic particles that range in size from clay to boulders. Wetlands contiguous to the streambed, but outside of the OHW marks, are not considered part of the streambed.

**Stream channelization:** The manipulation of a stream’s course, condition, capacity, or location that causes more than minimal interruption of normal stream processes. A channelized stream remains a water of the United States.

**Structure:** An object that is arranged in a definite pattern of organization. Examples of structures include, without limitation, any pier, boat dock, boat ramp, wharf, dolphin, weir, boom, breakwater, bulkhead, revetment, riprap, jetty, artificial island, artificial reef, permanent mooring structure, power transmission line, permanently moored floating vessel, piling, aid to navigation, or any other manmade obstacle or obstruction.

**Temporary impacts:** Temporary impacts include waters of the U.S. that are temporarily filled, flooded, excavated, drained or mechanically cleared because of the regulated activity.

**Tide gates:** Structures such as duckbills, flap gates, manual and self-regulating tide gates, etc. that regulate or prevent upstream tidal flows.

**Utility Line:** Any pipe or pipeline for the transportation of any gaseous, liquid, liquefied, or slurry substance, for any purpose, and any cable, line, or wire for the transmission for any purpose of electrical energy, telephone, data, and telegraph messages, and radio and television communication. The term utility line does not include activities that drain a water of the U.S., such as drainage tile or French drains, but it does apply to pipes conveying drainage from another area.

**Vegetated shallows:** Permanently inundated areas that under normal circumstances support communities of rooted aquatic vegetation, such as eelgrass and widgeon grass (*Ruppia maritima*) in marine systems (doesn’t include salt marsh) as well as a number of freshwater species in rivers and lakes. Note: These areas are also commonly referred to as submerged aquatic vegetation (SAV).

**Vernal pools (VPs):** For the purposes of these GPs, VPs are depressional wetland basins that typically go dry in most years and may contain inlets or outlets, typically of intermittent flow. Vernal pools range in both size and depth depending upon landscape position and parent material(s). In most years, VPs support one or more of the following obligate indicator species: wood frog, spotted salamander, blue-spotted salamander, marbled salamander, Jefferson’s salamander and fairy shrimp. However, they should preclude sustainable populations of predatory fish.

**Weir:** A barrier across a river designed to alter the flow characteristics. In most cases, weirs take the form of a barrier, smaller than most conventional dams, across a river that causes water to pool behind the structure (not unlike a dam) and allows water to flow over the top. Weirs are commonly used to alter the flow regime of the river, prevent flooding, measure discharge and help render a river navigable.

**Waters of the United States:** Waters of the United States are defined in Title 33 CFR Part 328. These waters include more than navigable waters of the U.S. and are the waters where permits are required for the discharge of dredged or fill material pursuant to Section 404 of the Clean Water Act. Waters of the U.S. include jurisdictional wetlands.
Appendix E: Self-Verification Notification Form

This form is required for all projects in Rhode Island. At least two weeks before work commences, complete all fields (write “none” if applicable) below, send this form, Official Species List (see GC 11), documentation of THPO and SHPO notifications if applicable, site location map, project plans (not required for projects involving the installation of construction mats only) and any State or local approval(s) to:

Regulatory Division, Branch B
U.S. Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751
or cenae-r-ct@usace.army.mil

State Application Number if available: _______________________

Permittee:
Address, City, State & Zip: ________________________________
Phone and Email: _______________________________________

Agent:
Address, City, State & Zip: ________________________________
Phone and Email: _______________________________________

Contractor:
Address, City, State & Zip: ________________________________
Phone and Email: _______________________________________ 

Project Name:
Project Location (provide detailed description & locus map):
Address, City, State & Zip: ________________________________
Lat. ° N, Long. ° (Decimal Degrees): _______________________
Waterway Name: _______________________________________

Estimated Work Dates: Start: ____________________ Finish: ________________

Work will be done under the following GPs (circle all that apply):

<table>
<thead>
<tr>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
<th>12</th>
<th>13</th>
<th>14</th>
<th>15</th>
<th>16</th>
<th>17</th>
<th>18</th>
<th>19</th>
<th>20</th>
<th>21</th>
</tr>
</thead>
</table>

Area of Wetland Impacts (SF): Permanent: __________ Temporary: __________

Area of Waterway Impacts (SF): Permanent: __________ Temporary: __________

TOTAL Project Impact (SF): Permanent: __________ Temporary: __________

53
Describe the specific work that will be undertaken in waters and wetlands:

_________________________________________________________________________________________________________________________________________________________________________________________________________

_________________________________________________________________________________________________________________________________________________________________________________________________________

_________________________________________________________________________________________________________________________________________________________________________________________________________

_________________________________________________________________________________________________________________________________________________________________________________________________________

Have the THPO and the SHPO been notified of the proposed work per the procedures in GC 10? If so, attach any responses received to this form.
Yes ______ date contacted ________ No ______

Are there Federally listed endangered/threatened species, other than the northern long-eared bat, present? (see GC 11) Yes _______ No ________

Are SAVs present that can or will be impacted?: Yes _______ No _______
Applicable to GPs:
1 2 4 5 6 7 9 11 14 15 16 19 20

Is there unconfined work with impact to diadromous fish?: Yes _______ No _______
Applicable to GPs:
5 6

Does work comply with the most recent RIDOT Road-Stream Crossing Design Manual:
Yes _______ No _______
Applicable to GP 19.

**Will your project include any secondary effects?** *(Secondary effects include, but are not limited to, non-tidal waters or wetlands drained, flooded, fragmented, or mechanically cleared resulting from a single and complete project. See Appendix D - Definitions.) If YES, describe here:
_________________________________________________________________________________________________________________________________________________________________________________________________________
_________________________________________________________________________________________________________________________________________________________________________________________________________
_________________________________________________________________________________________________________________________________________________________________________________________________________

Your signature below, as permittee, indicates that you accept and agree to comply with the terms, eligibility criteria, and general conditions for Self-Verification under the Rhode Island GPs. Your project may proceed under SV upon receipt of applicable state permits unless otherwise notified by USACE.

**Permittee Signature:** ___________________________ Date: ___________________________
TOWN OF TIVERTON
RESOLUTION 2022-0003

Date: January 24, 2022

REQUEST TO GOVERNOR DANIEL MCKEE AND THE GENERAL ASSEMBLY TO
INCREASE THE NUMBER OF BASIC POLICE TRAINING ACADEMY

WHEREAS, It has come to the attention of the Tiverton Town Council that numerous
municipalities throughout the State currently have vacancies in their respective police departments
due to retirements and attrition; and

WHEREAS, The Rhode Island Municipal Police Training Academy (hereinafter referred to as
"RIMPTA") was established to train and certify all municipal police officers, except those from
the City of Providence; and

WHEREAS, The Rhode Island Department of Public Safety oversees all the State of Rhode
Island's public safety agencies including, RIMPTA. Rhode Island State Police Colonel James M.
Manni currently serves as the Director of the Department of Public Safety; and

WHEREAS, As a result of the number of vacancies in municipal police departments throughout
the State, the demand for new recruit basic training has increased exponentially; and

WHEREAS, Many departments are requesting to send recruits to the RIMPTA for their initial
training and the RIMPTA cannot currently meet the demands for said recruit training; and

WHEREAS, RIMPTA is currently only offering two (2) basic police training academy classes
per year to train new recruits, which last for twenty-two (22) weeks; and

WHEREAS, The lack of basic police training opportunities being offered has created a backlog
and has delayed efforts of municipalities to hire and train new police officer candidates; and

WHEREAS, The lack of basic police training opportunities being offered has created a backlog
and has delayed efforts of municipalities to hire and train new police officer candidates.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF TIVERTON,
RHODE ISLAND AS FOLLOWS

SECTION 1: The Town Council is requesting that Governor McKee and the General Assembly
increase the frequency which RIMPTA provides initial recruit training to satisfy the current
demands of municipal police departments.

SECTION 2: That a copy of this Resolution be forwarded to every Rhode Island Municipality,
State Senator, State Representative, and the Governor.
SECTION 3: THAT THIS RESOLUTION SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE BY THE TIVERTON TOWN COUNCIL.

Read and passed by a vote of the Town Council at the Tiverton Town Council meeting of January 24, 2022.

Joan Chabot
Town Clerk

Date: January 24, 2022
Tiverton Town Council
Resolution 2022 - 0004
Change to R.I. Gen. Laws §§ 16-7-40(c) and (d)

Please consider a subtle change to R.I. Gen. Laws §§ 16-7-40(c) and (d), which aligns the expiration of all six temporary Housing Aid bonuses and affords LEAs an additional year in planning and construction lost addressing COVID-19, along with the global supply chain challenge.

Sections 16-7-40. Increased school housing ratio.

(c) For purposes of addressing health and safety deficiencies as defined by the school building authority, including the remediation of hazardous materials, the school housing aid ratio shall be increased by five percent (5%) so long as the construction of the project commences by December 30, 2023, is completed by December 30, 2027, and a two hundred fifty million dollar ($250,000,000) general obligation bond is approved on the November 2018 ballot. In order to qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a minimum of five hundred thousand dollars ($500,000) must be specifically directed to this purpose.

(d) For purposes of educational enhancement, including projects devoted to the enhancement of early childhood education and career and technical education, the school housing aid ratio shall be increased by five percent (5%) so long as construction of the project commences by December 30, 2023, is completed by December 30, 2027, and a two hundred fifty million dollar ($250,000,000) general obligation bond is approved on the November 2018 ballot. In order to qualify for the increased share ratio, twenty-five percent (25%) of the project costs or a minimum of five hundred thousand dollars ($500,000) must be specifically directed to these purposes.

NOW, THEREFORE, BE IT RESOLVED: That the Tiverton Town Council respectfully requests the Rhode Island General Assembly support the extension of § 16-7-40. Increased school housing ratio.

RESOLVED: That a copy of this Resolution be forwarded to every Rhode Island Municipality, School Committee, State Senator, State Representative, and the Governor.

WHEREunto: The following bear witness:

Denise M. deMedeiros, Town Council President

Date