State of Rhode Island
Department of Administration / Division of Purchases
One Capitol Hill, Providence, Rhode Island 02908-5855
Tel: (401) 574-8100 Fax: (401) 574-8387

ADDENDUM #8

RFP #7670815 **Design Build Services for East Bay Bike Path Bridge Replacement**

SUBMISSION DEADLINE: **Friday April 15, 2022 at 11:00 AM**

Please see the attached.

Marisa DelFarno

Marisa DelFarno
Buyer II

STATE OF RHODE ISLAND

RIDOT Addendum Notification

RFP #7670815 – DESIGN BUILD SERVICES FOR EAST BAY BIKE PATH BRIDGE REPLACEMENT

(REQUEST FOR PROPOSALS)
ADDENDUM #8
SUBMISSION DUE DATE: April 15, 2022 at 11:00 am

Per issuance of **ADDENDUM #8** the following revisions are noted:

1. RFP Part 2 Revised Sections 7.1.2.3, and 7.1.2.4
2. BTC Plans Added Riprap Limits
3. RFP Part 2 Appendix B.05 Added signed CE
4. RFP Part 2 Appendix B.08 Added EBBP Overhead Wire Location PDF

APPROVED: Lori A Fisette 4/5/22

Lori Fisette **DATE**
Acting Administrator, Project Management

EAST BAY BIKE PATH
BARRINGTON/WARREN

BARRINGTON/WARREN, RHODE ISLAND

Bid # 7670815

BEST VALUE DESIGN-BUILD PROCUREMENT FOR
EAST BAY BIKE PATH
REQUEST FOR PROPOSALS

PART 2
TECHNICAL PROVISIONS

ADDENDUM #8
April 5, 2022

f. Final Design and Approval

g. Substantial Completion (either the RFP Date or earlier date if proposed)

h. Final Acceptance of Work (either the RFP Date or earlier date if proposed)

Design and Shop Drawing Submissions

a. All stages, components, and submissions for the design (including reviews)

b. All Early Release Designs and shop drawings

c. All RIDOT and Third-Party reviews

d. All critical or long lead submittals, reviews, and procurement/deliveries

Construction:

Construction shall be detailed for all work planned. These activities shall have durations no greater than fourteen (14) calendar days, with the exception of curing activities. Activities shall include, at a minimum:

a. Start-Up activities, including mobilization, Dig safe, installation of erosion controls, etc.

b. Construction of any temporary structures or roads

c. Construction/Reconstruction of all ramps and/or intersections

d. Construction/Reconstruction of all structures

e. Major Traffic Shifts

f. All Third-Party Utility works

g. Punchlist and Inspections

7.1.2.2. Project Scheduler

The DB shall retain a scheduler(s) dedicated to the Project, with a minimum of five (5) years of experience on projects similar in size and scope. The scheduler shall be responsible for developing, updating, and maintaining the Schedule. The D/B Entity shall submit the resume of the proposed scheduler(s) to RIDOT for acceptance within 3 days of RIDOT issuing the "Apparent Best Value Determination" Letter. Determination of the scheduler(s) acceptability is made at the discretion of RIDOT. The scheduler shall be present at all required meetings, including but not limited to the Schedule Planning Session, Baseline Development Meetings, Schedule Update Meetings, and any other meetings which may affect the Project's Schedule.

7.1.2.3. Schedule Kick-off Meeting

Within seven (7) calendar days after RIDOT's issuance of the "Tentative Award " Letter, the D/B Entity shall hold a Schedule Kick-Off Meeting. The meeting shall be held with the D/B Entity's Team, including the Scheduler, and RIDOT. The meeting will be held to review the schedule requirements, the D/B Entity's Proposal Schedule, and technical scheduling requirements including coding structures, calendars, and resource loading. The intent of the meeting is to address questions regarding the scheduling requirements and promote communications amongst the team in advance of the Preliminary Schedule submission. The D/B Entity will be responsible for generating and distributing the meeting minutes for the meeting.

7.1.2.4. Preliminary Schedule

Within fourteen (14) calendar days after RIDOT's issuance of the "Tentative Award" Letter, the D/B Entity shall submit the Preliminary Schedule (PS) for RIDOT's review. The PS shall include all the requirements of the Proposal Schedule, including detailing all proposed permitting, design, critical shop drawings / submittals / procurements, third party utility, and construction, including final inspections, punch list, etc. Activities should identify and separate work per road, per structure, and per phase.

A Narrative shall be submitted outlining the proposed sequence of work, changes from the previously submitted Proposal Schedule, and the following:

a. Identification of the Data Date and Schedule file name.

b. A description of the planned flow of work, identifying all changes from the proposal schedule and key or driving activities/resources.

c. Identification of any alternates or substitutions.

d. Contingency Plans - for potential problems that may arise during construction that will affect the overall progress of the Schedule. The Plans will include, but not be limited to the following:

    1. Permit or design impacts
    2. Normal adverse weather
    3. Severe weather forecast that may impact operations
    4. Equipment breakdowns or malfunctions
    5. Incident within Project limits, both in waterway and/or roadway
    6. Incident involving delivery or removal of material
    7. Temporary traffic control equipment breakdown or staff non-responsiveness
    8. Emergency repairs to the existing structure
    9. Response to natural disaster
    10. Key staffing replacement plan due to injury or illness
    11. Incident management staging, equipment, and response plan for incidents within the Project limits, including MPT crossover areas.

e. Response to all RIDOT's comments. The identification and explanation of all changes made to the Schedule submission (from the previously submitted Schedule including the Proposal Schedule).

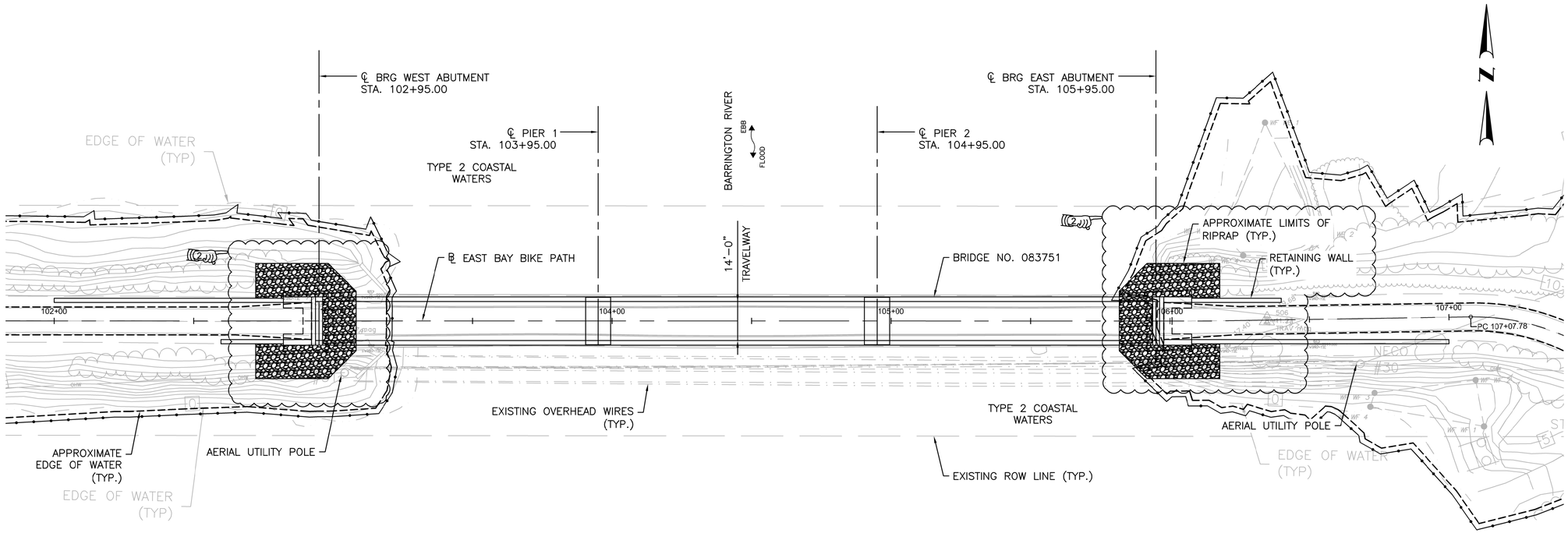
To the extent practicable, in developing the Proposal Schedule, the D/B Entity shall provide adequate preparation periods for Project activities and review processes in the schedule that will occur prior to the time RIDOT allows the D/B Entity to begin physical Project construction.

Within seven (7) calendar days of submitting the Preliminary Schedule, but no later than twenty-one (21) calendar days after RIDOT's issuance of the "Tentative Award" Letter, the D/B Entity shall host a Schedule Planning Session with RIDOT. At the meeting, the D/B Entity will present their Preliminary Schedule including their planned approach to the Project, work to be performed by the D/B Entity, subcontractors, third parties, and RIDOT. Additionally, the following will be presented:

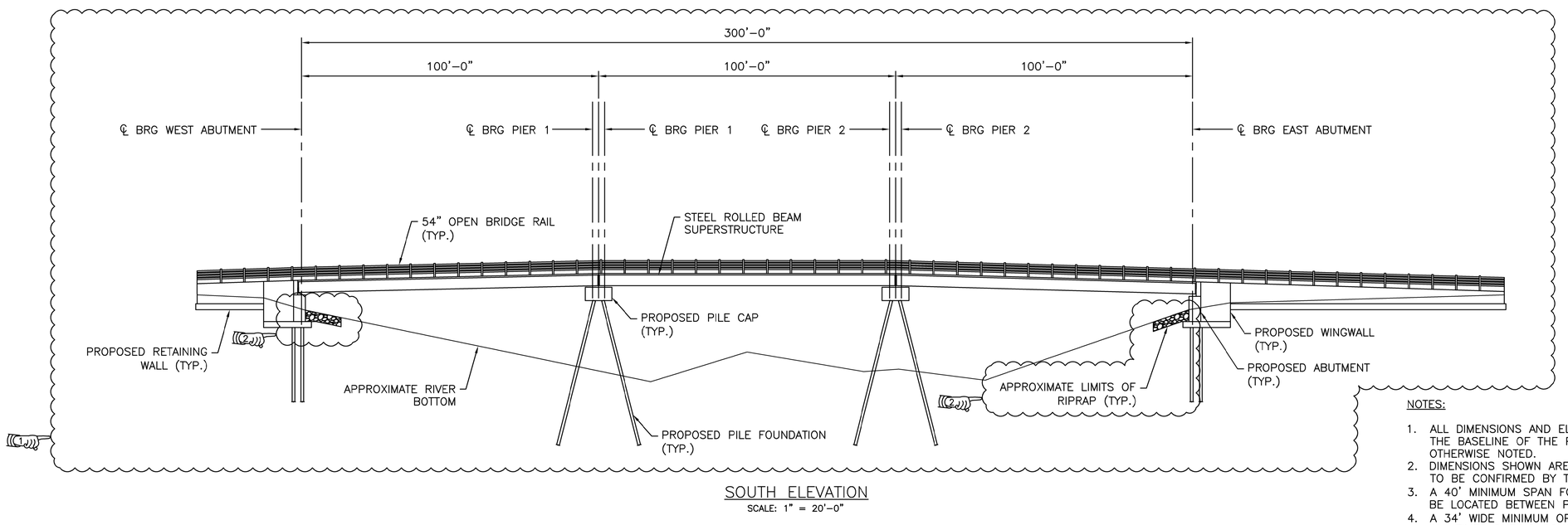
a. The planned design approach, anticipated early releases, and timeline for Permitting, and interdependencies with start of construction

FED. ROAD DIV. NO.	STATE	FEDERAL AID PROJECT NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
	RI	BRO-0838(002)		12	25

R-2



PLAN
SCALE: 1" = 20'-0"



SOUTH ELEVATION
SCALE: 1" = 20'-0"

NOTES:

1. ALL DIMENSIONS AND ELEVATIONS ARE IN REFERENCE TO THE BASELINE OF THE PROPOSED TRAIL UNLESS OTHERWISE NOTED.
2. DIMENSIONS SHOWN ARE SCHEMATIC. FINAL DIMENSIONS TO BE CONFIRMED BY THE DESIGN BUILD TEAM.
3. A 40' MINIMUM SPAN FOR NAVIGABLE CHANNEL SHALL BE LOCATED BETWEEN PIER 1 AND 2.
4. A 34' WIDE MINIMUM OPENING SHALL BE PROVIDED AT ALL TIMES DURING CONSTRUCTION TO ALLOW FOR PASSAGE OF RECREATIONAL AND EMERGENCY VESSELS.

ADDENDUM NO. 8

BL Companies
ARCHITECTURE
ENGINEERING
ENVIRONMENTAL
LAND SURVEYING

RI DOT
RHODE ISLAND
DEPARTMENT OF TRANSPORTATION

DESIGNED BY: TMB
CHECKED BY: MFW
DATE: DECEMBER 2021
SHEET: 12
OF: 25

SCALE AS NOTED

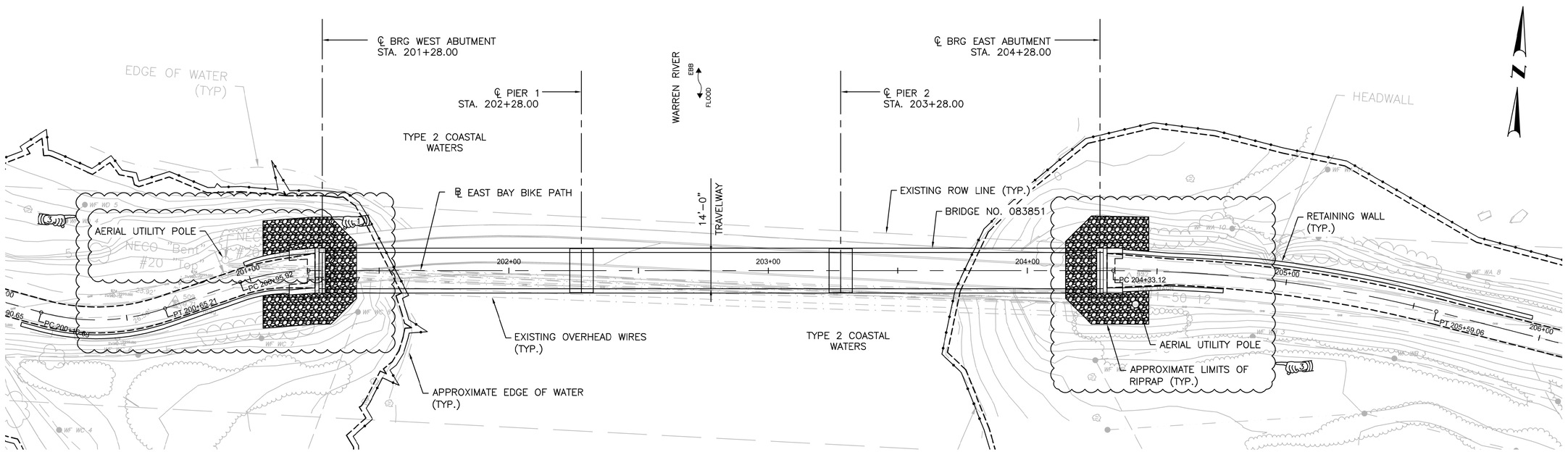
REVISIONS			REVISIONS		
NO.	DATE	BY	NO.	DATE	BY
1	3/3/22	TMB			
2	4/1/22	TMB			

EAST BAY BIKE PATH
BRIDGE NOs. 837 & 838 REPLACEMENT
BARRINGTON/WARREN — BRIDGE 083751 — RHODE ISLAND

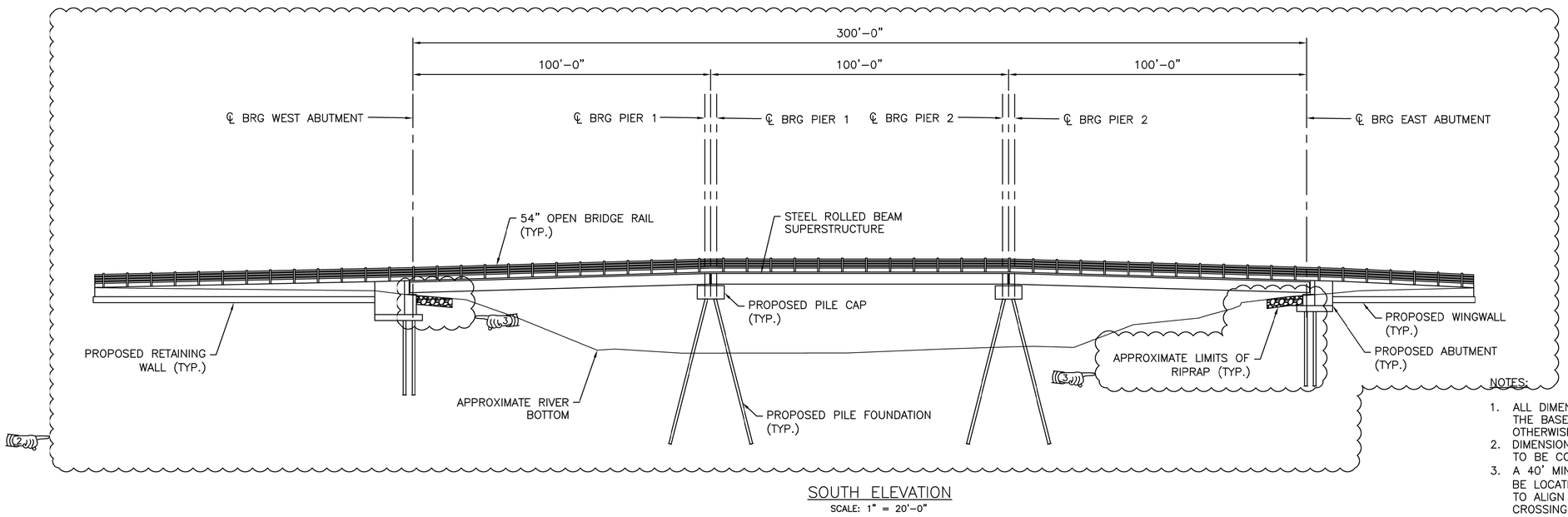
BRIDGE PLAN AND ELEVATION

FED. ROAD DIV. NO.	STATE	FEDERAL AID PROJECT NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
	RI	BRO-0838(002)		19	25

R-3



PLAN
SCALE: 1" = 20'-0"



SOUTH ELEVATION
SCALE: 1" = 20'-0"

NOTES:

1. ALL DIMENSIONS AND ELEVATIONS ARE IN REFERENCE TO THE BASELINE OF THE PROPOSED RAMP UNLESS OTHERWISE NOTED.
2. DIMENSIONS SHOWN ARE SCHEMATIC. FINAL DIMENSIONS TO BE CONFIRMED BY THE DESIGN BUILD TEAM.
3. A 40' MINIMUM SPAN FOR NAVIGABLE CHANNEL SHALL BE LOCATED WITHIN THE MIDDLE 60' OF THE CHANNEL TO ALIGN WITH THE NAVIGABLE SPAN OF THE ROUTE 114 CROSSING IMMEDIATELY SOUTH.
4. A 19' WIDE MINIMUM OPENING SHALL BE PROVIDED AT ALL TIMES DURING CONSTRUCTION TO ALLOW FOR PASSAGE OF RECREATIONAL AND EMERGENCY VEHICLES.

ADDENDUM NO. 8

BL Companies
ARCHITECTURE
ENGINEERING
ENVIRONMENTAL
LAND SURVEYING

RI DOT
RHODE ISLAND
DEPARTMENT OF TRANSPORTATION

DESIGNED BY: TMB
CHECKED BY: MFW
DATE: DECEMBER 2021
SHEET: 19
OF: 25

SCALE AS NOTED

REVISIONS NO.	DATE	BY	REVISIONS NO.	DATE	BY
1	1/24/22	TMB			
2	3/3/22	TMB			
3	4/1/22	TMB			

EAST BAY BIKE PATH
BRIDGE NOs. 837 & 838 REPLACEMENT
BARRINGTON/WARREN BRIDGE 083851 RHODE ISLAND

BRIDGE PLAN AND ELEVATION

Categorical Exclusion (CE) Determination Project Narrative

Project Information

Project Name:

East Bay Bike Path Bridge Replacements

RIFAP Number: 2022 DB 012

Route or Road Name:

East Bay Bike Path

Project Cost/Programming: $14.8 million

City/Town: Warren, RI
Barrington, RI

Project Manager: Peter DeSimone

Project Description:

The proposed action (Project) consists of the replacement of two bridges along the East Bay Bike Path: Bridge No. 083701 crossing the Barrington River in Barrington, and Bridge No. 083801 crossing the Palmer River in Warren. Originally built as railroad bridges, they were converted to use for the East Bay Bike Path in the 1980s. The superstructures on both bridges consist of timber stringers and both have timber decks supported by timber, concrete, or steel piles piers and masonry or timber abutments. The proposed new structures will consist of rolled beam superstructures supporting timber decks on stainless steel micropiles with a concrete caps and pile-supported concrete abutments. The existing bridges will be demolished, and the piers will be cut off below the riverbed. The bridge replacement project will be constructed through a Design-Build (DB) procurement

The Project also includes safety improvements to accommodate a temporary alternative on-road path and small timber bridge to connect pedestrians and bicycle riders to the East Bay Bike Path east of the Warren Bridge, as they are detoured around the site and onto Route 114 to cross the Barrington and Palmer Rivers. The temporary access will be removed after the new East Bay Bike Path Bridges are constructed and the area restored.

Plans are included in Appendix A.

Purpose and Need:

The purpose of this project is to provide high quality bridge replacement to restore the use of the bike path in this vicinity and to increase the live load rating of the bridges to comply with the current statutory live road requirements, improve vertical clearance below the bridges where applicable and improve the safety to pedestrian traffic. The existing structures have reached the end of their service life and have been rated in poor condition. The existing superstructures are rated poor due to the deteriorated condition of the existing steel and timber beams. There are section losses for the full length of some steel beams by 8" high by 3/16" deep with significant protective coating throughout. The timber beams have scattered areas of rot with up to 88% section losses, and areas of crushing. The

existing substructures are rated poor due to section losses in the steel and timber pier piles, decay and section loss in the timber abutment walls, and deteriorated masonry abutment wall with missing mortar. The existing timber decks are in fair condition due to loose planks, uneven gaps, splitting and isolated areas of section losses. These two bridges were closed in 2019 due to the poor conditions of their superstructures and substructures.

This project serves the need of connecting portions of the East Bay Bike Path which were disconnected upon the bridge closures. This will improve bicyclist safety, as currently those using the path must cross the Barrington and Palmer Rivers on Route 114, which does not have dedicated bicycle facilities.

Alternatives Considered:

No Build Alternative

The No Build alternative would not replace the EBBP Bridges over the Barrington and Palmer Rivers. The bridges would remain closed and continue to deteriorate. The temporary rerouting of the EBBP onto the Barrington and Warren Route 114 vehicular bridges would continue. The No Build alternative did not meet the purpose and need of the project and was therefore not selected as the preferred alternative.

Build Alternatives

Seven replacement bridge alternatives were initially reviewed for their feasibility while trying to maintain the Department's budget and schedule. For each of the alternatives, substructures would be founded on drilled micropiles. All the alternatives studied were required to adhere to the following parameters:

- 14' wide rail to rail width
- Increased vertical clearance over the navigable channel below
- Pile supported substructures

The seven alternatives initially reviewed consisted of a 3-span rolled steel beam superstructure, a 3-span prefabricated modular truss superstructure, a 4-span fiber-reinforced polymer truss superstructure, a 3-span prefabricated truss superstructure, a 2-span prefabricated truss superstructure, a 2-span plate girder superstructure and a single span prefabricated truss superstructure. Given cost and constructability considerations, three bridge types were further refined: 3 span rolled steel beam, 3-span Acrow truss and 4--span FRP truss.

All the superstructure alternatives would have similar impacts, except for the 4-span fiber-reinforced polymer truss superstructure, which would require an additional pier in the water. The 3-span rolled steel beam superstructure was selected as the Preferred Alternative because the project will be procured as a Design-Build and rolled steel beam construction is more widely used and available from more suppliers than the modular or FRP structures, thereby allowing the most D-B teams to bid on the project.

A. Permitting and Regulatory Review (Existing Conditions, Environmental Impacts, and Mitigation Measures)

1. Wetlands and Waterways

A. Wetlands (EO 11990)

Executive Order 11990 requires that federal agencies avoid to the greatest extent possible the long- and short-term impacts associated with the destruction or modification of wetlands and waterways. Compliance with the Rhode Island Coastal Resources Management Council (CRMC) Freshwater Wetlands in the Vicinity of the Coast Rules and Regulations and approval through USACE under Section 404 address the intent of EO 11990.

Field delineations of onsite state wetland and watercourse boundaries were conducted by a BL Companies, Inc. (BL) wetland scientist and qualified soil scientist in accordance with the Rhode Island Freshwater Wetlands Act Appendix 2; and federal wetlands in accordance with the U.S. Army Corps of Engineers (ACOE) Wetlands Delineation Manual (1987) and the *Northcentral and Northeast Region Latest Regional Supplement*. Vegetation, soils, and hydrology were observed and documented during the site investigation in order to meet the criteria of state and federal delineation methodologies. Soil types were identified by observing soil morphology (soil texture, color, structure, etc.). The project areas were investigated on October 5, 2021, with temperatures in the mid-45's °F under cloudy conditions."

The project spans over the Barrington and Palmer Rivers, waters of the United States, and includes the demolition of the existing bridges and construction of the replacement bridges. According to U.S. Fish and Wildlife Service National Wetland Inventory (NWI) Mapping, the Barrington and Palmer Rivers have an NWI classification of Estuarine Open Water (EOW). The two rivers join to the south of Tyler Point in Barrington and the project area to form the Warren River, which flows into Narragansett Bay. The Barrington River is approximately 280 feet wide beneath the EBBP Bridge and the Palmer River is approximately 260 feet wide beneath the EBBP Bridge. The substrate in both rivers consists of cobbles, gravel, and sand throughout the channel. There are multiple small wetlands (salt marsh) located adjacent to the rivers in the Project area with the NWI classification of Palustrine Emergent (PEM) wetlands.

The Barrington and Palmer Rivers provide functions and values of production export to the nearby Narragansett Bay habitat. Flood storage capabilities appear to be a significant function due to the surrounding floodplain wetlands. The functions and values of the palustrine, emergent wetland areas include surface water discharge retention, sediment/toxicant retention, and nutrient removal/retention/transformation. The wetlands are lowland depressions and can retain surface water runoff from the adjacent East Bay Bike Path and nearby roadway impervious areas. Vegetation allows for sediment/toxicant retention and nutrient removal/retention/transformation

Additional information on the wetlands within the project area is found in Appendix B.

The project will result in temporary and permanent impacts to the Barrington and Palmer Rivers as noted in the table below:

	Temporary Impacts			Permanent Impacts
	Spuds	Pile Removal	Total Temporary	Micropiles
Barrington Bridge (Barrington River)	40 sf	1662 sf	1702 sf	56 sf
Warren Bridge (Palmer River)	40 Sf	1420 sf	1460 sf	56 sf
Project Total	**80 sf**	**3082 sf**	**3162 sf**	**112 sf**

Temporary impacts are associated with the use of work barges with spuds to support construction, as well as the removal of timber piles below the mudline from the demolition of the existing bridges. These timber piles were treated with creosote.

The work barges will employ four spuds in use at one time, with a footprint of 1 square foot (sf) per spud. These spuds will rest on and disturb the surface of the river bottom for a short period of time before being raised and the barges moved to a new location. It is assumed that the barges will be used in 10 different locations (one location at a time) for a sub-total temporary construction impact of 40 sf per bridge. The construction barges used will draw approximately 3 feet of water and will not ground on the riverbed. The Barrington River is approximately 6 to 20 feet deep, and the Palmer River 8 to 12 feet deep in the project area.

The Barrington EBBP Bridge is approximately 275 feet long and 18 feet wide and supported by nineteen arrays of timber pile bents driven into the riverbed. The Warren EBBP Bridge is approximately 290 feet long and 18 feet wide and supported by seventeen arrays of timber pile bents driven into the riverbed. The sediment character of the river is heterogenous. Much of the area is dominated by large gravel and cobble but scattered boulders are common. Deeper areas may have some silt and mud. All bedrock is buried deeply by the overburden of the aforementioned. Existing timber supports will be cut off two feet below the mud line and removed. After the removal of the existing timbers, displaced substrate will be pushed back into place. The resultant depression will quickly fill naturally with adjacent substrate through the action of subsequent tides. Work will focus on one array at a time so any temporary turbidity plumes will affect a very small portion of the stream channel. Typical turbidity controls are ineffective in such a high velocity tidal location. The small footprint of the work areas and the fact that the work will be done at one location at a time will minimize its impact.

The new bridges will be supported by two intermediate sets of stainless steel micropiles, both set 100 feet from each bank, allowing three horizontal clearance gaps of 100 feet each. The micropiles will be installed by drilling; no additional dredging or filling is anticipated. Installation of the micropiles is estimated to result in a permanent impact to the Barrington of 56 square feet, with a similar permanent impact of 56 square feet to the Palmer River. The overall number of

piers will be reduced with the new bridges to two per bridge. The permanent impact associated with the placement of the micropiles will be offset by the gain of newly restored riverbed and associated habitat, as well as restoration of river flow characteristics and elimination of potential water quality contaminants with the removal of the many existing creosote-treated timber pilings.

No temporary or permanent impacts to the adjacent salt march wetlands are anticipated. All construction will occur in upland areas within the existing right-of-way, including staging areas. The new bridge abutments will be constructed in upland behind the existing bridge abutments. Construction barges will not be placed within the wetland area during construction.

The proposed staging areas as well as construction of the new abutments and approach sections of the bike path creates the potential for indirect impacts from erosion and sediment to enter the rivers and associated emergent wetlands. Sediment and erosion control measures will be employed during construction to minimize this potential for indirect impact.

Once the bridges are complete, the project will also involve the removal of the temporary EBBP detour route to Route 114, including the removal of a temporary timber bridge crossing a wetland and the restoration of all disturbed areas. This temporary detour has a RI Coastal Resources Management Council (CRMC) assent.

RIDOT conducted early environmental coordination with the US Army Corps of Engineers, NOAA National Marine Fisheries Service, RI CRMC, and RI Department of Environmental Management. It was discussed that cofferdams to allow for dewatering for pier construction were not a viable choice due to high river flow velocities at the bridges. Installation of micopiles by drilling provided the least impact alternative for pier construction. A concrete pier cap will be installed in the dry above the mean high water level. In addition, it was noted that the presence of overhead utilities limits the type of equipment that could be used to remove the existing timber piers. In addition, given the age of the timbers in the existing piers, they are likely to break during attempts to remove them in their entirety. Therefore, it was determined that cutting the piers at 2- feet below the mud line, was the most effective option for removing the existing piers.

Given that there are only temporary and minor permanent impacts to the Barrington and Palmer Rivers associated with the proposed Project, as well as the benefits associated with the removal of the existing timber pilings no effects on the functions and values of production export or flood storage capabilities are expected. Avoidance of temporary and permanent direct impacts, as well as indirect impacts associated with erosion and sedimentation, will maintain the functions and values inherent in the emergent wetlands.

Additionally, the bridge replacements are considered an insignificant alteration under 650-RICR-20-00-2, 2.17(C)(7), as the following conditions are met:

(a) The replacement structure is similar to the existing structure in terms of physical size, invert elevations and flow capacity;

(b) Soil disturbance and construction activity in flowing water are reduced to the maximum extent possible; and

(c) The replacement structure accommodates and provides for wildlife passage where applicable.

Based upon the above considerations, it is determined that there is no practicable alternative to the proposed construction in wetlands and that the proposed action includes all practicable measures to minimize harm to wetlands which may result from such use.

B. Flood Plains (EO 11988)

EO 11988 requires that federal agencies avoid to the greatest extent possible long- or short-term modifications to floodplains.

The Project is located within Flood Plain Zone AE (1% annual risk of flooding), as shown in Appendix B. The replacement bridges will have greater horizontal and vertical clearances than the existing bridges and only two piers. The proposed action will have no significant encroachment and is not expected to impact any effective flood hazard areas established by Federal Emergency Management Agency (FEMA).

C. Section 404 Clean Water Act (CWA)/ Section 10 of the Rivers and Harbors Act

Authorization from U.S. Army Corps of Engineers (USACE) is required for any discharge of dredge or fill material into waters of the United States under Section 404 of the Clean Water Act (CWA) and excavation or fill within navigable waters is subject to, also administered by the USACE. The USACE will regulate the placement of fill for the proposed support structure associated with the widening of the existing bridge. It is anticipated the Project will be authorized as a Pre-Construction Notification under the RI General Permits pursuant to 33 CFR Part 325.5(c)(1), General Permit 8 which covers discharge of dredged or fill material incidental to the construction of bridges. Consultation with USACE will be necessary to verify the work will meet the USACE General Permit. RIDOT has initiated pre-application consultation with the USACE to discuss the proposed project, including the removal of the existing timber piles. Given the age of the timber piles, their deteriorating condition and the presence of overhead utilities limiting equipment access, the piles are proposed to be cut two feet below the mudline to avoid breakage. See correspondence with the USACE regarding this matter in Appendix B.

The US Army Corps of Engineers (USACE) may exercise Section 10 jurisdiction because the Project will require excavation or fill within navigable waters. Section 10 authorization would be granted as part of the Section 404 review and authorization process

D. Rivers and Harbors Act (RHA) Section 408 Permit

The project will not involve the alteration, occupation, or use of a USACE civil works project, and therefore approval from ACOE under Section 408 will not be required. See USACE correspondence in Appendix B.

E. Rivers and Harbors Act Section 9 Bridges

Pursuant to Section 9 of the Rivers and Harbors Act of 1899 and the General Bridge Act of 1946, projects that propose to construct, reconstruct, or modify a bridge or causeway across navigable waters of the United States are required to obtain approval prior to commencing construction or modification work.

A Bridge Project Initiation Request and Navigational Impact Report were submitted to the United States Coast Guard (USCG) for each bridge, and an on-site consultation meeting held with the USCG and Barrington and Warren Harbormasters. These reports and the consultation process conveyed that there will be no major impacts to navigation, as the proposed bridges will improve upon the clearances of the existing bridges carrying the East Bay Bike Path. Additionally, these bridges will more closely match the location and clearances of the Warren and Barrington Bridges carrying Route 114 to the south, improving upon navigation in the Barrington and Palmer Rivers. Based on this review, RIDOT submitted a request for an exemption from a US Coast Guard bridge permit in accordance with 23 U.S.C. Section 144(c) and 23 CFR 650.805 for the East Bay Bike Path Bridge over the Palmer River, Warren, Rhode Island. The Barrington Bridge over the Barrington River does not meet the requirements for an exemption and a USCG Bridge Permit will be required.

F. Coastal Zone Management Act

The Coastal Zone Management Act (CZMA) encourages states and tribes to preserve, protect, develop, and, where possible, restore or enhance valuable natural coastal resources. RI Coastal Resource Management Council (CRMC) approval is required for any activity on a coastal or shoreline feature or within 200 feet of a coastal or shoreline feature, and/or within tidal waters of the state. Compliance with the RI Coastal Resources Management Program (CRMP) and approval through the RI CRMC address the intent of the CZMA.

The Project involves construction activities within several State resources subject to Coastal Resources Management Council (CRMC) and its regulations of the Coastal Resources Management Plan (CRMP; 650-RICR-20-00-01). The Project crosses the Barrington and Palmer Rivers, which are Tidal Waters classified as a Type 2 – Low Intensity Use waterbody upstream of the bridges, and a Type 3 - High Intensity Boating waterbody, downstream of the bridges. Regulated coastal resources within or adjacent to the project include Coastal Wetlands, Manmade Shoreline and the 200-foot Contiguous Area. The Project is also located within the Narragansett Bay Special Area Management Plan (SAMP), which has its initial focus the development of policy and standards for the siting of submerged cables with state waters for offshore renewable energy development, and to guide and manage aquaculture projects within Narragansett Bay and the Sakonnet River.

The Project work includes temporary and permanent impacts within Tidal Waters from the installation of micropiles for the piers. The bridge abutments and bike path improvements are within the 200-foot Contiguous Area. The proposed work will require a Category B Assent review by CRMC and a Water Quality Certification under Section 401 of the CWA from the RIDEM. The proposed EBBP replacement bridges are consistent with the standards in the CRMC regulations as they will be designed and constructed to protect sensitive coastal habitat and water quality. There is no work proposed within Coastal Wetlands. The footprint of impact with the rivers are minimized to the extent possible using micropiles. The existing deteriorating creosote-treated timber piles will be removed. Sedimentation and erosion controls will be employed during construction and all upland areas disturbed during construction will be stabilized to prevent sediment from entering the

adjacent Coastal Wetlands and Tidal Waters. The proposed work does not include, nor does it affect any offshore energy or aquaculture projects which are the subject of the Narragansett Bay SAMP.

G.Coastal Barrier Resources Act (CBRA)

The Project is not located within the boundary of any coastal barrier resources system units under the CBRA.

H. Section 401/402 Clean Water Act (CWA) – Water Quality Certification

The Project will involve fill within wetlands or waterways and therefore a Water Quality Certification (WQC) and Section 401 review by RIDEM and the USACE approval under Section 404 will be required. *The proposed work* will be forwarded to the Corps for final review and approval and is anticipated to be authorized under a PCN. A 401 Water Quality Certification (WQC No. 17-019) has been issued for all projects that satisfy the requirements and conditions of the Department of the Army General Permit for the State of Rhode Island. The State's 401 Water Quality Certification and will satisfy the requirements of Section 401(a)(1) of the Clean Water Act (33 USC Sec. 1341) once the applicant has received the PCN from the Department of the Army. The RIDEM application for Stormwater Construction Permit and Water Quality Certification will be required.

I. Section 402 CWA - RIPDES Construction General Permit (CGP)

The proposed project as defined by the Base Technical Concept (BTC) as shown in the plans in Appendix A is not anticipated to disturb more than one acre. If the selected DB contractor proposes an alternative approach resulting in the disturbance of more than one acre, the project will require authorization under the RIPDES General Permit for Stormwater Discharge Associated with Construction Activity. The RIDEM application for Stormwater Construction Permit and Water Quality Certification will be required.

The project is subject to the RIPDES General Permit for Municipal Separate Storm Sewer System (MS4) which requires a Soil Erosion and Sedimentation Control Plan (SESC). The SESC plan developed for the RIDEM RIPDES Construction General Permit will include requirements from the RIPDES MS4 General Permit and adhere to the requirements of the Rhode Island Soil Erosion and Sediment Control Handbook" (Revised 2014). The SESC will be required with signatures of the design build contractor as the Operator; RIDOT is the Owner. All inspections and amendments shall satisfy all reporting requirements in compliance with the General Permit and RIPDES Regulations. The selected contractor will provide RIDOT with the name and contact information, as well as the qualifications, of the individuals responsible for completing the required SESC inspections and reporting requirements.

During construction, a Contractor designated inspector will inspect the site at least once every seven calendar days and within 24 hours after any storm event that generates at least 0.25 inches of rain per 24-hour period and/or after a significant amount of runoff or snowmelt. The inspection report shall follow the RIDOT Inspection Report template as required or the area of disturbance.

J. RIPDES Remediation General Permit (RGP)

Dewatering may be required for construction of the bridge abutments, depending on the selected DB contractor's means and methods. The Project will preliminary testing of soil, groundwater or construction materials needed to satisfy the requirements of its design and construction. The

contractor will prepare a written Soil and Hazardous Materials Management plan (SHMMP) that will guide the proper handling, reuse, recycling and/or disposal of known or suspected regulated, hazardous, or controlled materials in accordance with all applicable State and Federal regulations. Should dewatering of contaminated groundwater be required, the Project will require a RIPDES Remediation General Permit.

K. RIPDES Groundwater Discharge/Underground Injection Control (GWD/UIC) Permit

If the DB design proposes an infiltration system that receives stormwater from impervious surfaces, an Underground Injection Control (UIC) filing with the RIDEM Office of Water Resources will be required.

L. Consent Decree/Stormwater

The proposed design will meet the requirements of the RIDOT Linear Stormwater Manual dated February 2019, the RIDOT/USDOJ/USEPA Consent Decree dated December 2015, and Rhode Island Stormwater Management, Design, and Installation Rules (250-RICR-150-10-8). Worksheet A of the RIDOT Linear Stormwater Manual has been completed based on the Bridge Type Study, BTC plans, and aerial mapping. Worksheet B will be completed by the Design Build Contractor as design further progresses in accordance with the RIDOT Linear Stormwater Manual. The project is anticipated to have a post-construction impervious surface requiring treatment of less than 20,000 square feet which results in a total stormwater treatment goal of less than 1,000 cubic feet. Two STU's, including infiltration systems, may be feasible within the project area. If the project proposes infiltration system that receives stormwater from the highway, an Underground Injection Control (UIC) filing with the RIDEM Office of Water Resources will be required.

A Stormwater Consideration Report will be required to be prepared to document adherence to the requirements of the RIDOT Linear Stormwater Manual and associated RIDOT Stormwater Control Plans for impaired waterbodies. The Stormwater Consideration Report will include Worksheet A and Worksheet B. It is anticipated that the project will treat stormwater from existing reconstructed areas, profile or alignment at a level of 50% or more and stormwater from new impervious areas will be treated at a level of 100%. It is recommended to shed impervious runoff to vegetated infiltration area or enhanced pervious area. There is a Total Maximum Daily Load (TMDL) associated with Barrington River and Palmer River for Fecal Coliform.

Worksheet A of the Linear Stormwater Manual has been completed based on the Bridge Type Study and aerial mapping. Worksheet B will be completed as design further progresses in accordance with the RIDOT Linear Stormwater Manual. The project is anticipated to have a post-construction impervious surface requiring treatment of less than 10,000 square feet which results in a total stormwater treatment goal of less than 1,000 cubic feet. Two STU's, including infiltration systems, may be feasible within the project area.

There are existing drainage structures located on New Meadow Road and Sowams Road near the East Bay Bike Path. There are no existing drainage structures on the East Bay Bike Path. There is an existing Stormwater Treatment Unit (STU) near or within County Road Park. No potential Stormwater Treatment Units (STUs) have been identified through Stormwater Control Plans. Stormwater Control Plans are anticipated to be complete in December 2023 for the Barrington River and Palmer River.

2. **Threatened and Endangered Species**

A. U.S Fish and Wildlife Service Endangered Species Act (ESA) Section 7

An updated Official Species List from the U.S. Fish & Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) Tool was generated for the project areas and is presented in the Appendix C. This list identifies the species and critical habitats that may occur in the project areas and may need to be considered under the Section 7 consultation process of the Endangered Species Act (ESA) implemented by USFWS. According to the official species list generated by IPaC, the federally threatened northern long-eared bat (NLEB - *Myotis septentrionalis*) has the potential to occur within the project area. Based on the proposed activities and location of the nearest habitat, the Project "may affect" the northern long - eared bat, and an effect determination was submitted on October 28,2021 to the U.S. Fish and Wildlife Service under the January 5, 2016, Programmatic Biological Opinion on Final 4(d) Rule for the NLEB and activities excepted from take prohibitions (presented in Appendix C). No response was received from USFWS within 30 days; therefore, the Action complies with ESA Section 7(a)(2) with regard to the NLEB.

B. National Marine Fisheries Service (NMFS) Greater Atlantic Regional Fisheries Office (GARFO) Endangered Species Act Section 7

The Section 7 ESA Mapper hosted by NOAA Fisheries was reviewed and the project action area was found to have the potential habitat for migrating and foraging Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) and Shortnose sturgeon (*Acipenser brevirostrum*). Endangered Species Act Section 7 Consultation was submitted on February 2, 2022, with the determination that the project is not likely to adversely affect the listed species. Concurrence by NMFS was provided on February 3, 2022 with project design criteria to be followed by the Contractor. (See Appendix C) Conservation recommendations are found in the NMFS comment form in Appendix C.

C. NMFS GARFO Essential Fish Habitat (EFH)

16 U.S.C. § 1855(2) of the Magnuson- Stevens Fisheries Conservation and Management Act requires federal agencies to consult with the Secretary of Commerce, through the NOAA Fisheries, with respect to "any action authorized, funded, or undertaken, or proposed to be authorized, funded, or undertaken, by such agency that may adversely affect any essential fish habitat (EFH) identified under this Act."

Current EFH geospatial data for the New England region published by the NOAA Fisheries Service (https://www.habitat.noaa.gov/application/efhinventory/index.html) indicates that the Barrington and Palmer rivers are waterbodies containing EFH and NOAA trust resource species. Accordingly, the RIDOT engaged in formal consultation with the National Marine Fisheries Service, Greater Atlantic Regional Fisheries Office (GARFO) through submission of abbreviated individual consultation on February 1st, 2022. NMFS concurred on February 18, 2022, that the adverse effects on EFH are not substantial. (See Appendix C). Conservation recommendations agreed upon and administered in the consultation will be included in the contract/final design plans and will be followed by the Contractor. Conservation recommendations are found in the NMFS comment form in Appendix C.

D. RI State-listed Species

RIDOT has consulted with RIDEM Fish and Wildlife which has determined that the state-listed rare species *Malaclemys t. terrapin* , the Northern Diamondback Terrapin is located within the Project Area. The 100 Acre Cove located to the north of the bridges and the Palmer and Barrington Rivers provide habitat for the Northern Diamondback Terrapin. The project contractor will be required to implement conservation measures to avoid and minimize impacts to the terrapin, such as monitoring the construction site for terrapins and relocating them, installation of exclusionary fencing to prevent access to the construction site, removing in-water materials that may snag terrapins, monitoring in water work areas for terrapins and maintaining slow boat speeds. Protection measures for the state-listed rare Northern Diamondback Terrapin have been developed in coordination with RIDEM Division of Fish and Wildlife and included as a special provision in the DB contract. Additional coordination with the RIDEM Fish and Wildlife Service will occur during design and construction to avoid and minimize impacts to the listed species.

3. **Section 4(f) Properties**

There is one (1) Section 4(f) property in the project area: the East Bay Bike Path. However, projects that serve to improve or enhance existing Section 4(f) properties are exempted under the law. In the words of the law "...such work would be covered by the exception in 23 CFR 774.13(g) when the work is solely for the purpose of preserving or enhancing an activity, feature or attribute that qualified the property for Section 4(f) protection. The official(s) with jurisdiction over the Section 4(f) property must concur in writing with this assessment." See Appendix D for the Section 4(f) Checklist and the Rhode Island Department of Environmental Management's (the Official with Jurisdiction) email concurrence that this project is exempted under 23 CFR 774.13(g).

4. **Historic Properties**

There is one (1) historic property within the project's Area of Potential Effect (APE). This project was completed with FHWA's Finding of No Adverse Effect on February 15, 2022. See Appendix D for documentation.

5. **Noise**

The project does not involve significant noise and is not a Type 1 action necessitating a Noise evaluation. This is a bicycle bridge replacement project and there will be no increase in traffic volumes dueto this project. Operation of heavy equipment during construction may cause a temporary increasein noise levels. Noise levels will return to normal upon completion of the project. The project prioritizes the minimization of traffic disruption on state and local roads during construction.

6. **Right-of-Way Requirements**

The project is located within the right-of-way of the existing bicycle path. All construction will be within the existing right of way. No temporary easements are required for construction access.

7. **Other Environmental Impacts**

A. Migratory Bird Treaty Act (MBTA)

The MBTA states that it is unlawful to kill, capture, collect, possess, buy, sell, trade, or transport any migratory bird, nest, young, feather, or egg in part or in whole, without a federal permit

issued inaccordance with the Act's policies and regulations.

If migratory birds are found within the project area, the Contractor shall not cause injury or death to the birds, including eggs and nestlings. The Contractor shall not disturb any active nests (completed or partially completed nests that contain eggs or nestlings). If vegetation clearing will occur during the migratory bird breeding season (March 1 – August 31), the contractor shall avoid any active bird nests. If the active nests cannot be avoided, the contractor shall notify RIDOT to evaluate the situation. During the non-breeding season (September 1 – February 28) vegetation removal is not subject to this restriction. If any active nest is discovered within 100 feet of the construction activities, work shall stop and the RI Department of Transportation Natural Resources Unit shall be contacted to evaluate the potential for disturbance of nests. The project will avoid the removal and destruction of active bird nests except through federal or state approved options.

B. Wild and Scenic River Act

The Wild and Scenic River Act (Public Law 90-542, as amended) declares, "...certain selected rivers of the nation which, with their immediate environments possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall protected for the benefit and enjoyment of present and future generations." No wild, scenic, or recreational river areas are located within the project area.

C. Land Use

The proposed project work will not induce significant impacts to existing land use as the limits of the project areas for each bridge are within the existing bicycle path right-of-way. Finished work will not impede existing access to land utilized in the project areas. Land use in the vicinity ofthe project area is depicted in Appendix E.

D. Traffic Analysis

Existing Conditions & Traffic Management

A Draft Transportation Management Plan (TMP) in accordance with RIDOT policies and procedures, will be produced to address traffic management and site access during the construction, as well as for the removal of the temporary bridge that is connecting the bike path to the Route 114 bridges for the temporary detour.

E. Air Quality

Air quality will not be significantly impacted during construction. The reconstructed bridges are intended for bicycles and should not impact traffic volumes. Several air quality mitigation measures are recommended during construction, including:

i. Fugitive dust suppression
ii. Construction equipment idling restrictions
iii. Use of ultra-low sulfur diesel in construction equipment
iv. Proper maintenance of motorized vehicles and equipment
v. Proper fitting of equipment with mufflers and other emission control equipment (e.g.,diesel oxidation catalysts or particulate filters)

vi. Proper waste and stockpile management; and
vii. Efficient routing or temporary detours for general traffic and construction vehicles.

F. Demographics and Environmental Justice

Demographic Profile

The population within a 0.5-mile radius of the Project is 2,376 with 1,039 housing units, giving an average household size of 2 to 3 people. Approximately 14% of the population is over the age of 64. All demographic statistics were collected from the U.S. Census Bureau American Community Survey 2018 5-Year Estimates.

Environmental Justice Populations

According to the FHWA, environmental justice is defined as: "identifying and addressing disproportionately high and adverse effects of the agency's programs, policies, and activities on minority and low-income populations to achieve an equitable distribution of benefits and burdens." The implementation of environmental justice within transportation agencies under the U.S. Department of Transportation (U.S. DOT) includes the pursuit of full and fair participation in among potentially affected communities of transportation projects.

The environmental justice assessment for this Project (Appendix E) considered minority population and linguistic isolation populations, as defined by the U.S. DOT and FHWA EJ orders. Minority populations are persons who identify as something other than "white-alone" according to the U.S. Census. This includes persons identifying as Black, Hispanic or Latino, Asian American, American Indian and Alaskan Native, Native Hawaiian and Other Pacific Islander, or any combination of these identities. Within a 0.5-mile radius of the Project limits, the minority population is approximately 9%.

Linguistic isolation is defined as the percent of people living in households in which all persons older than 5 years of age who speak a non-English language and identify as speaking English less than "very well" according to the U.S. Census. Approximately 3% of the households within a 0.5-mile radius of the Project are identified as linguistically isolated.

Impacts to Environmental Justice Populations

The Project is not considered to have a disproportionately high and adverse effect on environmental justice populations because any adverse effects from the project, such as noise, will be temporary and limited to the construction period. Overall, the Project will have direct beneficial impacts related to restoring a key bicycle connection in the area.

Rhode Island Environmental Justice Populations

In Rhode Island, there is a Policy for Considering Environmental Justice in the Review of Investigation and Remediation of Contaminated Properties effective June 26, 2009, that addresses notification requirements and enhanced outreach to EJ abutters to Site Remediation Projects. According the RIDEM Environmental Resources Map (ERM), the project area is not located within an Environmental Justice zone. Enhanced outreach will not be necessary for this project.

G. Controlled and Hazardous Materials

SAGE Environmental completed a Phase I Environmental Site Assessment (ESA), dated April 3, 2020, for Bridge 083701 and Bridge 083801 associated with the East Bay Bike Path, in conformance with the scope and limitations of ASTM Practice E1527-13 and EPA's AAI Rule. No Recognized Environmental Conditions (RECs) were identified, but pre-characterization soil sampling was recommended due to the urban nature of the project area, historic use as railroad bridges, and the proposed construction activities that will require soil handling and potential disposal. In addition, the timber piles from the existing bridges that are to be cut off two feet below the mud line, were identified to have been treated with creosote.

The Project will include the preparation of a written Soil and Hazardous Materials Management plan (SHMMP) that will guide the proper handling, reuse, recycling and/or disposal of known or suspected regulated, hazardous, or controlled materials in accordance with all applicable State and Federal regulations. The SHMMP will also provide adequate contingencies to address additional contaminated materials that may be encountered throughout the Project.

The project will also include any additional preliminary testing of soil, groundwater or construction materials needed to satisfy the requirements of its design and construction. To the extent practicable and prudent, based on the results of the previous limited site investigations and any additional environmental testing deemed necessary, the Project will reuse or recycle soil to reduce Project costs and to help minimize the impact to available landfill space. The SHMMP will clearly describe the procedures and rationale by which off-site disposal of soil will be minimized.

H. Farmland Soils

The area at the western landing of the bridge over the Palmer River is classified as prime farmland soils. As the Project work in this area is limited to the existing bicycle path right-of-way, there will be no impacts to farmland resulting from the project.

I. Vegetation and Roadside Management

To reduce impacts to natural resources, laydown, staging and access areas will be located in or immediately adjacent to already disturbed areas and minimize land and vegetation disturbance. These areas will be within the permitted area to be disturbed and will be located to avoid impacts to streams, wetlands, natural drainageways or other environmentally sensitive areas. Disturbance to permanent stormwater structures (swales, outfalls, treatment units, etc.) will be avoided.

Trees onsite will be protected and preserved. This includes canopies, trunks and the critical root zones (area under the canopy/drip line of the tree). All measures will be taken to avoid any placement or storage of construction equipment, stockpiling of soils or materials, and/or parking of vehicles in the critical root zone. Adequate protection of trees will be provided within the work site through the full duration of the construction period. This will be done in accordance with the SESC and RI Soil Erosion and Sediment Control Handbook when applicable. Sensitive areas to be avoided will be marked on plans and laydown and staging areas will be placed outside of these limits.

All stockpiles of soils or erodible material will be covered and ringed with sediment controls. All construction materials susceptible to stormwater will be covered to prevent contamination from

entering sensitive areas, including the drainage system.

No invasive species were found within the project area. The introduction, spread, or the increased risk of invasion of invasive plant or animal species will be avoided on the project site, into new or disturbed areas, or areas adjacent to the project site causedby the site work. Hence, all equipment shall be cleaned of all soil and vegetative plant parts prior to arriving on the project site. Soil disturbance will be minimized whenever possible. Staging areas, including field offices, will be located and used in areas that are free of invasive plants to avoid spreading seeds and other variable plant parts.

Any plant material replaced will be done as an in-kind replacement (materials shall be the same type, size, and condition as existing except in the event that any damaged plant material is a species included on the Army Corps of Engineers, New England District list of "Invasive and Other Unacceptable Plant Species."). In this case the substitution of an acceptable native plant species, with a similar growth habit shall be made for the replacement plant material. Materials will be reviewed by the RIDOT Natural Resources Unit prior to any replacements.

J. Water Supply

The project area is not located within a Wellhead Protection Area or within a Drinking Supply Watershed, nor is it associated with Outstanding Natural Resource Waters (ONRWs)/Special Resource Protected Waters (SRPWs).

K. Sole Source Aquifers

There are no Sole Source Aquifers located in the vicinity of the project area.

8. Permitting and Regulatory Review

Section 4(f)

Projects that serve to improve or enhance existing Section 4(f) properties (the East Bay Bike Path) are exempted under the law. See Appendix D.

Section 106 of the National Historic Preservation Act

This project was completed with FHWA's Finding of No Adverse Effect on February 15, 2022. See Appendix D.

USFWS Endangered Species Act (ESA) Section 7 Consultation

An effect determination was submitted on October 28, 2021, to the U.S. Fish and Wildlife Service under the January 5, 2016, Programmatic Biological Opinion on Final 4(d) Rule for the northern long-eared bat (NLEB) and activities excepted from take prohibitions (presented in Appendix C). No response was received from USFWS within 30 days; therefore, the Action complies with ESA Section 7(a)(2) with regard to the NLEB.

NOAA Fisheries GARFO PRD ESA Section 7 Consultation :

Endangered Species Act Section 7 Consultation was submitted on February 2, 2022, with the determination that the project is not likely to adversely affect the listed species. Concurrence by NMFS was provided on February 3, 2022. (See Appendix C)

NOAA Fisheries GARFO HCD EFH Consultation:
RIDOT engaged in formal consultation with the National Marine Fisheries Service (NMFS), Greater Atlantic Regional Fisheries Office (GARFO) through submission of abbreviated individual consultation on February 1, 2022. NMFS concurred on February 18, 2022, that the adverse effects on EFH are not substantial with project design criteria to be followed by the Contractor. (See Appendix C)

Coastal Resources Management Council (CRMC) Coastal Resources Management Plan (CRMP): The proposed bridge reconstruction will require a Category B Assent from the CRMC. Review by CRMC will provide consistency with the Coastal Zone Management Act.

Clean Water Act (CWA) Section 401/404: The Project will include discharges of dredged or fill material to the Barrington and Palmer Rivers incidental to bridge construction and as such the Project will require Section 401 Water Quality Certification issued by the RIDEM and Section 404 authorization by the USACE under General Permits 8 of the Rhode Island General Permit. Authorization under the General Permit will not be valid until the CRMC Category B Assent is granted.

Section 10 of Rivers and Harbors Act of 1899: The US Army Corps of Engineers (USACE) may exercise Section 10 jurisdiction because the Project will require excavation or fill within navigable waters. Section 10 authorization would be granted as part of the Section 404 review and authorization process

U.S. Coast Guard Individual Bridge Permit: Pursuant to Section 9 of the Rivers and Harbors Act of 1899 and the General Bridge Act of 1946, projects that propose to construct, reconstruct or modify a bridge or causeway across navigable waters of the United States are required to obtain approval prior to commencing construction or modification work. RIDOT submitted a request for an exemption from a US Coast Guard bridge permit in accordance with 23 U.S.C. Section 144(c) and 23 CFR 650.805 for the East Bay Bike Path Bridge over the Palmer River, Warren, Rhode Island. The Barrington Bridge over the Barrington River does not meet the requirements for an exemption and a USCG Bridge Permit will be required.

RIDEM SW– 401 Water Quality Certification
The project will fill waters of the state, therefore, a Section 401 Water Quality Certification (WQC) filing with RIDEM Office of Water Resources is required.

RIDEM SW Construction Permit – Rhode Island Pollutant Discharge Elimination System (RIPDES) Program
If the project as constructed by the DB contractor disturbs more than one acre, a Rhode Island Pollutant Discharge Elimination System (RIPDES) General Permit for Stormwater Discharge Associated with Construction Activities will be required for the project.

RIDOT Stormwater Management Program Plan (SWMPP): To maintain compliance with the RIDOT SWMPPP, all projects with soil disturbance are required to develop and enforce a soil erosion and sedimentation control plan that adheres to the Rhode Island Soil Erosion and Sediment Control Handbook

RIDOT/USDOJ/USEPA MS4 Consent Decree

RIDOT recently released the final version of the Linear Stormwater Manual which provides guidelines to ensure compliance with the RIDOT/USDOJ/USEPA MS4 Consent Decree. The proposed project is considered a Redevelopment Project because the majority of the work will occur within previously developed area, and as such compliance with the RIDOT Linear Stormwater Manual replaces the requirements from the Stormwater Management, Design, and Installation Rules (250 RICR-150-10-8).

RIDEM SW Construction Permit – Groundwater Discharge/Underground Injection Control

If the project proposes infiltration system that receives stormwater from impervious surfaces, an Underground Injection Control (UIC) filing with the RIDEM Office of Water Resources will be required.

RIPDES Remediation General Permit

The Project will require a RIPDES Remediation General Permit if the DB Contractor proposes discharge of contaminated groundwater from dewatering activities.

RI Department of Environmental Management (DEM) Division of Fish and Wildlife:

Protection measures for the state-listed rare Northern Diamondback Terrapin have been developed in coordination with RIDEM Division of Fish and Wildlife and included as a special provision for the DB contract.

Appendix A – Bridge Plans

Appendix B – Wetlands, Waterways and Floodplains

Appendix C – Endangered Species and Essential Fish Habitat

Appendix D – Section 106 Documents

Appendix E – Land Use, Environmental Justice and Hazardous Materials

Categorical Exclusion (CE) Determination Checklist

Starting with Section 1, answer the questions by checking Yes or No.

After each of the following sections, there will be instructions that direct the preparer to continue to the next appropriate section of the checklist. The source(s) of the information used should be listed at the bottom of the response to each question and supporting documentation should be attached to the checklist. The preparer should refer to RIDOT's *Categorical Exclusion Project Narrative and Checklist Detailed Instructions* for further information and guidance on completing this checklist.

SECTION 1-CATEGORICAL EXCLUSIONS	YES	NO
1. Is the project on the list of CEs?	☒	☐

If "Yes," the preparer should check the CE that is being considered and then complete Section 2 below. If "No," the preparer should complete Section 2 below.

List of Categorical Exclusions

Categorical Exclusions in 23 CFR 771.117(c) (The "C" List)

1. ☐ Activities that do not involve or lead directly to construction, such as planning and research activities; grants for training; engineering to define the elements of a proposed action or alternatives so that social, economic, and environmental effects can be assessed; and Federal-Aid system revisions that establish classes of highways on the Federal Aid highway system. A feasibility study would be an example of this CE.
2. ☐ Approval of utility installations along or across a transportation facility.
3. ☐ Construction of bicycle and pedestrian lanes, paths, and facilities. Examples include walkways, sidewalks, shared-use paths and facilities, and small passenger shelters provided no new disturbance will occur.
4. ☐ Activities included in RIDOT's highway safety plan under 23 USC 402.
5. ☐ Transfer of Federal lands pursuant to 23 U.S.C. 107(d) and/or 23 U.S.C. 317 when the land transfer is in support of an action that is not otherwise subject to FHWA review under NEPA.
6. ☐ Installation of noise barriers or alterations to existing publicly-owned buildings to provide noise reduction. Examples include maintenance and/or replacement of existing noise wall panels and/or posts.
7. ☐ Landscaping. Examples include herbicidal spraying; mowing or brush removal/trimming projects; and beautification or facility improvement projects (*e.g.*, landscaping, curb and gutter replacement, installation of park benches, or decorative lighting).
8. ☐ Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning devices where no substantial land acquisition or traffic disruption will occur. Examples include the installation or maintenance of signs, pavement markings/raised pavement markers/sensors, traffic calming activities, new or replacement right-of-way fencing, and general pavement marking or "line painting" projects.

9. ☐ The following actions for transportation facilities damaged by an incident resulting in an emergency declared by the Governor of Rhode Island and concurred by the Secretary of the United States Department of Transportation (the Secretary), or a disaster or emergency declared by the President pursuant to the Robert T. Stafford Act (42 U.S.C. 5121):

    (a) Emergency repairs under the FHWA Emergency Relief Program (23 U.S.C. 125); and

    (b) The repair, reconstruction, restoration, retrofitting, or replacement of any road, highway, bridge, tunnel, or transit facility, including ancillary transportation facilities (such as pedestrian/bicycle paths and bike lanes), that is in operation or under construction when damaged and the action:

    (i) Occurs within the existing right-of-way and in a manner that substantially conforms to the preexisting design, function, and location as the original (which may include upgrades to meet existing codes and standards as well as upgrades warranted to address conditions that have changed since the original construction); and

    (ii) Is commenced within a two-year period beginning on the date of the declaration.

10. ☐ Acquisition of scenic easements. Examples include conservation easements and mitigation easements.

11. ☐ Determination of payback under 23 USC 156 for property previously acquired with Federal Aid participation.

12. ☐ Improvements to existing rest areas and truck weigh stations. Examples include resurfacing of existing parking areas, truck stop electrification, and construction/installation of alternative energy facilities at existing facilities.

13. ☐ Ridesharing activities. Examples include transportation corridor fringe parking facilities and park and-ride lots.

14. ☐ Bus and rail car rehabilitation.

15. ☐ Alterations to facilities or vehicles in order to make them accessible for elderly and handicapped persons.

16. ☐ Program administration, technical assistance activities, and operating assistance to transit authorities to continue existing service or increase service to meet routine changes in demand.

17. ☐ The purchase of vehicles whose use can be accommodated by existing facilities or by new facilities which themselves are categorically excluded. An example would be the purchase or conversion of vehicles to alternative fuel uses.

18. ☐ Track and rail bed maintenance and improvements when carried out within the existing right-of-way.

19. ☐ Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant impacts off the site.

20. [Not Applicable]

21. ☐ Deployment of intelligent transportation systems.

22. ☐ Projects, as defined in 23 U.S.C. 101 that would take place entirely within the existing operational right-of-way. Examples include:[i]

    ☐ Tower lighting.

    ☐ Guardrail installation and replacement (including median cable barriers) where roadway ditches and backslopes will not be relocated.

    ☐ Improvements to existing RIDOT maintenance facilities.

    ☐ Construction of new RIDOT maintenance facilities within an existing operational right-of-way.

    ☐ Work on pedestrian and vehicle transfer structures and associated utilities, buildings, and terminals.

23. Federally-funded projects:[ii]

    ☐ (a) That receive less than $5 million of Federal funds (as adjusted annually by the Secretary to reflect any increases in the Consumer Price Index prepared by the Department of Labor); or

    ☐ (b) With a total estimated cost of not more than $30 million (as adjusted annually by the Secretary to reflect any increases in the Consumer Price Index prepared by the Department of Labor) and Federal funds comprising less than 15 percent of the total estimated project cost.

24. ☐ Localized geotechnical and other investigation to provide information for preliminary design and for environmental analyses and permitting purposes, such as drilling test bores for soil sampling; archaeological investigations for archaeology resources assessment or similar survey; and wetland surveys. (This CE only applies to stand alone projects, not for environmental surveys being conducted as part of a project with an environmental document).

25. ☐ Environmental restoration and pollution abatement actions to minimize or mitigate the impacts of any existing transportation facility carried out to address water pollution or environmental degradation. These actions include retrofitting and construction of stormwater treatment systems to meet Federal and State requirements under Sections 401 and 402 of the Federal Water Pollution Control Act (33 USC 1341; 1342).

26. ☐ Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes or parking lanes. Examples include:

    ☐ Construction of highway safety and truck escape ramps.

    ☐ Construction of bicycle lanes and pedestrian walkways, sidewalks, shared-use paths, or facilities and trailhead parking that do not otherwise qualify for a CE C-1 designation.

    ☐ Beautification or facility improvement projects (*e.g.*, landscaping, curb and gutter installation and replacement, ADA ramps/curb ramps, installation of park benches, or decorative lighting).

    ☐ Implementation of Complete Street elements to improve safety and/or pedestrian,

bicycle, transit, vehicular, or freight mobility.

27. ☐ Highway safety or traffic operations improvement projects, including the installation of ramp metering control devices and lighting. Examples include lane reduction changes, provided that traffic analyses are completed.

28. X Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at-grade railroad crossings.

29. ☐ Purchase, construction, replacement, or rehabilitation of ferry vessels (including improvements to ferry vessel safety, navigation, and security systems) that would not require a change in the function of the ferry terminals and can be accommodated by existing facilities or by new facilities which themselves are within a CE.

30. ☐ Rehabilitation or reconstruction of existing ferry facilities that occupy substantially the same geographic footprint, do not result in a change in their functional use, and do not result in a substantial increase in the existing facility's capacity. Example actions include work on pedestrian and vehicle transfer structures and associated utilities, buildings, and terminals.

SECTION 2-CE AND UNUSUAL CIRCUMSTANCES QUESTIONS		YES	NO
2.	Does the project induce significant impacts to planned growth or land use for the area?	☐	☒
3.	Does the project require the relocation of significant numbers of people?	☐	☒
4.	Does the project have a significant impact on any natural, cultural, recreational, historic, or other resource?	☐	☒
5.	Does the project involve significant air, noise, or water quality impacts?	☐	☒
6.	Does the project have a significant impact on travel patterns?	☐	☒
7.	Does the project involve substantial controversy on environmental grounds?	☐	☒
8.	Does the project have a significant impact on Section 4(f) properties or on historic properties?	☐	☒
9.	Is the project inconsistent with any Federal or state requirement or administrative determination relating to the environmental aspects of the action?	☐	☒

If the answer for any of the questions within Section 2 is "Yes," then the project does not qualify as a CE and an EA or EIS is required. If the answer for all the questions within Section 2 is "No," complete Section 3 below.

SECTION 3-SEGMENTATION QUESTIONS		YES	NO
10.	Is the action a linear project?	☒	☐

If the answer is "Yes," the preparer should complete Questions 11 through 13. If the answer is "No," the preparer should not respond to Questions 11 through 13 and advance to Section 4 below.

11.	Does the project have independent utility?	☒	☐
12.	Does the project connect logical termini?	☒	☐
13.	Does the project allow further consideration of alternatives for other reasonably foreseeable transportation improvements?	☒	☐

If any of the answers for Questions 11, 12, and 13 is "No," then the project does not qualify as a CE and consultation between RIDOT and FHWA is required. If the answers for Questions 11, 12, and 13 are "Yes," complete Section 4 below.

SECTION 4-PROGRAMMATIC CE CONDITION QUESTIONS		YES	NO
14.	Does the project involve the permanent acquisition of more than minor amounts of right-of-way or involve non-residential or residential displacements?	☐	☒
15.	Does the project have a substantial environmental impact from the intended future use of land involved in the sale, transfer, or lease of state-owned property?	☐	☒
16.	Will the project have a finding of adverse effect on historic properties?	☐	☒
17.	Does the project have a disproportionately high and adverse impact on minority or low-income populations?	☐	☒
18.	Is the project a Type I project requiring a noise analysis?	☐	☒
19.	Does the project require the use of Section 4(f) properties necessitating the preparation of an Individual Section 4(f) Evaluation?	☐	☒
20.	Does the project require the use of Section 6(f) properties?	☐	☒
21.	Does the project require an Army Corps of Engineers Section 10 permit or Individual Section 404 permit?	☐	☒
22.	Does the project require a U.S. Coast Guard bridge permit?	☐	☒
23.	Does the project adversely affect Federally-listed threatened or endangered species or critical habitat?	☐	☒
24.	Does the project involve a floodplain encroachment other than for	☐	☒

functionally dependent uses or actions that facilitate open space use?

25.	Does the project involve construction in, across, or adjacent to a river component designated or proposed for inclusion in the National System of Wild and Scenic Rivers?	☐	☒
26.	Does the project convert prime or unique agricultural land to nonagricultural uses?	☐	☒
27.	Does the project affect a known Superfund site?	☐	☒
28.	Does the action involve any changes in access control?	☐	☒
29.	Does the project involve the construction of temporary access or closure of existing road, bridge, or ramps?	☒	☐

If the answers to Question 14 through 29 are "No" then the project qualifies as a Programmatic CE. If any of the answers to Questions 14 through 28 are "Yes" then the project cannot be classified as a Programmatic CE and an Individual CE approval from FHWA is required. If the answer to Question 29 is "Yes", complete Question 30 below.

		YES	NO
30.	Does the project meet the following conditions for construction of temporary access or closure of existing road, bridge, or ramps?	☒	☐

- Provisions have been made for access by local traffic and are posted;
- There will be no adverse effects on through-traffic dependent business;
- The temporary access or closure of existing road, bridge, or ramps will not interfere with a local special event or festival;
- The temporary access or closure of existing road, bridge, or ramps will not substantially change the environmental consequences of the project; or
- There is no substantial controversy associated with the temporary access or closure of existing road, bridge, or ramps.

U.S. Department of Transportation
Federal Highway Administration

RI DOT

Categorical Exclusion Determination
Project Narrative and Checklist

PTS ID/FAP #. 2022-DB-012

Submitted By:

Peter DeSimone
Project Manager

3-16-22
Date

Approval:

Vincent Palumbo, P.E.
Managing Engineer

3/17/22
Date

Approval:

Lori Fisette
Administrator, Division of Project Management (Acting)

3/28/22
Date

For Individual CEs, the FHWA Division Administrator's signature is also required.

Not Required

Division Administrator (or designee)

Date

FHWA Comments/Conditions:

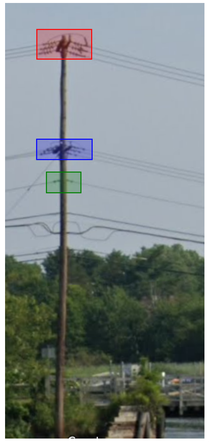
Endnotes

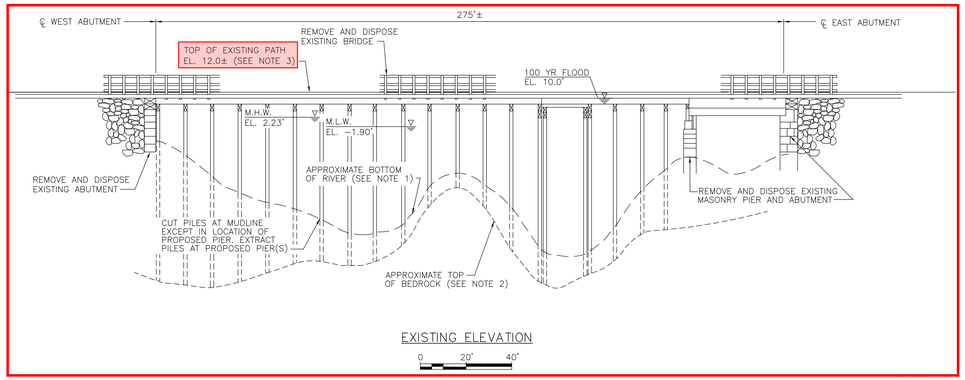
[i] CE C-22 (Projects that would take place entirely within the existing operational right-of-way):
The median of a divided highway can be considered to be within the operational right-of-way. The location of fencing demarcating the limits of right-of-way ownership does not necessarily determine the limits of the existing operational right-of-way.

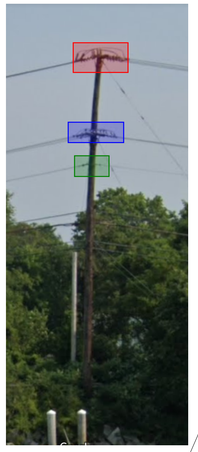
- For certain projects, it may be necessary to provide evidence (such as photographs or visual inspection) that an area was disturbed for a transportation facility. Archaeological surveys or construction plans for the original facility are not required to demonstrate that an area has been disturbed.
- Maintenance projects typically occur within the operational right-of-way and would qualify for CE C-22.
- A proposed project that requires temporary easements and temporary work outside an operational right-of-way would still be able to be classified under CE C-22, as long as the final project is entirely within the operational right-of-way. Temporary easements and work are subject to review for unusual circumstances (such as work taking place in endangered species habitat) that would trigger the need for a higher level of NEPA review for the project.
- A proposed project within the operational right-of-way that requires the creation of new clear zones, or extension of clear zone areas beyond those which exist, would not qualify for CE C-22. A proposed project that requires a permanent easement outside of the existing operational right-of-way would not qualify for CE C-22. For projects that cannot be classified under CE C-22, other available CEs may be used, as appropriate.
- The inclusion of mitigation for a proposed project does not override, waive, or alter the mitigation commitments that were established for the original transportation facility. Furthermore, the use of mitigation areas for a proposed project may trigger other actions to meet the original mitigation commitments.
- Rights-of-way acquired and held for future transportation facilities or areas acquired and held as a transportation corridor for a future project would not constitute an existing operational right-of-way and are not suitable for CE C-22, but they may be suitable for another CE. Utility use and occupancy agreements, and other real property interests that are not maintained for existing transportation purposes, would not be part of the existing operational right-of-way and are not suitable for CE C-22.

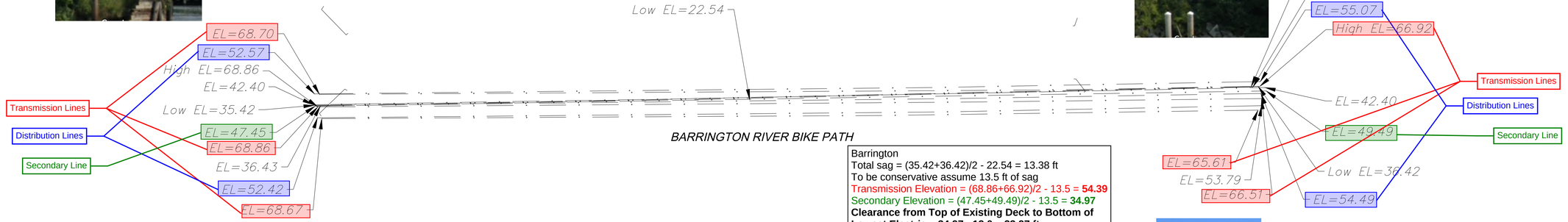
[ii] CE C-23 (Federally-funded projects):
(i) That receive less than $5 million of Federal funds (as adjusted annually by the Secretary of the United States Department of Transportation (the Secretary) to reflect any increases in the Consumer Price Index prepared by the Department of Labor); or
(ii) With a total estimated cost of not more than $30 million (as adjusted annually by the Secretary to reflect any increases in the Consumer Price Index prepared by the Department of Labor) and Federal funds comprising less than 15 percent of the total estimated project cost) The thresholds in CE C-23 are for total estimated project costs (all phases), not just construction costs. The preparer should describe the basis for the total estimated project cost in the project description.

- For projects that cannot be classified under CE C-23, other available CEs may be used, as appropriate. Accurate cost estimates are critical when using CE C-23, because if the limits are exceeded at any time, then the CE will no longer apply. The project will either have to meet the criteria for a different CE, or an environmental document will have to be prepared.
- Projects not receiving Federal-Aid funds, but requiring other forms of approval from FHWA (for example, an Interstate System access change approval), do not qualify for CE C-23, but may qualify for another type of CE.
- A reevaluation of CE C-23 would be triggered if there is an increase in the amount of Federal-Aid funds for the project beyond the established thresholds and there is still a FHWA approval that needs to be given when these changes occur.



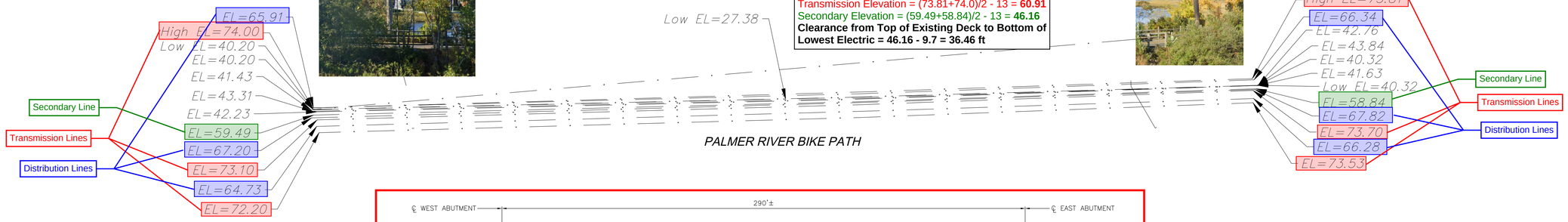






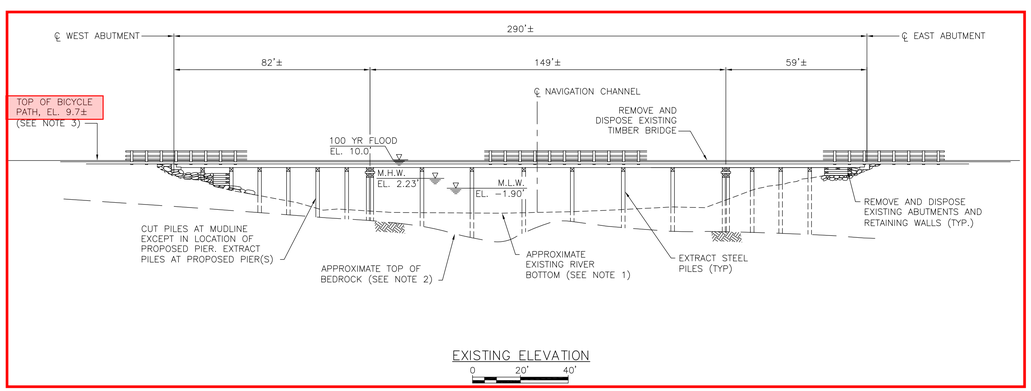
BARRINGTON RIVER BIKE PATH

Barrington
Total sag = (35.42+36.42)/2 - 22.54 = 13.38 ft
To be conservative assume 13.5 ft of sag
Transmission Elevation = (68.86+66.92)/2 - 13.5 = **54.39**
Secondary Elevation = (47.45+49.49)/2 - 13.5 = **34.97**
Clearance from Top of Existing Deck to Bottom of Lowest Electric = 34.97 - 12.0 = 22.97 ft



PALMER RIVER BIKE PATH

Warren
Total sag = (40.32+40.20)/2 - 27.38 = 12.88 ft
To be conservative assume 13 ft of sag
Transmission Elevation = (73.81+74.0)/2 - 13 = **60.91**
Secondary Elevation = (59.49+58.84)/2 - 13 = **46.16**
Clearance from Top of Existing Deck to Bottom of Lowest Electric = 46.16 - 9.7 = 36.46 ft



To calculate approximate elevation of electric lines at midspan, the calculated sag based on the lowest wires is used and then subtracted from the elevation of the electric wires at the pole. Only the transmission and secondary lines at midspan are shown. These calculated elevations have not been field verified and are not guaranteed.

Existing Bridge Elevation views are from AECOM Report.

Architecture
Engineering
Environmental
Land Surveying

BL Companies

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OVERHEAD WIRE LOCATIONS

BARRINGTON RIVER & WARREN BIKE PATH BRIDGES
BARRINGTON, RHODE ISLAND

REVISIONS

No.	Date	Desc.

Surveyed	S.B./K.J.
Drawn	A.C.
Reviewed	D.S.
Scale	1"=20'
Project No.	1900353.12
Date	10/04/2021
Field Book	XXXXXXXX
CAD File: XY1900353.1201	

Title

OVERHEAD WIRE HEIGHTS

Sheet No.

EX-1