

November 16, 2018

Via E-mail/Federal Express Delivery

Ms. Luly Massaro, Division Clerk  
Division of Public Utilities and Carriers  
89 Jefferson Boulevard  
Warwick, Rhode Island 02888

***In re: Rhode Island Fast Ferry, Inc. – Docket No. D-13-51***

Dear Luly:

On behalf of Rhode Island Fast Ferry, Inc. (“RIFF”), enclosed please find a copy of Ballard’s Wharf Realty & Bluewater LLC’s (“Bluewater’s”) Preliminary Determination Request Form and supporting documentation, recently filed with the Rhode Island Coastal Resources Management Council (“CRMC”). RIFF previously agreed to update the Division of Public Utilities and Carriers when Bluewater filed an application with CRMC. RIFF is filing this for informational purposes only.

Very truly yours,

*James A. Hall /nmv*

JAMES A. HALL  
[jhall@apslaw.com](mailto:jhall@apslaw.com)

Enclosure

cc: Service List



State of Rhode Island and Providence Plantations  
 Coastal Resources Management Council  
 Oliver H. Stedman Government Center  
 4808 Tower Hill Road, Suite 3  
 Wakefield, RI 02879-1900

(401) 783-3370  
 Fax (401) 783-2069

## PRELIMINARY DETERMINATION REQUEST FORM

**CHECK ACTIVITY BOX AND DESCRIBE IN DETAIL FOR WHICH CRMC STAFF LEVEL FEASIBILITY ASSESSMENT IS REQUESTED:**

<input type="checkbox"/>	RESIDENTIAL DEVELOPMENT - (SINGLE FAMILY)
<input type="checkbox"/>	NEW CONSTRUCTION
<input type="checkbox"/>	DEMOLITION/ALTERATION
<input checked="" type="checkbox"/>	ADDITION/ALTERATION <b>Addition of Ferry Pier to Existing Marina</b>
<input type="checkbox"/>	RESIDENTIAL DEVELOPMENT - _____ UNITS
<input checked="" type="checkbox"/>	PIER/DOCK: <b>Ferry Pier</b> RESIDENTIAL: _____ COMMERCIAL/OTHER: _____
<input type="checkbox"/>	SHORELINE PROTECTION: TYPE: _____
<input type="checkbox"/>	OTHER, DESCRIBE: _____

### PROPERTY INFORMATION:

File Number (CRMC USE ONLY): <u>2018-11-043</u>	
Project Location: <u>42 Water Street New Shoreham</u> <small>No. Street City/Town</small>	Plat: <u>6</u> Lot(s): <u>159, 158</u> Utility Pole: _____
Owner's Name: <u>Ballards Wharf Realty &amp; Bluewater LLC</u>	Does the site have access to:
Mailing Address: <u>PO box 967, 251 Spring St.</u>	Public Water service: <u>Yes</u>
City/Town <u>Block Island</u> State <u>RI</u> Zip Code <u>02807</u>	Municipal sewer service: <u>Yes</u>
Name of Waterway <u>Old Harbor, Block Island</u>	Contact No.: <u>401-744-2231</u>
Is information available regarding riparian boundaries, channel lines, etc? (Piers, docks, etc. only)	

### REQUEST FOR INFORMATION:

Name of Requestor: _____
Mailing Address: _____
Phone Number: _____
Designer or other contact person(s) include name, address, phone: <u>St. Jean Engineering, LLC, 209 Arnold Neck Road, Warwick, RI 02886, Phone: 401.398.0999</u>

Have you knowledge of any previous permits and/or violations (Local, State, and/or Federal) on this property? If so, describe and include pertinent information: Previous Permits: 1989-11-029, 2003-12-061, 2007-05-039, 2011-03-087, 2011-04-050, 2011-10-103

Please include a general vicinity location map (street guide sheet, USGS topography sheet) and a lot map (portion of Tax Assessor's map), map with topography is helpful.

Signature of Owner: *Paul Juliano* Date: 11/13/2018

/ajt - 05/2018

SEE REVERSE SIDE FOR INSTRUCTIONS





TOWN of NEW SHOREHAM

OFFICE OF TAX ASSESSOR

Phone No. 401-466-3217  
Fax No. 401-466-3784  
E-mail: [assessor@new-shoreham.com](mailto:assessor@new-shoreham.com)  
1100 State Street, Room 200  
New Shoreham, RI 02886

October 15, 2018

TO WHOM IT MAY CONCERN:

Per deed recorded in Book 335 on Page 296 Dated December 29, 2004, the owner

Of Plat 06 Lot 159 is : BALLARD'S WHARF REALTY LLC

With a mailing address now of: 1092 GREAT ROAD

LINCOLN RI 02865

Respectfully submitted,

Joan Wholey,

Clerk, Board of Assessors  
[assessor@new-shoreham.com](mailto:assessor@new-shoreham.com)  
401-466-3217

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NOV 13 2018

COASTAL RESOURCES  
MANAGEMENT COUNCIL

P.O. Box 220  
BLOCK ISLAND • RHODE ISLAND • 02807



TOWN of NEW SHOREHAM

BOARD OF ASSESSORS

150 Main Street, 1st Floor  
New Shoreham, RI 02882  
Phone: 401-466-3217  
Fax: 401-466-3218

November 8, 2018

TO WHOM IT MAY CONCERN:

Per deed recorded in Book 391 on Page 89 Dated May 9, 2008 the owner

Of Plat 6 Lot 158 is: T & C HOLDINGS, LLC  
With a mailing address now of: 1092 GREAT ROAD  
LINCOLN, RI 02865

Respectfully submitted,

Joan Wholey,

Clerk, Board of Assessors  
assessor@new-shoreham.com  
401-466-3217

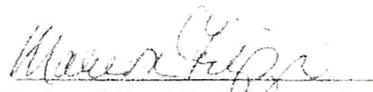


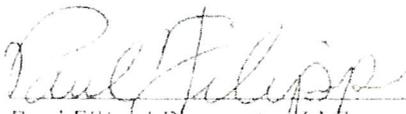
Box 720  
Block Island • Rhode Island • 02807

This agreement is between Bluewater LLC and T+C holdings LLC.  
In exchange for valuable consideration, T&C Holdings LLC  
assigns Bluewater LLC the riparian rights of lot 158 plat 6 in the Town of New  
Shoreham to build docks and wharf out into Old Harbor.

This agreement is effective as of:

9/16/2015.

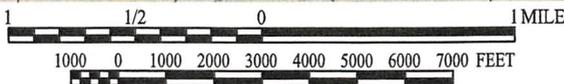
  
Marion Filippi T+C Enterprises

  
Paul Filippi Bluewater LLC





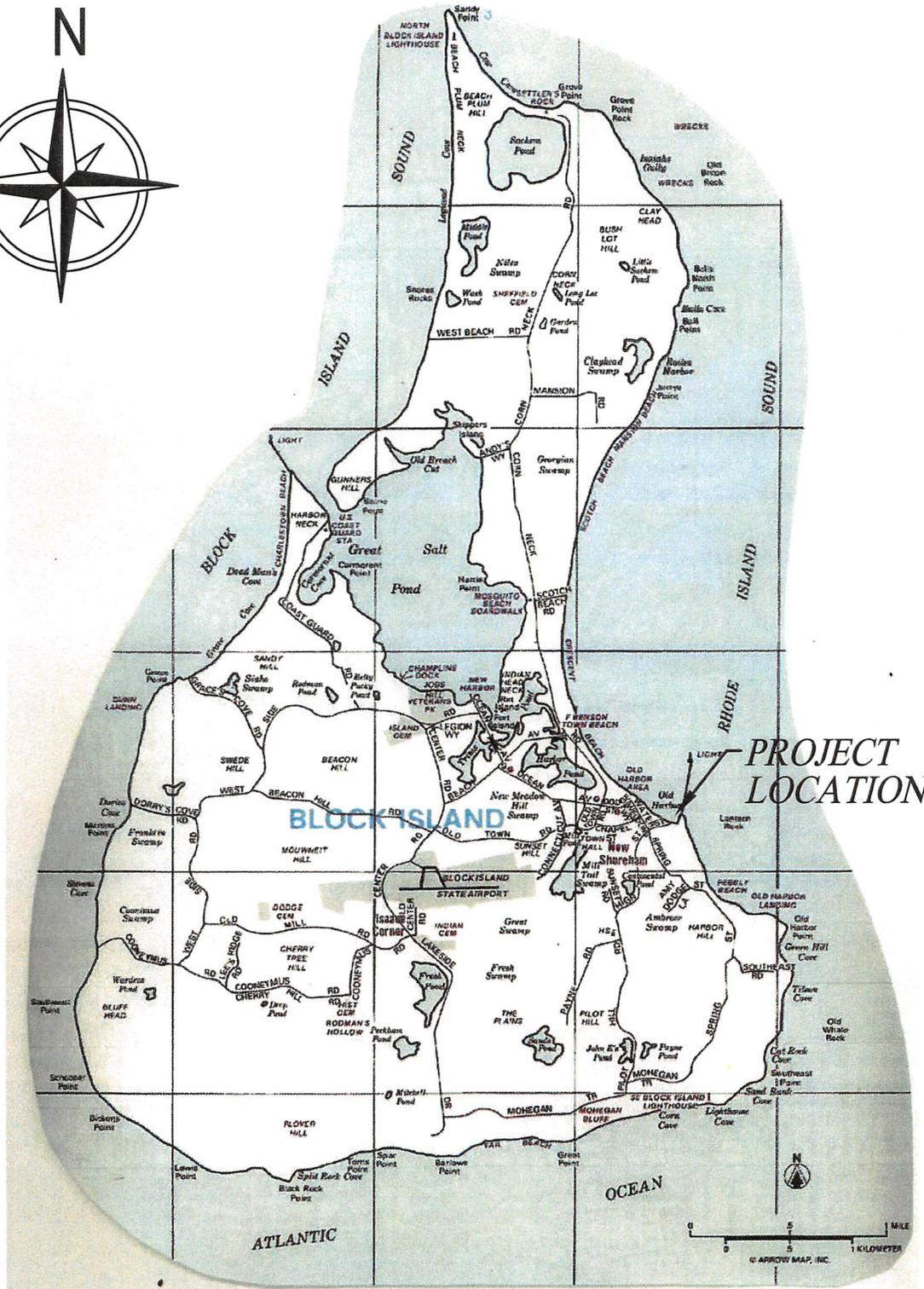
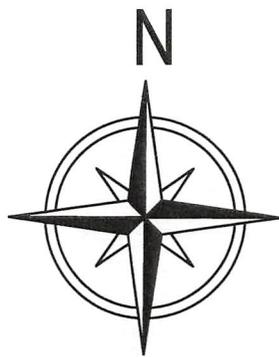
**PROJECT LOCATION**  
 41°-10'-24.8"N NAD83  
 71°-33'-21.7"W



CONTOUR INTERVAL 10 FEET  
 NATIONAL GEODETIC VERTICAL DATUM OF 1929

<b>St. Jean Engineering, LLC</b>	<b>OLD HARBOR - BLOCK ISLAND PROPOSED MARINA MODIFICATION</b> USGS Map Section: BLOCK ISLAND, RHODE ISLAND		DATE October 1, 2018
PREPARED BY Coastal Structural Engineering 1145 Middle Rd., East Greenwich, RI 02818 Tel: (401)398-0999 st.jean.engineering@verizon.net	LOCATION: OLD HARBOR NORTH OF WATER STREET NEW SHOREHAM, RHODE ISLAND	APPLICATION BY: BLUE WATER, LLC P.O. Box 1818 BLOCK ISLAND, RHODE ISLAND 02807	SHEET OF 1 3

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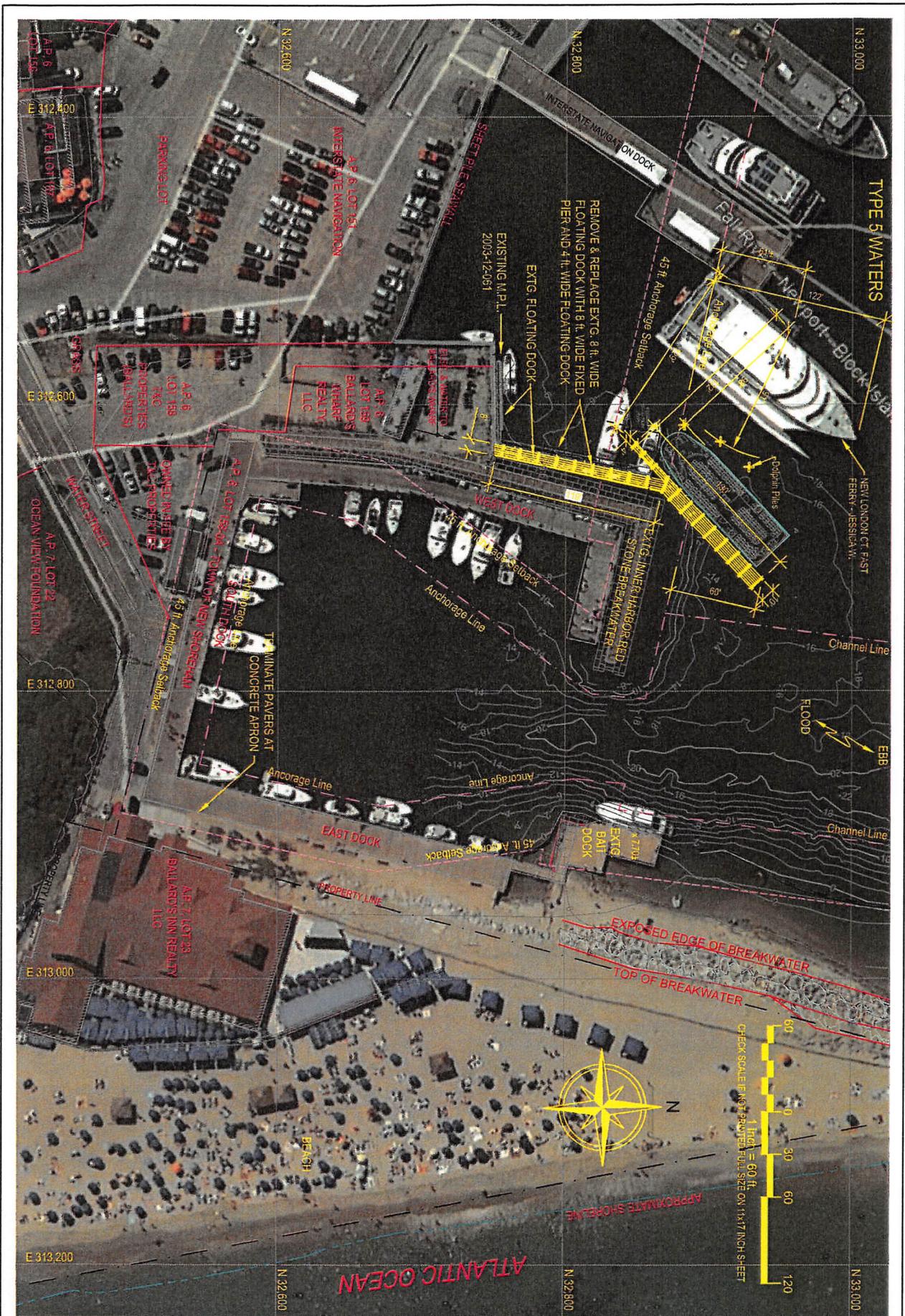
**PROJECT  
LOCATION**



<p><b>St. Jean Engineering, LLC</b></p>	<p align="center"><b>OLD HARBOR - BLOCK ISLAND PROPOSED MARINA MODIFICATION LOCUS PLAN</b></p>	<p>DATE October 1, 2018</p>
<p><b>RECEIVED</b> Civil and Structural Engineering 1145 Middle Rd. East Greenwich, RI 02818 Tel: (401) 398-0999 stjeanengineering@verizon.net</p>		<p>LOCATION: OLD HARBOR NORTH OF WATER STREET NEW SHOREHAM, RHODE ISLAND</p> <p>APPLICATION BY: BLUE WATER, LLC P.O. Box 1818 BLOCK ISLAND, RHODE ISLAND 02807</p>



COASTAL RESOURCES  
MANAGEMENT COUNCIL



**OLD HARBOR - BLOCK ISLAND  
PROPOSED MARINA MODIFICATIONS**

**ST. JEAN ENGINEERING, LLC**  
CIVIL, MARINE AND STRUCTURAL  
CONSULTING ENGINEERING

**PROPOSED IMPROVEMENTS PLAN**

DATE:  
October 1, 2018

Prepared For:  
**BLUE WATER, LLC**  
Water Street, P.O. Box 1818  
Block Island, RI 02807

1145 Middle Road  
East Greenwich, RI 02818  
Phone: 401.398.0999  
st.jean.engineering@verizon.net

LOCATION:  
OLD HARBOR  
NORTH OF WATER STREET  
NEW SHOREHAM, RHODE ISLAND

APPLICATION BY:  
**BLUE WATER, LLC**  
P.O. Box 1818  
BLOCK ISLAND, RHODE ISLAND 02807

SHEET OF  
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**NOV 13 2018**

COASTAL RESOURCES

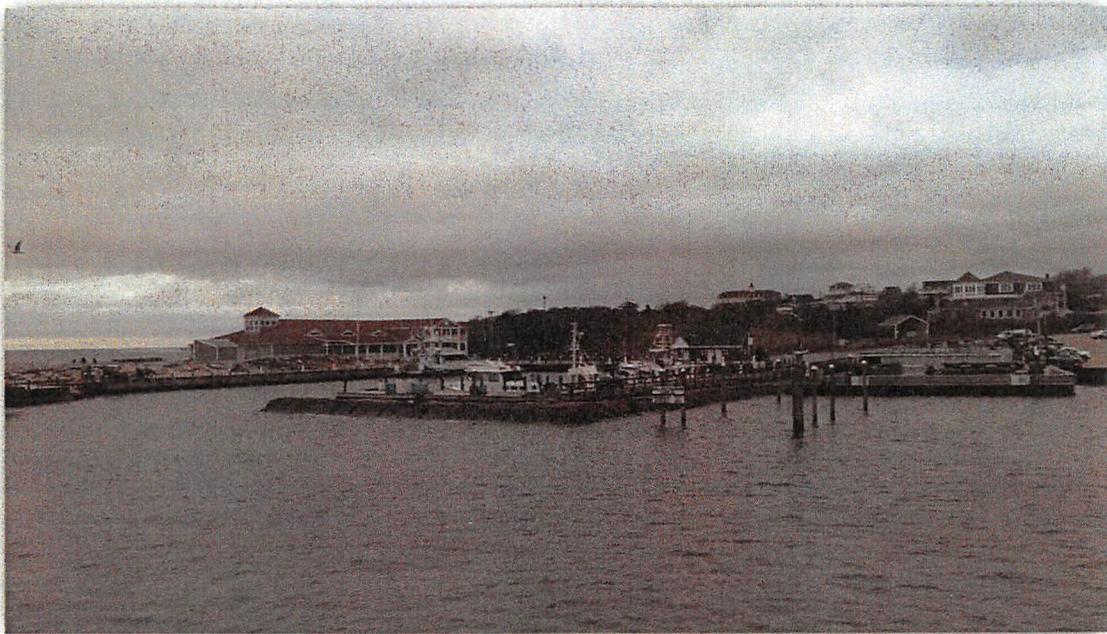




**Natural Resource Services, Inc.**

**Project Narrative for  
Preliminary Determination Application**

*Old Harbor  
New Shoreham, Rhode Island*



**Prepared for:**

Bluewater, LLC  
c/o Paul Filippi  
PO Box 1818  
Block Island, RI 02807

**Project Narrative Prepared by:**

Edward J. Avizinis, CPSS, PWS

October 11, 2018



Harrisville, RI 02830

401-568-7390

FAX 401-568-7490

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2015 Submerged Aquatic Vegetation (SAV) survey



## Introduction

Natural Resource Services, Inc. (NRS) was retained by Bluewater, LLC to assist with the preparation and submission of a Preliminary Determination application to be submitted to the Coastal Resources Management Council (CRMC). Bluewater LLC and RIFF (Rhode Island Fast Ferry, Inc. and Atlantic Wind Transfers; hereafter ‘the applicants’) are seeking permission to augment the Ballard’s Wharf marina within Old Harbor on Block Island. The project proposes to impact tidal waters and coastal features, both of which fall under the jurisdictional authority of the CRMC and the U.S. Army Corps of Engineers (ACOE). The applicants believe this project qualifies as an expansion of a marina and therefore, in accordance with the Coastal Resources Management Program (CRMP), is submitting this preliminary determination application. A Variance Request along with the other documentation shall be subsequently submitted to the CRMC following this Preliminary Determination Process, and it shall be revised in accordance with any technical comments provided by CRMC staff.

The Old Harbor, Block Island waterfront supports a vibrant mix of recreational and commercial activities, and is one of the truly unique tourist destinations in Rhode Island. Section 1.1.2.39 of the CRMP defines Old Harbor as a “destination harbor”. This designation means that the primary use is by people arriving by vessel. It is also designated as Type 5 waters (section 1.2.1.E.), and it is one of the few locations selected by CRMC to foster commercial and recreational dockage on Block Island. Ballard’s Wharf Realty LLC is proposing the modification of its existing dock in Old Harbor, Block Island. This proposal will meet all of the highest priority uses set forth by CRMC for Type 5 waters and will increase its value as a destination harbor.

Specifically, the additional dock space in Old Harbor, Block Island is required to support two major public initiatives in the State of Rhode Island. The Quonset to Block Island Fast Ferry that has been approved by the Rhode Island Division of Public Utilities and Carriers (DPUC) and the Operations & Maintenance of Block Island Wind Farm as well as future Offshore Wind expansion. The aim of this proposal is to provide means of transit without impacting the existing ferry routes off-site to the west.

Additionally, the docks will make efficient use of navigable waters by expanding safe use and improving navigation. Modification of the existing marina will increase berthing capacity for commercial boats, away from the commercial fishing and freight operations conducted on the existing commercial docks in Old Harbor. This construction for ferries and CTV’s (crew transfer vessels) will increase the public’s access to Old Harbor and benefit the Offshore Wind Farm(s.)

**Ballard’s Wharf** - The dock labeled as “Proposed Ballard’s Wharf” in Drawing 1, is a proposed modification and extension of the improvements authorized by Corps of Engineer permit NAE 2004-436 (see attached copy of Permit NAE 2004-436). The project entails the removal and replacement of the existing floating dock with a fixed pier with adjacent floating docks, and adding a fixed landing pier. The applicant further requests modification of the condition of permit NAE 2004-436 to allow the use of the facility by commercial vessels and to allow encroachment of the federal project limits in the area adjacent to the fixed landing pier.



The angle of the proposed ferry dock is parallel to the existing Cross Sound Ferry dock so that ferries will continue to be berthed side by side in Old Harbor. The dock consists of three (3) design features; the Access Dock which is 117' long by 8' wide allowing for two lanes of passenger traffic. The Cat Walk, 35' long and 4' wide is proposed so that dockworkers may effectively handle the Vessel's docking lines. This portion of the dock would be restricted from passenger access. The landing portion of the dock is 95' long by 10' wide and will handle most of the vessel's dynamic loads while providing enough space for a handicap accessible hydraulic gangway to load/unload passengers and luggage. The applicant has proposed three (3) dolphin cluster piles to provide safety of separation from the adjacent ferry piers to the west in case of strong easterly winds or other events occurring that may cause either ferry to drift towards the other dock.

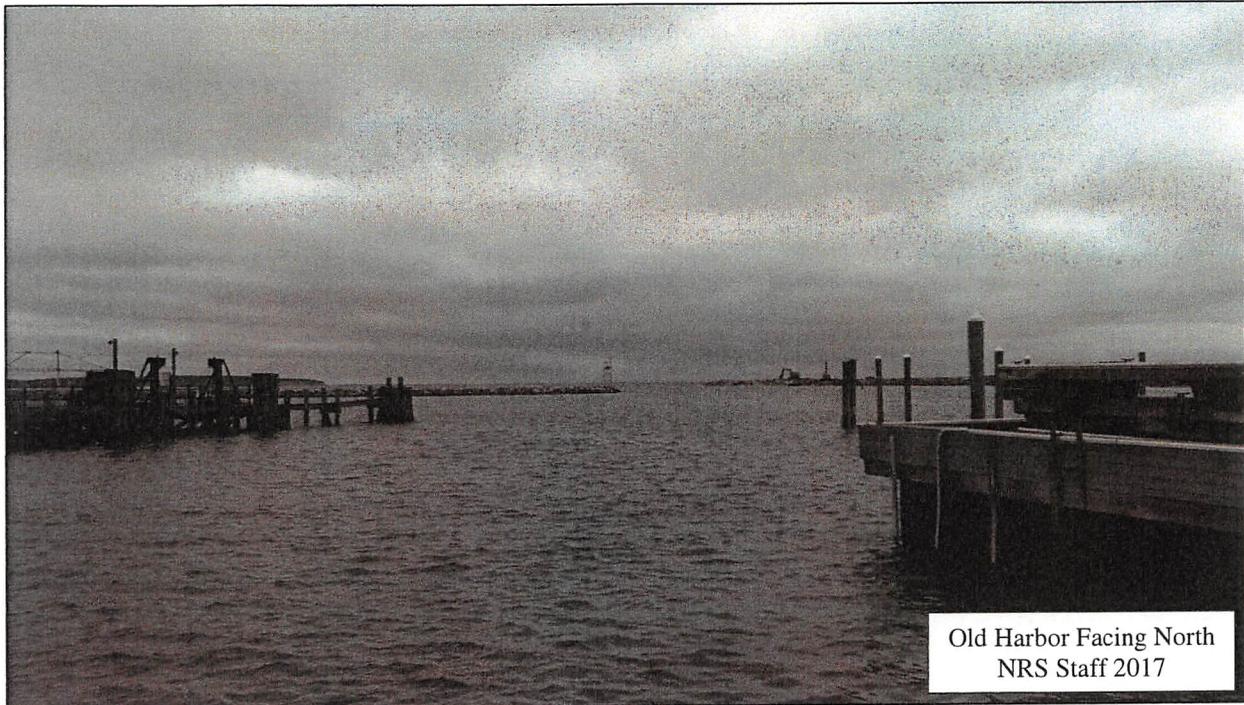
It is anticipated that the applicant will submit an application to the CRMC after the preliminary determination review has been completed. This application will address, in narrative form, the standards set forth in the following sections of the CRMP:

- 1.3.1.A - Category B Requirements
- 1.3.1.C - Residential, commercial, industrial, and recreational structures
- 1.3.1.D - Recreational boating facilities

The following variance requests will be made at the time of the application:

- A variance request from section 1.3.6.B.3.b. – Public Access Plan
  - In lieu of preparing a public access plan the applicant seeks a variance to this requirement due to the fact that the nature of the project is to increase public access. Additionally the new ferry route will safely accommodate the existing levels of access associated with the existing ferry routes to the west.
- A variance request from section 1.3.1.D.9.y. – Federal Channel Distance
  - The applicant is requesting relief from CRMP Standard 300.4.E.1.j requiring a setback of at least three times the authorized project depth from the federal channel. The standard was created to promote safety. The proposed marina is situated in a unique area adjacent to a jetty that was built inside the channel. The existing Ferry landing to the west was built with a similar setback variance and a proposed bait dock had been approved in this specific area in the past by the Town but was relocated. The applicant is seeking approval from the ACOE for the reduced setback from the channel.





### 1.3.1.D.2.b. - Alternatives Analysis

New Harbor is not a practicable alternative to Old Harbor. The CTV must be within 30 minutes of the wind farm by contract, so that in the event of injury the injured worker can be evacuated expeditiously. New Harbor is more than 30 minutes away from the wind farm. On September 22, 2016, the Rhode Island Division of Public Utilities and Carriers (DPUC) granted permission to Rhode Island Fast Ferry to operate summer service between the Quonset Business Park in North Kingstown and Old Harbor on Block Island. In doing so the commission determined that “public convenience and necessity” requires the proposed high speed ferry service between Quonset Point and Old Harbor. The decision was made after a multi-day hearing that considered the impact of the new fast ferry service on the other ferry services to the island including the life-line ferry service.<sup>1</sup>

Thoughtful project design has ensured that the proposed use of public trust resources is the most efficient and protective of the environment. The proposed location for the pier is in the location that is most logical given the space available in the Old Harbor. The proposed location takes into account the existing flow of boat traffic. The new Ballard’s Wharf pier proposes to replace the current floating dock and to use the waters in front (north side) of the existing jetty.

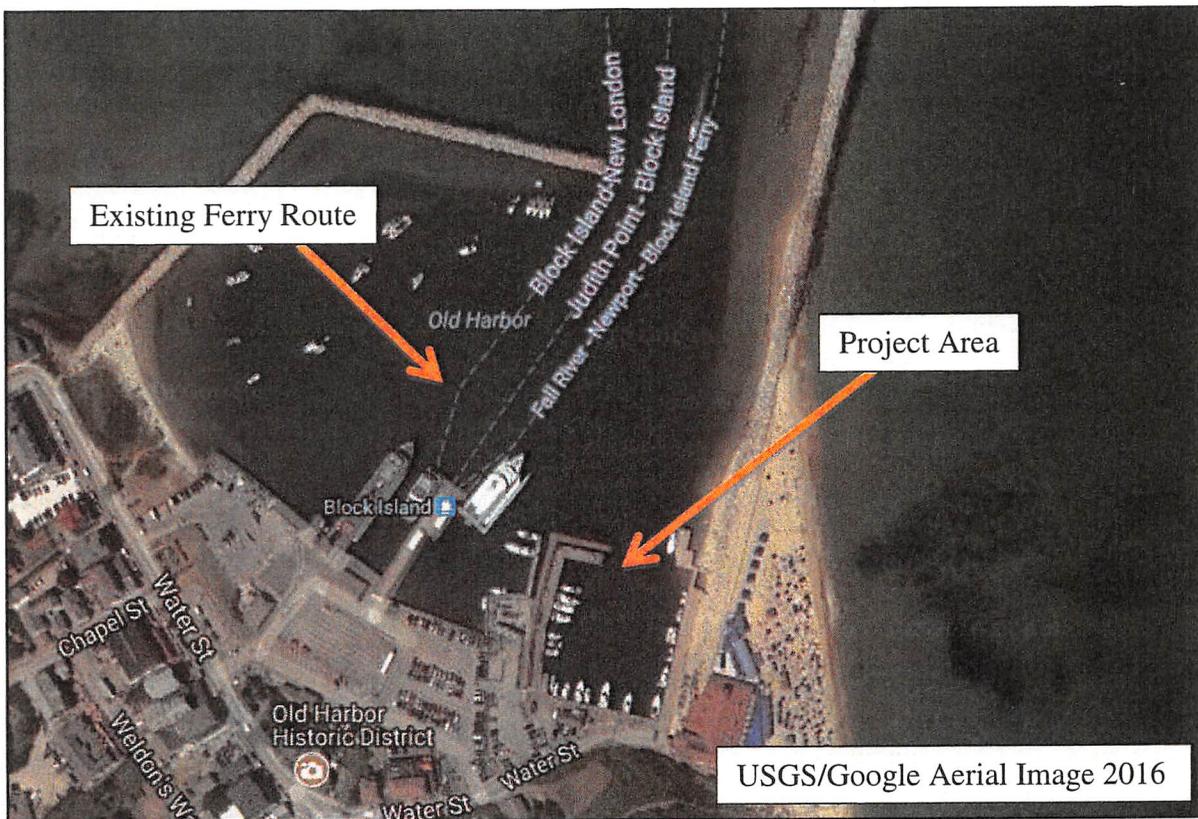
The applicant is somewhat limited in terms of project alternatives due to the fact that the adjacent areas are comprised of beaches featuring the Type 1 Waters. Under the CRMP, such water types are not consistent with boating or commercial ferries, and, moreover, dock structures are prohibited within these areas. Type 5 Waters are generally rare in New Shoreham; any pro-

<sup>1</sup> State of Rhode Island and Providence Plantations Division of Public Utilities and Carriers, *In Re: Application by Rhode Island Fast Ferry, Inc. for Water Carrier Authority*, Docket No. D-13-51, available at [http://www.ripuc.org/eventsactions/docket/D\\_13\\_51\\_Report\\_and%20Order.pdf](http://www.ripuc.org/eventsactions/docket/D_13_51_Report_and%20Order.pdf).



posal for a new marina project elsewhere on the island would likely require a water use change and would not be congruent with the historic use of the respective waterfront.

The applicants had proposed using the area of the old Mount Hope dock, however pursuant to discussions with CRMC it was determined that developing that historic area may be prohibitively lengthy for the applicants considering the Ferry operator (Rhode Island Fast Ferry) and Deepwater Wind's immediate needs for dockage. The applicant had also proposed utilizing the area to the west of the breakwater structure. However, pursuant to the comments of the ACOE and the harbormaster, any further development of this area would interfere with the trajectory of the existing ferry routes. The following image has been taken by the USGS interface to display these routes.



Another alternative would be a “no build” scenario. This alternative provides baseline comparison for the proposed action. If the proposed docks are not constructed, authorization for the alteration, occupation, or use of a USACOE civil works project will not be required. Old Harbor will continue to operate without the proposed fixed piers and floating docks. Transportation to New Shoreham will continue at a similar level as present, with an overall lesser capacity to service high speed ferry service and no capacity for Offshore Wind.

### CRMP Review Criteria

While Section 1.3.1.C does not provide direct performance standards relating to a preliminary determination submittal, the applicant has prepared the following response based on the



standards provided within Section 1.3.1.D.2.b. In assessing a proposed marine facility, the CRMP states that the Council shall require a preliminary determination / alternatives analysis that details the following:

**(1) The appropriateness of the facility given the activities potential to impact Rhode Island's coastal resources;**

The proposed location is the most appropriate on the island for this type of activity being that Old Harbor is designated as a destination harbor under the CRMP. The harbor is already regularly dredged by the ACOE, which has limited aquatic life. The waters adjacent to this waterfront support a variety of tourist, recreational, and commercial activities. Ballard's Wharf Realty and RIFF are proposing the modified dockage in CRMC Type 5 waters. CRMC has determined (Section 1.2.1E.3.b.(1-4)) that the highest priority uses of this Type 5 water and adjoining land are *(1) berthing, mooring, and servicing recreational craft, commercial fishing vessels, and ferries; (2) water-dependent commerce, including businesses that cater to tourists; (3) maintenance of navigational channels and berths; and (4) activities that maintain or enhance water quality and scenic qualities, including the preservation of historic features* (emphasis added).

**(2) The appropriateness of the structure given environmental site conditions;**

The site is well suited to this use given that dredging occurs regularly and docks already exist in the harbor. The shoreline features in the harbor consist of man-made features such as revetments, headwalls, and boulder breakwaters. According to Block Island's chamber of commerce, 65% of its 20,000 daily visitors come by ferry and 30% come by private boat to Block Island. Yet 150-200 requests for slips are denied each day on Block Island during its short tourist and boating season.

**(3) The potential impacts of the structure and use of the facility on public trust resources (e.g., fin fish, shellfish, submerged aquatic vegetation, benthic habitat, commerce, navigation, recreation, natural resources, and other uses of the submerged lands, etc.);**

A 2015 Submerged Aquatic Vegetation (SAV) survey conducted by NRS in the project location determined that no eelgrass (*Zostera marina*) or widgeon grass (*Ruppia maritima*) beds were present in the area. There is a coarse sand substrate at the site. Because no eelgrass or widgeon grass beds are present in the area, fish and wildlife species that typically utilize such habitat are not expected to occur in the project area. Examples of such species include bay scallops, quahogs, blue crabs, lobsters, starfish, snails, mussels, tautog and other fish, brant and other waterfowl. We expect a lesser range of such biodiversity in the Old Harbor due to the lack of eelgrass beds in the area. A 2012 Composite Map available through the CRMC shows eelgrass beds present in the Outer Harbor and along beaches north of Old Harbor. These areas will not be impacted by the proposed project.



The Essential Fish Habitat (EFH) mapping tools and reports available through the National Oceanic and Atmospheric Administration (NOAA) provides a list of federally managed species that may be expected to occur in the vicinity of the project area and the waters immediately surrounding Block Island. This list includes: ocean pout, winter flounder, sandbar shark, albacore tuna, red hake, skipjack tuna, silver hake, basking shark, Bluefin tuna, dusky shark, white shark, smooth dogfish, common thresher shark, tiger shark, yellowfin tuna, longfin inshore squid, Atlantic cod, Atlantic herring, spiny dogfish, little skate, winter skate, window pane flounder, scup, Atlantic butterfish, summer flounder, black sea bass, and bluefish. No Habitats of Particular Concern (HAPC) or EFH Areas Protected from Fishing are located in the project area; no critical habitat areas lie within the project area (NOAA, 2011; NOAA, 2017). The proposed project is not expected to have any negative impact on such species or other aquatic species.

**(4) The potential navigation impacts of the structure and associated use of the structure;**

The additional dockage in Old Harbor, Block Island is required to support two (2) major public initiatives for the State of Rhode Island. First, the Quonset to Block Island Ferry that has been approved by the Rhode Island Division of Public Utilities and Carriers (DPUC) and Old Harbor is the required docking destination on Block Island. Secondly, the Block Island Wind Farm requires regular monitoring and maintenance and the proposed dock will provide a dedicated space that will enable the transfer of wind technicians, offshore workers and their equipment. The proposed dock will make efficient use of navigable waters by expanding safe commercial use and improving navigation. Currently the existing floating docks are removed every Fall and installed in the Spring. The proposed structure will be operable year round and will not require installment and removal annually. Construction of the dock will increase berthing capacity for commercial boats, provide new docks for the existing recreational boat slips, and allow the public to enjoy the waterfront, away from the commercial fishing and freight operations conducted on the existing commercial docks in Old Harbor. Being the nation's first offshore wind farm, the ability to maintain the farm is directly related to the state's renewable energy portfolio.

**(5) The potential aesthetic and scenic impacts associated with the structure;**

The project is proposed in an already heavily used harbor where many boats and ferries dock. The shoreline features that abut the Type 5 water are man-made features including headwalls and boulder breakwaters. The addition of the proposed piers will not significantly decrease the aesthetic and scenic value of the harbor beyond that of pre-project levels.

**(6) The cumulative impacts associated with the increased density of existing recreational boating facilities in the vicinity of the proposed project. In considering these factors, the Council shall weigh the benefits of the proposed activity against its potential impacts while ensuring that it does not cause an adverse impact on other existing uses of Rhode Island's public trust resources;**



It is anticipated that the additional boat traffic will pose no significant impact. Currently, many boats including the CTV Atlantic Pioneer that are unable to acquire slips within the harbor will anchor outside the protected harbor, exposed to wave action, which affects the enjoyment and safety of the boats and limits their access to local businesses. Additionally, the proposed increase in density has been configured to minimize impacts to the existing ferry routes to the West to the greatest extent practicable.

**(7) The potential impacts to other recreational or commercial uses of the affected resource;**

The project proposes to serve recreational boaters and commercial vessels. Fishing is not practical here due to boat traffic, regular dredging, and a lack of submerged aquatic vegetation in the harbor. There are no other recreational or commercial activities that would otherwise be impacted by this proposal. Tourists and residents may continue to utilize the adjacent recreational and commercial facilities to the same capacity as that of pre-project levels.

**(8) The extent to which any disruption of the public use of such lands is temporary or permanent;**

It is not anticipated that there will be a disruption of the public use of the harbor during or after construction. Boats and ferry traffic that currently use the harbor will not be impacted and pathways along the landward side of the shoreline feature will not be blocked.

**(9) The extent to which the public at large would benefit from the activity or project and the extent to which it would suffer detriment; and**

The Additional docks in Old Harbor Block Island are required to support a crew transfer vessel (CTV), currently the Atlantic Pioneer, and a new high speed ferry operating between Quonset, North Kingstown and Old Harbor, Block Island. The requirement for the new docks has become even more acute because the Town of New Shoreham has determined that it is not safe for the CTV to tie up at the town dock. Therefore, the only dock currently available for the CTV in Old Harbor is the U.S. Army Corps of Engineer's dock. The Corps' dock is available on a first-come, first-served basis, but it is unavailable during the summer months when it is filled with pleasure boats.

Additional dock space in Old Harbor is in the public interest. The new docks will provide a safe location for the CTV to dock within close proximity to the offshore wind turbines. The handicapped accessible docks will also be used by the new fast ferry service, which was approved by the Rhode Island Division of Public Utilities and Carriers (DPUC) in September 2016. Additionally, the docks will enhance public safety. In the event an evacuation of Block Island is required, the new docks will provide added space for commercial craft, which will assist in the rapid and orderly evacuation of the Island.

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### New Quonset Fast Ferry Service

The proposed dock will be utilized for the new Rhode Island Division of Public Utilities and Carriers Licensed (Division Order attached) ferry service to operate from Quonset Point, North Kingstown. Rhode Island Fast Ferry will operate a newly built 108' high-speed catamaran ferry daily from mid-May to mid-October sailing 3 to 5 trips per day. The ferry trip will take approximately 50 minutes with layover times on the Block Island dock of approximately 15-20 minutes per trip. On an average 4-trip day the ferry will be tied up at the dock in Block Island for a total of 60 to 80 minutes. This ferry service will not require any utilities such as water, electricity or sewage pump-out service as all these are already provided in Quonset Point. All ticket sales will occur onboard the vessel while underway to Quonset, so no ticket booth is needed. Rhode Island Fast Ferry will employ Block Island dockworkers with the following job responsibilities: making sure the dock is clear of any other vessels, organization of all departing passengers on the dock, handling the Vessel's docking lines, handling the gangway, and helping the crew unload and load passengers. The dockworkers will have a cell phone and radio at all times so that he/she is in constant contact with the Vessel's Captain and crew.

### Offshore Wind Support Vessels

The proposed dock will also be utilized for the Offshore Wind support vessel Atlantic Pioneer, owned and operated by Atlantic Wind Transfers, a subsidiary of Rhode Island Fast Ferry to support the Block Island Wind Farm under a 15 year service contract; currently this commercial service vessel must float off just outside Old Harbor off the Town Beach as it does not have a dedicated dock it can use during the busy summer months. The dock will allow for a dedicated slip so that the Vessel can take on technicians, vessel crew, equipment and supplies. The dock will also have the capability to serve additional support vessels bringing future opportunities to Block Island as the Offshore Wind industry develops just off its coast.

### **(10) the extent to which structures that extend over submerged lands are dependent upon water access for their primary purpose.**

This marina is water dependent by definition, and the project therefore requires access to open waters as a central component of its primary purpose.

### Conclusion

The applicant is seeking permission to modify an existing marina within the vicinity of Old Harbor in New Shoreham, Rhode Island. This project is being submitted as a Request for Preliminary Determination as required under Section 1.3.1.D.5.a of the CRMP. Following the review by CRMC staff, the applicant shall subsequently submit a Assent modification application for this project, including a Request for Variance to the applicable sections of the CRMP and shall provide written responses to the standards outlined in Section 1.3.1.A.



The primary purpose of this project is to provide additional ferry and commercial opportunities described throughout this report, including routine means of access to the Port of Quonset as well as to the Block Island Wind Farm and future offshore wind farms already proposed. This narrative has been prepared to outline the various components of the project and to provide an alternatives analysis prior to the submittal of the Assent modification.

### References

Coastal Resources Management Council, *Coastal Resources Management Program, as Amended*, Revised December 2012. Retrieved from <http://www.crmc.ri.gov/regulations/RICRMP.pdf>

Coastal Resources Management Council, *Rules and Regulations Governing the Protection and Management of Freshwater Wetlands in the Vicinity of the Coast*, Revised 2014

RIGIS. 2008, 2011 & 2014. *Topo map & aerial photoviewer*. RI Department of Environmental Management.



# Appendix

Site Photographs  
2015 Submerged Aquatic Vegetation (SAV) survey



## Site Photographs



*View of Project Area, NRS Staff 2018*





*View of Wharf/Marina, NRS Staff 2018*

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**Natural Resource Services, Inc.**

**Submerged Aquatic Vegetation Survey**

Blue Water, LLC  
New Shoreham, RI



Prepared for  
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Survey and Report Prepared by:

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September 11, 2015

NRS File #15-233



## Introduction

Natural Resource Services, Inc. (NRS) has completed a Submerged Aquatic Vegetation (SAV) survey along the requested areas of the above referenced property. This survey was performed in accordance with the standards established within Section 300.18 E.4 (a-e) of the RI Coastal Resources Management Program (CRMP). This report and the enclosed graphic and data tables can be used for any submission to the CRMC requiring proof of an SAV survey. An SAV survey is considered valid for up to three (3) years (section 300.18 E.3).

The primary purpose of this SAV survey is to identify and map existing Eelgrass (*Zostera marina*) and Widgeon Grass (*Ruppia maritima*) beds, substrate within the survey area, mean height of eelgrass shoots, and depth of water (at time of sampling) at each quadrat location. Eelgrass and Widgeon Grass are perennial, rooted, submerged, aquatic plants that occupy shallow, estuarine waters in sheltered bays and coves. These vegetated beds provide habitat and cover for various shellfish and fin fish species, while subsequently providing food for waterfowl species. Eelgrass also plays an important role in protecting the shorelines from sedimentation and erosion by stabilizing bottom sediments. It is for these functions and values that the CRMC requires a survey of Eelgrass habitats.

## Methodology

The SAV Survey was performed on September 10, 2015, with all work occurring between 11:15 a.m. - 2:00 p.m. in a portion of Old Harbor classified as Type 5 Waters. Type 5 waters are defined as recreational and commercial harbors that are adjacent to waterfront areas supporting tourist, recreational, and commercial activities. The survey was designed to gather as much data for as possible within the physical limitations which are present.

Transects were established to encompass a long stretch of the west side of the rock jetty at Ballard's beach. Transect A was established at the southern extent of the rock wall where it meets Ballard's dock. Subsequent transects (B-Z, AA-ZZ, AAA-FFF) were established north of transect A, established successively every ten feet. Measurements began from the shoreline (shoreline determined at 11:30 a.m., 10 September, 2015) and ran perpendicular to the shore. The nearby ocean low tide was recorded to be at 12:17 p.m. (EDT) on September 10, 2015.

Due to constraints regarding the dock positioning, the proposed fast ferry dock site (west of the rock jetty) did not have transects established for an SAV survey. The area was fully surveyed from the water, however, and determined to have no Eelgrass or Widgeon Grass present.

The survey extended at its furthest point approximately 130 feet seaward from the established transects. A one meter square sampling station was established every 10 feet



along most transects. As there was no Eelgrass or Widgeon Grass present at the site, and due to the length and relative consistency of the shoreline at this site, some of the transects were not fully sampled. Data from adjacent transects and visual observations at the site are sufficient proof that there is no Eelgrass or Widgeon Grass growing along these transects. At each of the established sampling stations, the water depth, substrate characteristics, percent cover of *Zostera marina* and/or *Ruppia maritima*, and mean shoot height (n/a) was recorded.

#### Findings and Conclusion

Upon completion of the NRS site investigation, it was determined that there are no Eelgrass or Widgeon Grass beds in the area. There is a coarse sand substrate at the site which transitions to mucky sand approximately 50-70 feet seaward. The area has historically been maintained as a harbor and has ample water depth (10'+/-) past the limits of this SAV survey. The full survey data are depicted on the attached graphic and attached data tables.





### Ballards Dock SAV Survey

Performed on 9/10/15

New Shoreham, RI

2014 USGS Digital True Color Orthophotography

- Approximate Site Locations
- — Transects
- Sampling points

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Positions GPS located with Trimble Geoexplorer 6000 series