

**PROGRAMMATIC AGREEMENT**  
AMONG THE FEDERAL HIGHWAY ADMINISTRATION  
RHODE ISLAND DEPARTMENT OF TRANSPORTATION  
THE RHODE ISLAND STATE HISTORIC PRESERVATION OFFICER  
THE BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR INCORPORATED  
AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION  
FOR MINOR TRANSPORTATION PROJECTS

**Whereas**, the Federal Highway Administration (FHWA) administers the Federal Aid Highway Program in Rhode Island authorized by 23 U.S.C. § 101 *et seq.*, through the Rhode Island Department of Transportation (RIDOT) (23 U.S.C. 315); and

WHEREAS, the Rhode Island FHWA Division Administrator is the "Agency Official" responsible for ensuring that the Program in the state of Rhode Island complies with Section 106 of the National Historic Preservation Act (NHPA)(54 U.S.C. § 306108), as amended, and codified in its implementing regulations, 36 CFR Part 800, as amended (August 5, 2004);

**Whereas**, FHWA has determined that certain types of minor transportation projects typically have no effect or no adverse effect upon historic properties included in or eligible for inclusion in the National Register of Historic Places and has consulted with the Advisory Council on Historic Preservation (ACHP) and the Rhode Island State Historic Preservation Officer (RISHPO) pursuant to Section 800.14 of the regulations implementing Section 106; and

**Whereas**, historic properties are also contributing cultural resources of the John H. Chafee Blackstone River Valley National Heritage Corridor, established by Congressional Legislation (Public Law 99-647, November 10, 1986) and subject to federal action review by the Blackstone River Valley National Heritage Corridor, Incorporated (BRVNHCI) per Section 9 of Public Law 99-647; and

**Whereas**, in accordance with 36 CFR § 800.2(c)(ii) *Consultation with THPOs*, FHWA and RIDOT have notified and provided draft copies of this proposed Programmatic Agreement (PA) to the Narragansett, Mashantucket Pequot, Mashpee-Wampanoag and Wampanoag (Aquinnah) Tribal Historic Preservation Officers via registered mail and electronically, requested their comments on the PA (30-day review and comment period), and have taken any comments received into account; and

**Whereas**, in accordance with 36 CFR § 800.14 (2)(b) (ii) *Public Participation*, FHWA and RIDOT have also notified historic preservation organizations, historical societies and Certified Local Governments via a legal notice in the Providence Journal, a statewide newspaper and website newsletters of the Rhode Island Historical Society and Preserve Rhode Island, organizations with links to all Rhode Island local historical societies and invited their comments on the proposed PA and have taken any comments received into account; and

**Whereas**, RIDOT has a staff of cultural resources specialists meeting the Secretary of Interior's Professional Qualification standards as identified in 36 CFR § 61, Appendix A, in the fields of archaeology, history and architectural history to carry out its historic preservation programs and responsibilities; and

**Whereas**, RIDOT has participated in the development of this PA and has been invited to sign this PA; and

**Whereas**, BRVNHCI has participated in the consultation of and has been invited to concur in this PA;

**Now, therefore**, FHWA, the ACHP, RISHPO, RIDOT and BRVNHCI agree that the undertaking of minor transportation projects shall be administered in accordance with the following stipulations to satisfy FHWA's Section 106 responsibilities for all individual undertakings of the program.

## STIPULATIONS

FHWA, with the assistance of RIDOT, shall ensure that the following measures are carried out:

### I. Purpose and Applicability

This PA sets forth the process by which FHWA will meet its responsibilities under Sections 106, 110(d), and 110(f) of the National Historic Preservation Act, with the assistance of RIDOT, for minor transportation projects of the Federal Aid Highway Program. This PA applies to FHWA funded, licensed or permitted transportation undertakings administered through RIDOT.

### II. Responsibilities of FHWA and RIDOT

In compliance with its responsibilities under the National Historic Preservation Act and as a condition of its award of any assistance under the Federal Aid Program to RIDOT, FHWA shall require RIDOT to carry out the processes defined below consistent with 36 CFR § 800 and applicable ACHP standards and guidelines for all RIDOT minor transportation projects that receive federal assistance and approval. FHWA will participate in the process as specified in subsequent stipulations.

All historic preservation work carried out pursuant to this PA will be performed by or under the direct supervision of RIDOT cultural resources unit personnel (CRU) whose qualifications have been reviewed and approved by RISHPO and said personnel meet the Secretary of the Interior's Qualification Standards, 36 CFR § 61, Appendix A, for the discipline(s) required to complete the necessary work.<sup>1</sup>

### III. Guidelines, Standards and Regulations

Guidelines, standards and regulations relevant to this PA and its purposes include:

- 36 CFR § 61, Appendix A: Secretary of the Interior's Qualification Standards;
- 36 CFR § 67.7: Secretary of the Interior's Standards for Rehabilitation;
- 36 CFR § 800: Protection of Historic Properties;
- RISHPO Procedures for Registration and Protection of Historic Properties (1991); and
- RISHPO Performance Standards and Guidelines for Archaeology in Rhode Island, Part 6 – Archaeological Collections Management (2015).

### IV. RIGIS Cultural Resources Database Update

In order to help facilitate effective and accurate project review, the development of the Rhode Island Geographical Information System – Historical and Archaeological Resource Management System (HARMS) must be completed through the cooperative efforts of RIDOT and RISHPO. RIDOT and RISHPO agree to work together to develop and implement HARMS through the VueWorks Asset Management System used by RIDOT. HARMS in VueWorks will be operational by July 1, 2018. FHWA, acting through RIDOT, will provide administrative and financial support for the development and implementation of the HARMS system.

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<sup>1</sup> Consultants who meet the Secretary's Standards and have been approved by RISHPO may submit certain project documents to the RISHPO's office directly. The types of documents permitted under this agreement will be determined through consultation between RIDOT and the RISHPO.

For all undertakings reviewed under this PA, CRU staff will consult HARMS in VueWorks, in the initial search for determining the presence or absence of National Register listed, eligible or potentially eligible historic properties in the area of potential effect.

## V. RIDOT Archaeological Collections

RIDOT will continue to have all of its archaeological collections and associated documentation temporarily stored at the Public Archaeology Laboratory, Inc.'s (PAL) archaeological curation facility, which is located at 26 Main Street, Pawtucket, RI; said repository has been verified by the RISHPO to meet state archaeological curation standards in accordance with RISHPO's Performance Standards-Part 6 (Archaeological Collections Management) and said repository also meets federal standards in accordance with 36 CFR § 79. RIDOT will continue with the process of having these collections re-catalogued and re-packaged (Phase III of the RIDOT Archaeological Collections Curation Project) by PAL, Inc. according to RISHPO and federal standards and curated by PAL until such time as RIDOT establishes a permanent archaeological curation facility meeting state and federal archaeological curation standards. RIDOT does not presently nor will not in the future curate any Native American human remains or any artifacts that are considered Native American ceremonial objects.

RIDOT has included specifications for the construction of an archeological curation facility within the new Materials Laboratory to be constructed by RIDOT in 2020. The new facility will meet the state archeological curation standards in accordance with RISHPO's Performance Standards-Part 6 (Archeological Collections Management). The facility will also meet the federal standards in accordance with 36 CFR § 79. Until such time that this facility is operational, RIDOT will continue to have its archeological collections stored and curated at PAL's facility in Pawtucket, RI. If for any reason the RIDOT Materials Laboratory that is to house the RIDOT archeological curation facility is not built, RIDOT will continue to house all of its archeological collections and associated documentation at the PAL facility until such time that an approved RIDOT owned facility is operational.

## VI. Project Review

**A. Project Types:** The activities listed in Appendix A are often included in undertakings in which RIDOT routinely utilizes Federal-Aid highway funds. Projects consisting of these activities are unlikely to affect historic properties, provided that they are limited to the activities specified and are not part of a larger undertaking or within or adjacent to a National Register listed, eligible or potentially eligible historic property. Such minor transportation projects will be reviewed for Section 106 purposes within RIDOT and documented in an Excel Spreadsheet and delivered to the RISHPO and BRVNHCI biweekly, without further review by the ACHP or RISHPO, provided:

- RIDOT bases its reviews upon information adequate to identify properties and to assess projects' effects on historic properties, as specified in Stipulation VI. B and consistent with 36 CFR § 800;
- RIDOT decisions are based on the guidelines, standards and regulations identified in Stipulation III; and
- Upon completion of RIDOT internal review as specified in Stipulation VI. B, RIDOT finds that there are *no historic properties present* in the area of potential effect.

### B. RIDOT Review Process

**1. Internal Review:** For projects limited to the activities listed in Appendix A, RIDOT will ensure a qualified CRU staff member employs a multi-disciplinary approach to implement the following internal review process, as appropriate to the project:

1. Determine the project's area of potential effect (36 CFR § 800.4(a)(1)).
2. Review existing information on historic properties on file at RISHPO and HARMS in VueWorks when it is completed (36 CFR § 800.4(a)(2)).

3. Seek information from individuals and organizations likely to have knowledge of historic properties in the area of potential effect (36 CFR § 800.4(a)(3)).
4. Assess the likelihood that unidentified properties exist in the area of potential effect (36 CFR § 800.4(a)(2)).
5. Determine the degree of existing disturbance within the area of potential effect, performing a field inspection where warranted (36 CFR § 800.4(b)).
6. Determine whether historic properties are in the area of potential effect (36 CFR § 800.4(b)).
7. If warranted and with prior approval from RISHPO, conduct a Phase I level cultural resource evaluation study (historic above-ground property survey/inventory or archaeological survey) to determine if previously unidentified significant historic properties are present (36 CFR § 800.4(b)).
8. Determine whether the undertaking will result in a finding of *no adverse effect* (36 CFR § 800.4(d)(1)).

**2. Eligibility Evaluations and Assessments of Effect:** If RIDOT's CRU review suggests that a project may *adversely affect* historic properties that are potentially eligible for listing in the National Register of Historic Places, RIDOT will prepare a Determination of Eligibility and seek coordination on the project in accordance with 36 CFR § 800.4 through 36 CFR § 800.6 in consultation with RISHPO.

If RIDOT's internal review suggests that a project may have a minimal impact on a National Register listed, eligible or potentially eligible historic property that would result in a determination of *no adverse effect* (provided that no cultural resource evaluation studies/Phase II assessments are required), RIDOT shall seek the concurrence of RISHPO as defined in Stipulation VI. B. 3, below.

**3. Notification and Coordination with RISHPO:** For projects included in Stipulation VI in which there are *no historic properties present* within the area of potential effect, CRU shall document its findings using an Excel Spreadsheet. RIDOT shall deliver copies of the Excel Spreadsheet to RISHPO and BRVNHCI bi-weekly over the course of each calendar year covered by the PA, with the understanding that the twenty-sixth (26<sup>th</sup>) copy each calendar year will consist of a cumulative record of projects where there are *no historic properties present*, thus representing an annual report for the year as specified in Stipulation VIII. Beyond the documentation noted above, RIDOT is not required to take any further action in the Section 106 process for projects exempt from review.

For projects reviewed under Stipulation VI, where a determination of *no adverse effect* has been made, RIDOT shall notify RISHPO of its finding using the PA Form, accompanied by a map showing the project location and extent of proposed construction and any other documentation deemed appropriate. Unless RISHPO objects within 30 days of receiving the PA Form, RIDOT is not required to take any further action in the Section 106 review process.

**4. Documentation:** For all undertakings reviewed under this PA, RIDOT will maintain records, including projects which fall under the exempt activity category and PA Forms. In addition, RIDOT will maintain accompanying maps, plans, photographs and field notes. The documentation shall be publicly accessible at RIDOT. Pertinent records for each project covered under this PA should include:

- A description of the project and its area of potential effect.

- The location of the project area on USGS 7.5 minute topographic maps and/or project mapping; or on mapping generated from the RIGIS Cultural Resources Database at a scale of 1:90,000 or less for project location and 1:24,000 or less for cultural resources information. Large scale project mapping will be maintained by RIDOT until the annual review (Stipulation VIII) has been completed.
- The type, extent, and degree of existing disturbance within the area of potential effect.
- The assessment by qualified CRU of the potential for properties within the area of potential effect, including justification, a listing of inventoried properties, and new or updated RI Inventory of Historic Properties forms, as warranted.
- Justification for the determination of *no adverse effect*; and
- Associated notes and correspondence.

#### **VII. Project Review – Involving Phase I Level Cultural Resource Evaluation Studies (Historic Above-Ground Property Survey or Archaeological Survey)**

For any of the Stipulation VI undertakings where RIDOT, FHWA, BRVNHCI and RISHPO have agreed that a Phase I level cultural resource evaluation study (historic above-ground property survey or archaeological survey) is appropriate and that cultural resource evaluation study has provided adequate information for RIDOT and FHWA to make a determination of *no historic properties present*, RIDOT shall notify RISHPO of its finding using the Excel Spreadsheet, accompanied by supporting documentation.

For any of the Stipulation VI undertakings where RIDOT, FHWA, BRVNHCI and RISHPO have agreed that a Phase I level cultural resource evaluation study is appropriate and the cultural resource evaluation study has provided sufficient information for RIDOT and FHWA to reach a determination of *no adverse effect* on historic properties, RIDOT will notify RISHPO and submit the PA Form and the appropriate documentation as identified in Stipulation VI. B. 4. RISHPO shall review and approve all Phase I level scopes of work and reports to ensure that they comply with RISHPO Standards. Unless RISHPO objects within 30 days of receiving the PA Form and any associated documentation, RIDOT and FHWA shall not be required to take any further action in the Section 106 review process.

#### **VIII. Annual Review and Monitoring**

RIDOT and RISHPO will regularly consult to review implementation of the terms of the PA. RIDOT shall maintain a list of all its projects covered under the PA for a 12-month period from January 1, through December 31. RIDOT shall provide RISHPO and BRVNHCI with a copy of this list in the form of an Excel Spreadsheet by **January 15** of the following calendar year; included with this annual report will be the status of RIDOT's efforts to establish a permanent archaeological curation facility. RISHPO will review the annual report and assess the implementation of the PA for the year under review. If deemed appropriate by RISHPO or RIDOT, both parties shall meet to discuss and resolve any issues raised as a result of the review.

The ACHP, FHWA and RISHPO may monitor activities carried out pursuant to this PA, and the ACHP may review such activities if so requested. FHWA and RIDOT shall cooperate with the ACHP and RISHPO in carrying out their monitoring and review responsibilities.

#### **IX. Dispute Resolution**

Should any party to this PA object within 30 days to any actions proposed pursuant to this PA, FHWA, BRVNHCI, RIDOT, RISHPO, and the objecting party shall consult to resolve the objection. If the objection cannot be resolved, FHWA and RIDOT shall request comment from the ACHP pursuant to 36 CFR §

800.6(b). Any ACHP comment provided in response to such a request will be taken into account by FHWA and RIDOT in accordance with 36 CFR § 800.6(c)(2) with reference only to the subject of the dispute. The responsibility of RIDOT, FHWA, BRVNHCI and RISHPO to carry out all actions under this PA, other than those that are the subject of the dispute, will remain unchanged.

When requested by any consulting party, the ACHP will consider FHWA's findings under this PA. The provisions of 36 CFR § 800.9(a) on public requests to the ACHP will apply.

**X. Amendment**

Any party to this PA may request that it be amended, whereupon the parties will consult in accordance with 36 CFR § 800.14 to consider such an amendment. RIDOT, FHWA or RISHPO may develop additions to Stipulation VI that identify other types of undertakings that they mutually agree may be exempted from review. Any such additions will be incorporated into this PA by an amendment executed by the parties in accordance with this stipulation. The responsibility of RIDOT, FHWA, and RISHPO to carry out all actions under this PA, other than those subject to the amendment, will remain unchanged.

**XI. Right to Terminate**

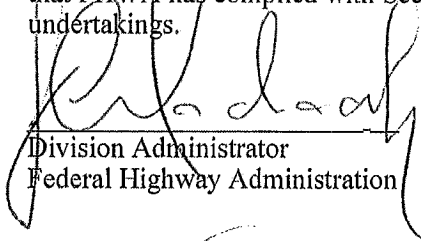
Any party to this PA may terminate it by providing 30 days written notice to the other parties, provided that the parties will consult during the period before termination to seek agreement on amendments or other action that would avoid termination. In the event of termination, FHWA shall comply with 36 CFR § 800 with regard to the individual undertakings covered by this PA.

**XII. Duration**

This PA will be in effect for five years from the date of execution, with renewal upon agreement by all parties.

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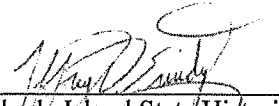
Execution and implementation of this PA evidences that FHWA has delegated certain Section 106 responsibilities to RIDOT and has afforded the ACHP an opportunity to comment on this PA and its individual undertakings; that FHWA has taken into account the effects of the program and its individual undertakings on historic properties; and that FHWA has complied with Section 106 of the NHPA and 36 CFR Part 800 for the Program and its individual undertakings.

  
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Division Administrator  
Federal Highway Administration

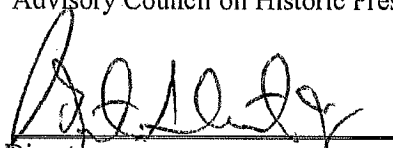
02/06/18  
Date

  
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Executive Director  
Advisory Council on Historic Preservation

2/14/18  
Date

  
\_\_\_\_\_  
Rhode Island State Historic  
Preservation Officer (DEPUTY)

2-6-2018  
Date

  
\_\_\_\_\_  
Director  
Rhode Island Department of Transportation

2-7-18  
Date

Concur:

See next page  
\_\_\_\_\_  
Chair, Board of Directors  
Blackstone River Valley  
National Heritage Corridor, Incorporated

SIGNATORY PAGE

PROGRAMMATIC AGREEMENT

AMONG

THE FEDERAL HIGHWAY ADMINISTRATION,  
THE RHODE ISLAND STATE HISTORIC PRESERVATION OFFICER,  
THE BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR INCORPORATED,  
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, AND  
THE RHODE ISLAND DEPARTMENT OF TRANSPORTATION  
FOR  
MINOR TRANSPORTATION PROJECTS

Blackstone River Valley National Heritage Corridor, Incorporated

Concur:

  
Harry T. Whelan  
Chair, Board of Directors

2/9/18  
Date

APPENDIX A  
Minor Transportation Activities Subject to Programmatic Agreement

Highway<sup>2</sup>

1. Roadway, ramp and parking lot surface replacement, overlays, shoulder treatments, pavement repairs including joint repairs, patching, milling, grooving, and crack sealing, seal coating, pavement grinding, and pavement marking where there will be no expansion of wearing surface or geometric changes (except for reductions in pavement area).
2. All work within interchanges and within medians of divided highways unless the median has been undisturbed by construction.
3. All work between a highway and an adjacent frontage road, unless the area between is undisturbed.
4. Routine roadway and roadside maintenance activities necessary to preserve existing infrastructure and maintain roadway safety, in previously disturbed areas.
5. Addition of auxiliary lanes when required for traffic separation, such as truck lanes, or for lane changing between adjacent interchanges, when no additional pavement is required.
6. Construction of turning lanes and pockets, auxiliary lanes, (e.g., truck climbing, acceleration and deceleration lanes) ramps, parking areas, and shoulder widening where only placement of fill material is involved, or within an area previously disturbed by vertical and horizontal construction activities.
7. Activities within the existing disturbed median, including installation of new or replacement of median barriers or guardrails.
8. Placement of fill material on the side slopes of intersection crossroads and accesses for purposes of flattening these slopes to meet safety criteria, provided that no topsoil is removed beyond the area of previous horizontal and vertical disturbance.
9. Repair or replacement in kind of curb, berm, gutter and sidewalk on the same location, modifications to existing sidewalks and curb ramps to satisfy the Americans with Disabilities Act, installation of traffic islands within existing paved roadway; work occurs in previously disturbed ground.
10. Construction of new sidewalk in previously disturbed ground.
11. Installation, replacement, or repair of safety appurtenances such as guardrails, barriers, glare screens, and energy attenuators.
12. Placement of temporary barriers.
13. Noise barrier installation.
14. Repair and in-kind replacement of fencing.
15. Installation and replacement of lighting utilizing an augered-hole for the foundation where the contract does not disturb existing sub-grade and the original ground remains.
16. Drainage repairs:
  - a. repair and in-kind replacement of existing pipe, inlets and outfalls to the same line and grade.
  - b. repair and in-kind replacement of structures, frames, grates, covers and corbels in the same location with minor adjustments to accommodate final grade.
  - c. cleaning drainage swales, basins, structures and channels to restore original line and grade.
  - d. reestablishment of existing ditches to original width or construction of new ditches in previously disturbed ground.
  - e. improvements, including installation of new or replacement, rehabilitation and cleaning activities associated with existing drains, dikes, headwalls and storm sewers.

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<sup>2</sup>On all roadways with the exception of Bellevue Avenue in the City of Newport; Bellevue Avenue in its entirety is an historic roadway that is listed in the National Register of Historic Places.



### Bridge<sup>3</sup>

17. Emergency structural repairs to maintain the structural integrity and safety of a bridge or culvert.
18. Bridge and other structural repairs where the contract does not disturb existing sub-grade and the original ground remains.
19. All work to be done on bridges and culverts of the National Highway System (NHS), those on non-NHS state highways and municipally-owned structures and all construction is confined to existing locations.
20. Rehabilitation or replacement of bridges and culverts on existing alignment, when the rehabilitation consists of replacement of bridges and culverts on existing alignment.
21. Placement of riprap within an area previously disturbed by vertical and horizontal construction activities, to prevent erosion of waterways and bridge piers.
22. In-kind replacement of culverts, provided replacement is confined to existing locations, no temporary bridge or culvert is required, and no approach work is undertaken. In-kind replacement shall mean construction of a new facility substantially the same in size and footprint.
23. Cleaning, sweeping and washing; high-pressure washing will not use abrasives that would damage the substrate.
24. Bridge painting.
25. Deck joint repair and replacement.
26. Concrete patching and sealing; provided that the patching and sealing matches/does not alter the existing concrete color and appearance.
27. Installation of shoring.
28. Placement of temporary barriers, provided that temporary barriers that will be in place longer than 12 months are reviewed by CRU.
29. Removal and replacement of bridge deck asphalt wearing surfaces.
30. Installation or replacement of bridge deck waterproofing membranes.
31. Diamond grinding of concrete bridge decks.
32. Scupper and drain cleaning, repair and in-kind replacement.

### Traffic

33. Traffic signals:<sup>4</sup>
  - a. repair and installation of pedestrian buttons on existing poles.
  - b. repair and replacement of signal controls and signal control cabinets on existing foundations.
  - c. repair, replacement and installation of loop detectors (or other types of sensors), cameras, radio systems and associated conduit and hardware.
  - d. repair, replacement and installation of signal heads on existing span poles, mast arms and wires.
34. Installation and replacement of pavement markings exclusive of curb painting, with the exception of Route 114 (Hope Street) in the Town of Bristol; Hope Street in its entirety is an historic road and is listed in the National Register of Historic Places.
35. Curb painting; where such painting does not detract from historic properties.
36. Installation or replacement of existing traffic signs, sign posts and sign post foundations to a maximum diameter of 36" and a maximum depth of 48".
37. Installation or upgrade of directional, regulatory, advisory, informational and street signs.
38. Placement of temporary traffic barriers and signs that do not involve excavation or disturbance of existing soil, provided that the temporary traffic barriers and signs that are to be in place longer than 12 months are reviewed by CRU.
39. Repair, replacement and installation of variable message signs.

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<sup>3</sup> These bridge activities apply to all work on bridges and culverts that have been evaluated by RIDOT's 2016 Historic Bridge Inventory and have been determined to be neither listed, eligible nor potentially eligible for listing in the National Register of Historic Places.

<sup>4</sup> Where the existing units were installed less than 50 years ago and any excavation work does not take place in undisturbed soil.

## Other

40. New landscaping within highway right-of-way and on State-owned or Municipally-owned property.
41. Maintenance of existing landscaping, native growth, and water supply reservoirs. This includes the treatment, maintenance, and replacement of all vegetative material, native or planted, on State-owned or Municipally-owned property, including highway right-of-way, building sites, watering, fertilizing, weed control by hand, chemical, or mechanical means, tree trimming and tree removal.
42. Streetscape improvements including benches, decorative lighting, textured crosswalks, transit shelters, and plants installed in above ground planters where the contract does not disturb existing sub-grade and the original ground remains.
43. Control and removal of outdoor advertising.
44. Purchase of scenic easements, open space or abandoned rail corridors where no construction activity is planned.
45. Abandonment, removal, upgrading, or reconstruction of railroad grade crossings or grade crossing protection and warning signs and devices.
46. Resurfacing and rehabilitation of existing railroad crossings, tracks/rail beds and other associated facilities.
47. Railway crossing signs and signal installation or modification and surface improvement.
48. Addition or replacement of devices such as glare screen, safety barriers, guide posts, markers, safety cables, ladders, lighting, hoists, etc.
49. Safety, recreational and educational activities for pedestrians and bicyclists; installation of bicycle racks and kiosks/signage; construction/maintenance of pedestrian and recreational facilities.
50. Addition/maintenance of non-motorized trails to separate such use from motorized traffic where the contract does not disturb the existing sub-soil (i.e. walking, biking, and bridle trails).
51. Maintenance and improvements to existing Park and Ride lots, roadside rest areas, truck weigh stations, as well as RIDOT maintenance, storage (including salt storage), and office facilities where no new right-of-way is acquired.
52. Fencing, including salvage yards, provided no grading or other landscaping is involved.
53. Alterations to existing non-historic buildings, construction of new buildings and bus shelters.
54. Transfer, sale, use agreement, lease or easements of state right-of-way that does not contain any National or State Register- listed, eligible or potentially eligible historic properties and does not have the potential for archaeological resources.
55. Maintenance of fish screens, fish ladders, wildlife habitat areas, artificial wildlife waterway devices, stream flows, springs, waterholes, and maintenance/stabilization of river/stream channels and embankments (clearing of debris/placement of soil and riprap) to protect infrastructure, property, fish and wildlife resources.
56. Hazardous waste removal and disposal from within an area previously disturbed by vertical and horizontal construction activities, which constitutes a public hazard and which requires immediate removal.
57. Emergency repairs under 23 U.S.C. 125.
58. Construction or repair of seawalls, retaining walls, causeways, jetties, or revetment.
59. Utility relocation, installation and maintenance activities.
60. Repairs to existing or installation of new docks piers and pilings.
61. Minor changes to previously permitted projects where those changes fall under the exempt activity category as described in types 1 through 60.
62. Other types of minor transportation projects, if deemed appropriate for coverage under this PA by consultation and mutual agreement among FHWA, RIDOT, BRVNHCI and RISHPO. RIDOT shall maintain a list of all actions approved by this process and shall include the list with its annual report to RISHPO under Stipulation VIII. RIDOT and RISHPO will add these project types to the list in Stipulation VI during any subsequent amendments to this PA under Stipulation X.