



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

December 9, 2009

CVS Pharmacy, Inc.
Attn: John Hoyceanlys
One CVS Drive
Woonsocket, RI 02895

Insignificant Alteration – Permit

Re: Application No. 09-0271 in reference to the property and proposed project located:

Approximately 300 feet east of Highland Corporate Drive and approximately 3000 feet northeast of its intersection with Mendon Road (RI Route 122), Assessor's Plat 52, Lot 360 and Assessor's Plat 51, Lot 11, Cumberland, RI.

Dear Mr. Hoyceanlys:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Request for Preliminary Determination** application. This review included a site inspection of the above referenced property ("subject property") and an evaluation of the proposed 298,000 square foot, three-story office building, three-story parking garage, drainage, underground infiltration, access drive, paved parking, retaining walls, utilities, grading, landscaping and associated site alterations as illustrated and detailed on site plans submitted with your application. These site plans were received on December 1, 2009.

Our observations of the subject property, review of the site plans and evaluation of the proposed project reveals that alterations of freshwater wetlands are proposed. However, pursuant to Rule 9.00 of the Rules and Regulations Governing the Administration and Enforcement of the Fresh Water Wetlands Act (Rules), this project may be permitted as an **insignificant alteration** to freshwater wetlands under the following terms and conditions:

Terms and Conditions for Application No. 09-0271:

1. This letter is the DEM's permit for this project under the R.I. Fresh Water Wetlands Act, Rhode Island General Laws (RIGL) Section 2-1-18 et seq.
2. This permit is specifically limited to the project, site alterations and limits of disturbance as detailed on the site plans submitted with your application and received by the DEM on December 1, 2009. A copy of the site plans stamped approved by the DEM is enclosed. Changes or revisions to the project, which would alter freshwater wetlands are not authorized without a permit from the DEM.
3. Where the terms and conditions of the permit conflict with the approved site plans, these terms and conditions shall be deemed to supersede the site plans.
4. You must notify this Program in writing immediately prior to the commencement of site alterations and upon completion of the project.



5. A copy of the stamped approved site plans and a copy of this permit must be kept at the site at all times during site preparation, construction, and final stabilization. Copies of this permit and the stamped approved plans must be made available for review by any DEM or City/Town representative upon request.
6. Within ten (10) days of the receipt of this permit, you must record this permit in the land evidence records of the Town of Cumberland and supply this Program with written documentation obtained from the Town showing this permit was recorded.
7. The effective date of this permit is the date this letter was issued. This permit expires four (4) years from the date of issue unless renewed pursuant to the Rules.
8. Any material utilized in this project must be clean and free of matter that could pollute any freshwater wetland.
9. Prior to commencement of site alterations, you shall erect or post a sign resistant to the weather and at least twelve (12) inches wide and eighteen (18) inches long, which boldly identifies the initials "DEM" and the application number of this permit. This sign must be maintained at the site in a conspicuous location until such time that the project is complete.
10. Temporary erosion and sediment controls detailed or described on the approved site plans shall be properly installed at the site prior to or commensurate with site alterations. Such controls shall be properly maintained, replaced, supplemented, or modified as necessary throughout the life of this project to minimize soil erosion and to prevent sediment from being deposited in any wetlands not subject to disturbance under this permit.
11. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls consisting of silt fence or any other materials that do not degrade overtime must be removed.
12. You are responsible for the proper installation, operation, maintenance and stability of any mitigative features, facilities, and systems of treatment and control which are installed or used in compliance with this permit to prevent harm to adjacent wetlands until such time that you document that this responsibility has been assumed by another person or organization.
13. You are obligated to install, utilize and follow all best management practices detailed or described on the approved site plans in the construction of the project to minimize or prevent adverse impacts to any adjacent freshwater wetlands and the functions and values provided by such wetlands.
14. Artificial lighting authorized by this permit must be directed away from all vegetated wetland areas. Where this is not possible, the use of deflectors to concentrate lighting away from vegetated wetlands must be employed.
15. You must provide written certification from a registered land surveyor or registered professional engineer that the stormwater drainage system including any and all basins, piping systems, catch basins, culverts, swales and any other stormwater management control features have been constructed/installed in accordance with the site plans approved by this permit. This written certification must be submitted to this Program within twenty (20) days of its request or upon completion of the project.

16. With respect to the northwestern portion of the proposed Lower South infiltration/ detention system (NW portion of Lower South UIC system), the owner shall have a registered professional engineer determine the depth to bedrock at each of the four corners of this 90' by 54' system area. (The previously submitted soils exploration work is indicative of a high likelihood of shallow depths to bedrock in the immediate vicinity of the system area.) If bedrock depths in and within a 5' perimeter zone around this system area are encountered shallower than a 5' depth below the proposed bottom of system crushed stone, bedrock shall be removed to a minimum depth of at least 5' below the proposed bottom of system crushed stone in the area in and within a 5' perimeter zone around this system. Bedrock removal shall be accomplished in a manner so as to allow groundwater to drain freely by gravity flow away from the system, and not pool. However, no excavation shall occur beyond any established limits of disturbance.
17. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. This project must take place in compliance with these revisions. Specifically, the Limit of Disturbance and erosion control line have been revised in red on Sheet 8 of 27 to enclose the proposed grading (see -Condition No. 10).
18. This permit supersedes a previous permit issued by the DEM for the subject property under Application No. 08-0351.

Pursuant to the provisions in Rule 7.09 and Rule 11.04, as applicable, any properly recorded and valid permit is automatically transferred to the new owner upon sale of the property

Kindly be advised that this permit is not equivalent to a determination of the type or extent of freshwater wetlands on the subject property. Should you wish to obtain such verification, you may submit an application in accordance with Rule 8.03.

You are required to comply with the terms and conditions of this permit and to carry out this project in compliance with the Rules at all times. Failure to do so may result in an enforcement action by this Department and/or subject you to the enforcement provisions of the Corps' regulations.

In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

This permit does not remove your obligation to obtain any local, state, or federal approvals or permits required by ordinance or law and does not relieve you from any duties owed to adjacent landowners with specific reference to any changes in drainage.

Please contact me (telephone: 401-222-6820, ext. 7408) should you have any questions regarding this letter.

Sincerely,

Nancy L. Freeman

Nancy L. Freeman, Senior Environmental Scientist
Office of Water Resources
Freshwater Wetlands Program
NLF/nlf

Enclosure: Approved site plans

xc: James Major, P.E., President, Allen & Major Associates
Robert Clark, R. L.A., Vice President, Allen & Major Associates
Jennifer Hamwey, Permitting Director, Allen & Major Associates
Ron Gagnon, Chief, Office of Technical and Customer Assistance
James J, Aubin, III, Dir. Town of Cumberland Dept. of Planning & Community Development
Raymond Madden, Cumberland Building/Zoning Official
Eugene Jeffers, Cumberland Public Works Director