



RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
 OFFICE OF WATER RESOURCES - Groundwater and Freshwater Wetlands Protection
FRESHWATER WETLANDS PROGRAM
 235 Promenade Street, Providence, RI 02908
 Telephone: 401-222-6820; Rhode Island Relay: 711
www.dem.ri.gov/wetlands

Environmental Management
FOR RIDEM USE ONLY

Complete Application Received Date:
 SEP 25 2024

reviewer:

FRESHWATER WETLANDS APPLICATION FOR PERMIT RENEWAL

Permit Application Center

INSTRUCTIONS: Use this form to request a **Permit Renewal** of a Significant Alteration or Freshwater Wetlands Permit [250-RICR-150-15-3(3.14.2)] or a Permit issued as a result of an Application to Alter or a Request for Preliminary Determination [250-RICR-150-15-1(1.11(B))]

Submit completed Application for Permit Renewal forms with fee **no later than sixty (60) days** before Permit expiration to:

Permit Application Center (PAC), RIDEM, 235 Promenade Street, Providence, RI 02908

(Check or money order must be made payable to the Rhode Island General Treasurer.)

Note: An Application for Renewal of a permit shall be limited to requests to continue or complete the originally permitted alterations. Any modifications to the original proposal, other than permitted modifications, shall require a new application, or an Application for Permit Modification.

PAYMENT INFORMATION

Fee Payment Amount: **\$200.** Check #: **000007** Check Issued By: **Forest Solar, LLC**

PERMIT INFORMATION and HISTORY

Note: View historical permit information and status, or download a copy of approved FWW decisions and approved plans from DEM's Wetlands Online Permit Search at: www.ri.gov/DEM/wetlands/

Select Original Permit Type to be Renewed:

- Freshwater Wetlands Permit [250-RICR-150-15-3(3.11)]
- Significant Alteration [250-RICR-150-15-3(3.12)]
- Permit resulted from Request for Preliminary Determination [250-RICR-150-15-1(1.9)]
- Permit resulted from Application to Alter [250-RICR-150-15-1(1.10)]

Provide all file numbers associated with this site:

Freshwater Wetlands: 20-0026
 Groundwater Discharge/UIC: _____
 RIPDES Construction General Permit: 102039

Note: Joint OWTS/Freshwater Wetlands Permits shall not be renewed. New application required.

Provide Original or Subsequent Permit Information:

Original Permit Issue Date: November 19, 2020 Subsequent Renewal Issue Date(s): _____
 Original Permit Expiration Date: November 19, 2024 Subsequent Renewal Expiration Date(s): _____

Have all original and subsequent permits for the project for which the renewal is requested been recorded in the municipal land evidence records, as required by the permits' terms and conditions of approval? (if applicable) YES NO N/A

If yes, has written documentation confirming the recording been received by DEM? YES NO N/A

If no, submit written documentation confirming the original and subsequent permits have been recorded with this form. (if applicable)

Note: Confirm by viewing permit information from the Wetlands Online Permit Search at: www.ri.gov/DEM/wetlands/

PROPERTY, SITE and PROJECT INFORMATION

Note: An Application for Renewal of a permit will not be granted, if, in the opinion of the Department, work has taken place in non-compliance with the original permit or any renewal thereof, is in non-compliance with the Fresh Water Wetlands Act or any of the Rules, or if the applicant revises the project such that there is a change in proposed alterations of freshwater wetlands, buffers, floodplains, areas subject to flooding or areas subject to storm flowage.

Project Name: Oak Solar RIDOT PTSID # (if applicable): Not Applicable

Primary City/Town: Johnston Street Abutting Site: Shore Drive

Previous enforcement action for this site? YES NO If yes, provide Enforcement File(s) #: _____

Has actual site work commenced on the project for which renewal is requested? YES NO

If no, provide anticipated date for start of construction: _____

Provide anticipated date for project completion: 8-12 months, Solar has been completed, residential still pending

APPLICANT INFORMATION

Note: Only the original permittee or subsequent transferee may request renewal of the permit. If required, please submit an Application for Permit Transfer in addition to this form.

Applicant's Name (Required): Shore Holdings, LLC Title: Owner

The applicant must be the owner of the property or easement which is the subject of this application or must be the government agency or entity with power of condemnation over such property or easement.

Name of Representative (if Applicant is an Agency or Entity): Revity Energy, LLC

Email: DRusso@RevityEnergy.com Phone: 401-339-1995

Mailing Address: 349 Centerville Road

City/Town: Warwick State: RI Zip Code: 02886

Note: Permit Renewals being submitted for a project with more than one applicant may provide the Supplemental Document: Additional Applicant Information and Certification in addition to this form.

Supplemental Form attached? YES NO

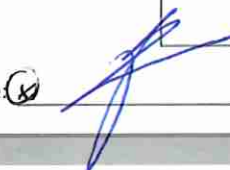
APPLICANT CERTIFICATION

Select **both** Certifications for Permit Renewal to be granted by RIDEM (required):

- I hereby state that I am requesting renewal of the original or subsequently modified permitted project under the Freshwater Wetlands Permit specified above. I fully understand the permit limitations and will comply with any and all conditions of the permit.
- I hereby certify that I have requested and authorized the investigation, compilation, and submission of all the information, in whatever form, contained in this Application; that I have personally examined and am familiar with the information submitted herein; and that such information is true, accurate and complete to the best of my knowledge. I hereby authorize RIDEM personnel access to the property for purposes of observing conditions pertinent to this application and assessing compliance with any permit or determination resulting from this application, including any sampling, monitoring or surveying that may be deemed appropriate, consistent with RIDEM's Administrative Inspection Guidelines. (250-RICR-20-00-3)

Note any special conditions for access:

[Empty box for special conditions for access]

Applicant's Signature: 

Date of Signature: 9-17-24

RENEWAL PERMIT DECISION [FOR RIDEM USE ONLY]

In accordance with the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act [250-RICR-150-15-3.14.2 "Rules"], DEM issues the following determination concerning your proposed project based on reliance on the above information and accompanying attachments to your application. Any change in your project, or the existence of property characteristics that differ from descriptions that were provided to the DEM, may invalidate this determination.


Freshwater Wetlands Permit #: 2D-0026

- DEM Compliance Inspection Conducted on: November 8, 2024
 - Project is generally in conformance with those conditions set forth in the original permit as well as the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act [250-RICR-150-15-3]
 - Unauthorized wetland alterations have occurred, cease all Wetland disturbance on site.

- Permit Renewal Granted [PERMRENEW]
 - See original Permit for all applicable terms and conditions of approval, available for download at: www.ri.gov/DEM/wetlands/
 - Additional Terms and Conditional of Approval:
 - This renewal is valid until the Renewal Expiration Date provided below.
 - It is the Applicant's responsibility to maintain compliance with the conditions of the permit and to carry out this project in compliance with the Rules at all times.
 - This renewal does not relieve the Applicant of any obligations to obtain any local, state or federal approvals or permits as required by ordinance or law.

- Permit Renewal Not Granted [NOTRENEWED]
 - Original Permit Type not eligible for Renewal.
 - Original Permit has expired.
 - DEM Compliance Inspection found activities onsite are not in compliance with the original or subsequently modified permit.
 - For details, findings and instructions for further required actions, see enclosed letter dated: _____

Please contact the Freshwater Wetlands Program by email at DEM.FWW@dem.ri.gov or call (401) 222-6820, option #3, if you have questions regarding this decision.

Signature of DEM Official: 

Decision Date: 11/22/24

Renewal Expiration Date: 11/19/2026
(if applicable)



RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF WATER RESOURCES
235 Promenade Street
Providence, Rhode Island 02908

November 19, 2020

Greater Providence YMCA
c/o Steven O'Donnell, CEO
21 Peace Street, 6th Floor
Providence, RI 02907

Insignificant Alteration – Permit

Re: Application No. 20-0026 in reference to the location below:

Approximately 100 feet northwest of Superintendent of Schools Avenue, Utility Pole 8, approximately 250 feet northwest of its intersection with Shore Road and Forest Drive, Assessor's Plat 46, Lots 103 and 171, Johnston, RI.

Dear Mr. O'Donnell:

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 solar array with associated access drive, stormwater management, electrical pads and interconnections to the grid, and seven (7) lot subdivision with new single-family residences, attached garages, paved access roads, driveways, OWTS, connections to municipal water utilities, and stormwater practices with clearing, grading, landscaping and associated site alterations as illustrated and detailed on revised site plans submitted with your application. These site plans were received by the DEM on October 2, 2020.

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 250-RICR-150-15-1.9 of the Rules and Regulations Governing the Administration and Enforcement of the Fresh Water Wetlands Act, 250-RICR-150-15-1 (Rules), this project may be permitted as an **insignificant alteration** to freshwater wetlands under the following terms and conditions:

Terms and Conditions for Wetlands Application No. 20-0026; RIPDES No. RIR102039:

1. This letter is the DEM's permit for this project under the R.I. Fresh Water Wetlands Act, R.I. Gen. Laws § 2-1-18 et seq.
2. This determination also includes your final authorization to discharge storm water associated with construction activity under the **2018 RIDPES General Permit for Stormwater Discharge During Construction Activity ("CGP")**. For future references and inquiry, your permit authorization number is RIPDES No. **RIR102039**.
3. 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 October 2, 2020. A copy of the site plans stamped approved by the DEM is enclosed. Changes or revisions to the project that would alter freshwater wetlands are not authorized without a permit from the DEM.

4. 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.
5. You must notify this Program in writing of the anticipated start date, and of your contractor's contact information, by submitting the Notice of Start of Construction Form prior to commencement of any permitted site alterations or construction activity. You must also notify this Program in writing upon completion of the project, including submittal of the Notice of Termination Form. The Start of Construction Form and the Notice of Termination can be found on the webpage: dem.ri.gov/stormwaterconstruction
6. 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 Town representative upon request.
7. Within ten (10) days of the receipt of this permit, you must record this permit in the land evidence records of the Town of Johnston and supply this Program with written documentation obtained from the Town showing this permit was recorded.
8. The effective date of this permit is the date this letter was issued. This permit expires four (4) years from the date of this letter unless renewed pursuant to the Rules.
9. Any material utilized in this project must be clean and free of matter that could pollute any freshwater wetland.
10. 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.
11. Both the owner and the contractor retained to undertake the construction activity are required to comply with all terms and conditions of the CGP. This includes maintaining the Soil Erosion and Sediment Control (SESC) Plan, performing the required inspections and maintenance of the selected Best Management Practices (BMPs), and retaining inspection records. Further information on the requirements of the CGP is available at:
<http://www.dem.ri.gov/programs/benviron/water/permits/swcoord/pdf/cpg092618.pdf>.
12. 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.
13. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls must be removed.
14. You are responsible for the proper installation, operation, maintenance and stability of any mitigative features, stormwater treatment facilities, and systems of treatment and control that are installed or used in compliance with this permit to prevent harm to adjacent wetlands until documentation is provided that this responsibility has been assigned to another entity.

15. The long-term operation and maintenance plan shall be strictly followed. The long-term O&M plan for the residential portion of the project shall be that entitled "Stormwater System Operation & Maintenance Plan, Oak Solar, located in Johnston, RI; Applicant: Revity Energy, LLC.," dated revised 09/30/2020, dated received 10/02/2020, prepared by DiPrete Engineering.

The long-term O&M plan for the solar facility portion of the project shall be that entitled "Solar Stormwater System Operation & Maintenance Plan, Oak Solar, located in Johnston, RI; Applicant: Revity Energy, LLC.," dated 09/30/2020, dated received 10/08/2020, prepared by DiPrete Engineering.

16. There shall be no use of fertilizer on the site of the solar field. Chemical pesticides and herbicides shall be used as a last resort. All use of fertilizers, pesticides, and herbicides shall be logged, documented, and made available to RIDEM upon written request.
17. All crushed stone used for the proposed pervious pavement and for the proposed stormwater management practices shall be clean washed crushed stone.
18. In the areas of the proposed solar facility where the drip edge of the solar arrays does not runoff generally parallel with the slope contours (± 15 degree angle), the ground beneath the drip edge shall be modified to include level spreaders or low berms to ensure and maintain sheet flow onto the slope.
19. 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.
20. 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.
21. In the event that grading or changes to the OWTS locations are required that result in an increase in the approved limit of disturbance, either a new application or a permit modification might be required. Contact this Program for guidance should this occur.
22. Plantings within the perimeter wetland to bolster the existing buffer must be in accordance with Rule 250-RICR-150-15.1.6 (A) and (R). Plantings should be installed by hand only or utilizing small equipment such as a Bobcat to minimize disturbance. Refer to the Rules to ensure you meet the criteria outlined, which include at least the following.
- No cutting or clearing of trees or shrubs will occur. Cutting of existing groundcover or invasive vegetation to create a plantable site is limited to an area immediately around each new plant, not to exceed a radius that is twice the diameter of the rootball;
 - All plantings must be native species and suitable for the site condition;

- No excavation, filling, draining or grading is allowed except for a minimal addition of topsoil for each new plant and the application of a layer of mulch or woodchips less than three inches deep around each new plant;
- All disturbed soils must be stabilized with a southern New England native seed mix;
- All plantings must be maintained until they are established; and
- No soil disturbance is allowed from May 15 through September 15 to safeguard potential turtle nesting areas.

A note has been redlined onto the planting sheet to refer to this condition.

23. If additional off-site poles and overhead wires or trenching are proposed that require vegetative clearing in Freshwater Wetlands for the interconnection route to the regional grid (i.e. they do not meet the Exempt Activities per the Rules), a new application to the Freshwater Wetlands Program would be required.
24. Perimeter fencing must allow for at least a 6-inch gap between the bottom of the fencing and the ground to facilitate small wildlife passage.
25. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. Specifically, the street labeled "Valley Drive" on Sheet 12 of 16 has been revised and corrected to read "Butler Drive," and the street labeled "Valley Drive" on Sheet 13 of 16 has been revised and corrected to read "Shore Drive."
26. Also prior to commencement of any site alterations, permanent buffer zone markers must be installed along the limit of disturbance at the locations indicated in red ink on Sheet 10 of the approved site plans, in order to provide permanent reference points on site that are clear to present and future property owners. Acceptable permanent type markers include 4" x 4" pressure treated timber posts, galvanized fence posts with cap, or granite or concrete bounds. Markers must extend a minimum 24" above grade. A permanent-type tag or sign labeled "RIDEM Buffer Zone" must be placed on each marker. A permanent-type fence at least 24 "tall placed along the limits of disturbance may be substituted where desired. No alterations of any kind are permitted beyond these markers without first obtaining the necessary permit from this Program.

Pursuant to the provisions in 250-RICR-150-15-1.7(A)(9) and 250-RICR-150-15-1.11(D), as applicable, any properly recorded and valid permit is automatically transferred to the new owner upon sale of the property.

Please be aware that the RIDEM's Rules and Regulations Governing the Establishment of Various Fees (250-RICR-30-00-1) require that RIPDES CGP permit holders to pay an Annual Fee of \$100.00. An invoice will be sent to the owner on record in May/June of each year if the construction was still active as of December 31st of the previous year. The owner will be responsible for the Annual Fee until the construction activity has been completed, the site has been properly stabilized, and a completed Notice of Termination (NOT) has been received by the RIPDES Program.

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.

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

Kindly be advised that this permit is not equivalent to a verification of the type or extent of freshwater wetlands on site. Should you wish to have the types and extent of freshwater wetlands verified, you may submit the appropriate application in accordance with 250-RICR-150-15-1.8(C).

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 Rene Legault of this office (telephone: 401-222-4700, ext. 7732) should you have any questions regarding this letter.

Sincerely,

Nancy L. Freeman
Nancy Freeman, Principal Environmental Scientist
Office of Water Resources
Freshwater Wetlands Program
NLF/RJL/rjl

Enclosure: Approved site plans

cc: Bernard J. Nascenzi, Town of Johnston Building Official
Neal Personeus, DEM Stormwater Program
David A. Russo, P.E. DiPrete Engineering, Inc.
Scott P. Rabideau, PWS, Natural Resource Services, Inc.