



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

November 17, 2022

Amazon.com Services LLC
Christina Fenn, Construction Manager
410 Terry Avenue N
Seattle, WA 98109-5210

REVISED PERMIT

Re: Application No. 21-0097 & RIPDES No. RIR102188 in reference to the location below:

Approximately 2300 feet southeast of Hartford Avenue (Route 6), south of the intersection of Hartford Avenue and Belfield Drive, Utility Pole No. 154-1, Assessors Plat 54, Lot Nos. 39, 40, 42, 54, 61, 75, 89, 90 & 93, Johnston, RI.

Dear Ms. Fenn:

The Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your Application for Permit Modification and has evaluated your proposed modifications to your retail distribution center, as illustrated and detailed on revised site plans submitted with your application. The revised site plans were received by the DEM on October 26, 2022.

Based upon the Program's evaluation of the revised project and pursuant to 250-RICR-150-15-1.11(C) of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, 250-RICR-150-15-1, it is the Program's determination that a revised permit for the modified project may be issued under the following terms and conditions:

1. This letter is the DEM's revised permit for this project under the R.I. Fresh Water Wetlands Act, R.I. Gen Laws. § 2-1-18 et seq.
2. This revised 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 November 5, 2021. 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.
3. Where the terms and conditions of the revised permit conflict with the approved site plans, these terms and conditions shall be deemed to supersede the site plans.
4. A copy of the stamped approved site plans and a copy of this revised permit must be kept at the site at all times during site preparation, construction, and final stabilization. Copies of this revised permit and the stamped approved plans must be made available for review by any DEM or city/town representative upon request.
5. Within ten (10) days of the receipt of this revised 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 revised permit was recorded.
6. This revised permit expires one year from the date of issue of the original letter of June 30, 2021

unless renewed pursuant to 250-RICR-150-15-1.11(B).

7. The long-term operation and maintenance plan shall be strictly followed. The long-term O & M Plan shall be that entitled "Stormwater System Operation & Maintenance Plan, Project Schooner, Located in Johnston, Rhode Island; Applicant: Blue Water Property Group", dated received 10/26/2022, including revised BMP map dated received 11/02/2022, by DiPrete Engineering.

Except as authorized in this revised permit pursuant to revised and approved site plans (enclosed), all terms and conditions previously specified in the Program's permit dated June 30, 2021 (copy enclosed) remain in effect.

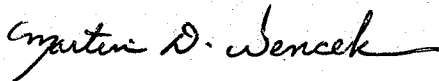
You are required to comply with the terms and conditions of this revised permit and to carry out this project in compliance with 250-RICR-150-15-1 at all times. Failure to do so may result in an enforcement action by the Program.

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

This revised 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 Claire Swift of this office at (telephone: 401-222-6820 ext. 2777418) should you have any questions regarding this letter.

Sincerely,



Martin D. Wencek, Program Supervisor
Freshwater Wetlands Program
Office of Water Resources
MDW/CVS/cvs

Enclosure: Approved revised site plan
Letter dated June 30, 2021

cc: Pat Hogan, RIDEM Office of Compliance & Inspection
Neal Personus, RIDEM Office of Water Resources, Stormwater Program
Nicole Reilly, PE, DiPrete Engineering, Inc.
Scott P. Rabideau, Natural Resource Services, Inc.



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

November 24, 2021

The Shelburne Co.,LCC & Lotojosa,LLC et.al
c/o Carol Najaria
117 Meshanticut Valley Parkway
Cranston, RI 02920

Francesco Cassisi
Domenico Cassisi
31 Oakdale Avenue
Johnston, RI 02919

Elizabeth R. Beals, Trustee of the Elizabeth R. Beals Trust
Margherita A. Mansolillo, Trustee of the Margherita A. Mansolillo Trust
Cheryl S. King
Karen L. Stetson
Richard L. Stetson
Christopher L. Stetson
1 Lewis Drive
Johnston, RI 02919

REVISED PERMIT

Re: Application No. 21-0097 & RIPDES No. RIR102188 in reference to the location below:

Approximately 2300 feet southeast of Hartford Avenue (Route 6), south of the intersection of Hartford Avenue and Belfield Drive, Utility Pole No. 154-1, Assessors Plat 54, Lot Nos. 39, 40, 42, 54, 61, 75, 89, 90 & 93, Johnston, RI.

Dear Mmes. Najaria, Beals, Mansolillo, King, and Stetson & Messrs. Cassisi, and Stetson:

The Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your Application for Permit Modification and has evaluated your proposed modifications to your retail distribution center, as illustrated and detailed on revised site plans submitted with your application. The revised site plans were received by the DEM on November 5, 2021.

Based upon the Program's evaluation of the revised project and pursuant to 250-RICR-150-15-1.11(C) of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, 250-RICR-150-15-1, it is the Program's determination that a revised permit for the modified project may be issued under the following terms and conditions:

1. This letter is the DEM's revised permit for this project under the R.I. Fresh Water Wetlands Act, R.I. Gen Laws. § 2-1-18 et seq.

2. This revised 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 November 5, 2021. 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.
3. Where the terms and conditions of the revised permit conflict with the approved site plans, these terms and conditions shall be deemed to supersede the site plans.
4. A copy of the stamped approved site plans and a copy of this revised permit must be kept at the site at all times during site preparation, construction, and final stabilization. Copies of this revised permit and the stamped approved plans must be made available for review by any DEM or city/town representative upon request.
5. Within ten (10) days of the receipt of this revised 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 revised permit was recorded.
6. This revised permit expires four (4) years from the date of issue of the original letter of June 30, 2021 unless renewed pursuant to 250-RICR-150-15-1.9(D)(5).
7. 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 plan sheet has been renumbered as Sheet 49 of 70, consistent with the originally approved plan set.**

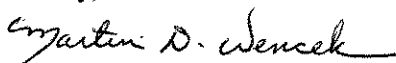
Except as authorized in this revised permit pursuant to revised and approved site plans (enclosed), all terms and conditions previously specified in the Program's permit dated June 30, 2021 (copy enclosed) remain in effect.

You are required to comply with the terms and conditions of this revised permit and to carry out this project in compliance with 250-RICR-150-15-1 at all times. Failure to do so may result in an enforcement action by the Program.

In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction. This revised 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 Claire Swift of this office at (telephone: 401-222-6820 ext. 2777418) should you have any questions regarding this letter.

Sincerely,



Martin D. Wencek, Program Supervisor
Freshwater Wetlands Program
Office of Water Resources
MDW/CVS/cvs

Enclosures: Approved revised site plan
Letter dated June 30, 2021

ec: Neal Personeus, RIDEM Stormwater Program
Nicole Reilly, PE, DiPrete Engineering



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

CERTIFIED MAIL

June 30, 2021

The Shelburne Co., LCC
Lotojosa, LLC
117 Meshanticut Valley Parkway
Cranston, RI 02920

Francesco Cassisi
Domenico Cassisi
31 Oakdale Avenue
Johnston, RI 02919

Elizabeth R. Beals, Trustee of the Elizabeth R. Beals Trust
Margherita A. Mansolillo, Trustee of the Margherita A. Mansolillo Trust
Cheryl S. King
Karen L. Stetson
Richard L. Stetson
Christopher L. Stetson
1 Lewis Drive
Johnston, RI 02919

PERMIT TO ALTER FRESHWATER WETLANDS

Re: **Application No. 21-0097 & RIPDES No. RIR102188 in reference to the location below:**

Approximately 2300 feet southeast of Hartford Avenue (Route 6), south of the intersection of Hartford Avenue and Belfield Drive, Utility Pole No. 154-1, Assessors Plat 54, Lot Nos. 39, 40, 42, 54, 61, 75, 89, 90 & 93, Johnston, RI.

Dear Mmes and Messrs, Carol Najaria; Francesco and Domenico Cassisi; Elizabeth R. Beals, Margherita A. Mansolillo, Cheryl S. King, Karen L. Stetson, Richard L. Stetson, and Christopher L. Stetson:

The Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Application to Alter a Freshwater Wetland** regarding the proposed new retail distribution center to include an 823,532 square foot building, paved parking lots, paved access roads, utility lines, vegetative clearing, site grading, and a stormwater management system, as described and detailed in the material and information submitted in support of your application and on site plans received by the DEM on June 29, 2021. These site plans describing the project were made available for public comment as part of the forty-five (45) day public notice period required in accordance with the Freshwater Wetlands Act (R.I. Gen. Laws § 2-1-18 et seq.) and the procedures set forth in the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, 250-RICR-150-15-1, specifically in 250-RICR-150-15-1.10.

Pursuant to the Program's review and evaluation of your application including all supporting information and material, as well as the record to date, the Program has determined that this project does not represent a random, unnecessary or undesirable alteration of freshwater wetlands. Therefore, this Program hereby issues this permit to alter freshwater wetlands **subject to all controlling Rules and the Terms and Conditions set forth herein.**

Terms and Conditions for Wetlands Application No. 21-0097; RIPDES No. RIR102188:

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 **2020 RIDPES General Permit for Stormwater Discharge During Construction Activity ("CGP")**. For future references and inquiry, your permit authorization number is **RIPDES No. RIR102188**.
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 June 29, 2021. 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 City/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 one (1) year 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, and the Program issues a Notice of Completion of Work.

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/ripdes/pdfs/cgp092620.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 must be strictly followed. The long-term O & M Plan is that entitled "Stormwater Operation & Maintenance Plan, Project Schooner, Located in Johnston, Rhode Island; Applicant: Blue Water Property Group", dated 4/30/2021, revised: 6/28/2021, and received by this Program on 6/29/2021, indicated as prepared by DiPrete Engineering.
16. 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.
17. All plantings of shrubs, trees or other forms of vegetation as shown or detailed on the approved plans, or detailed in this permit, must be installed as soon as possible after completion of final grading; weather and season permitting.
18. Buffer zone plantings of trees and/or shrubs proposed between the project and any adjacent freshwater wetland areas, except for necessary replacement, must be allowed to develop naturally without being subjected to mowing or manicuring.
19. Any plantings within 50 feet of any jurisdictional wetland which fail to survive one full growing season must be replaced. Replacement plantings shall be similarly guaranteed for one full growing season.
20. 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.
21. An environmental consultant, experienced in site assessments and measures necessary to protect sensitive aquatic environments or sensitive ecosystems, must be employed prior to the commencement of site alterations to monitor this project and to ensure compliance with the terms

and conditions of this permit. This Program must be notified in writing of the consultant chosen to comply with this condition and must receive monthly written progress reports from the consultant regarding compliance with this permit until such time that the project is complete.

22. 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.
23. With respect to the steep slope down-gradient of proposed Pond Complex J & K, the owner shall provide a detailed contractor drawing of the proposed slope including the position of and details for the proposed toe drain. The toe drain must be designed and constructed in a manner that will not dewater any of the proposed stormwater management practices being retained by the slope.
24. With respect to the four (4) proposed temporary sediment basins, to the maximum extent practicable, the outlet design must utilize outlet devices that withdraw water from the surface of the basin for the purpose of minimizing the discharge of pollutants. Exceptions may be made for seasonal conditions when ice cover on the basins is likely to develop.

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. Pursuant to the provisions in 250-RICR-150-15-1.7(A)(9)(c), within ten (10) days of any property transfer, the subsequent transferee must notify the Department by forwarding a certified copy of the deed of transfer.

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.

If you have not already done so, or in order to check on the status of their review, please contact the U.S. Army Corps of Engineers to determine federal permit requirements on your project. Write the Corps' New England District, Regulatory Branch, 696 Virginia Road, Concord, MA 01742-2751; website: <https://www.nae.usace.army.mil/Missions/Regulatory/or> email at cenaer@usace.army.mil. Please note that the Department of the Army authorization must be obtained before any work is initiated in areas subject to Corps jurisdiction.

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 against you by the DEM.

In permitting the proposed alterations, the Department 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.

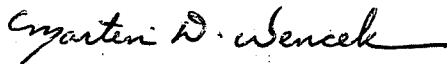
If you are aggrieved by this decision, you may, within thirty (30) days of the receipt of this letter, request an adjudicatory hearing in writing. This request must be sent directly to the DEM Administrative Adjudication Division ("AAD"), One Capitol Hill, Second Floor, Providence, RI 02903. A copy of the request should also be forwarded to this Program and to the Office of Legal Services, at the same address. Your written request for an adjudicatory hearing must be timely filed and should conform to the requirements of 250-RICR-10-10-1.7(B) of the DEM Rules and Regulations for the Administrative Adjudication Division, 250-RICR-10-00-1. Section 250-RICR-10-00-1.7(B) provides:

"The request for a hearing shall state clearly and concisely the specific issues which are in dispute, and the facts in support thereof, the relief sought, if any, the license or permit sought or involved, and any additional information required by applicable statutes and regulations."

The written request must be accompanied by an adjudicatory hearing fee of two thousand dollars (\$2,000.00); in the form of a certified bank check or money order made payable to the Rhode Island General Treasurer; however, in the event that the cost of the hearing exceeds the fee paid, the Program through the AAD will require an additional fee which the applicant must submit prior to the DEM's issuance of any final decision regarding this application. The adjudicatory hearing will be held before a Hearing Officer from the AAD. Such hearing will be held in compliance with 250-RICR-10-00-1, R.I. Gen. Laws Chapter 42-35-1 et seq., and other governing laws, rules, and regulations adopted by the DEM. Please note that you have the right to be represented by legal counsel in any proceeding which may be held in this matter.

If you have any questions regarding this matter, you may contact me or Claire Swift at this office (telephone: 401-222-6820).

Sincerely,



Martin D. Wencek, Program Supervisor
Office of Water Resources
Freshwater Wetlands Program

MDW/CVS/cvs

Enclosure: Approved Site Plans

cc: Mary Dalton, Administrative Adjudication Division
Eric Beck, P.E., Chief, DEM Groundwater and Wetlands Protection
Neal Personous, DEM Stormwater Program
Ronald Gagnon, Chief, Office of Customer and Technical Assistance
Mary Kay, Executive Counsel, DEM Office of Legal Services
Kevin Kotelly, U.S. Army Corps of Engineers, New England District
Edward Civito, Town of Johnston Building Official
Nicole Reilly, PE, DiPrete Engineering
Scott Rabideau, Natural Resource Services, Inc.