



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

April 11, 2022

RI Waterfront Enterprises, LLC
c/o Melissa Martin
564 South Water Street
Providence, RI 02903

**Subject: Application for Dredging and Marine Terminal
South Quay Marine Terminal, East Providence
Water Quality Certificate File Number 21- 153
Dredge Permit Application Number DP-21-188**

Dear Ms. Martin:

The Department of Environmental Management (DEM) has reviewed the above referenced project for compliance with the Rules and Regulations for Dredging and the Management of Dredged Materials, September 2010 (the Dredging Regulations) and the State Water Quality Regulations.

The project will include: The construction of a state-of-the-art maritime port facility for shipping, commodity transport, heavy lift component transfer, and marshal industries. The project will include a new cellular coffer dam wall that is 1,380 linear feet (LF) along the channel and has a 380-foot-long return at each end of the wall. The wall consists of twenty-five (25), 61-foot (ft) diameter cells with twenty-four (24), 22' x 61' interconnect cells. There will be a 150' Roll-on/Roll-off ramp at the southwestern end of the bulkhead.

The area in front of the wall will be dredged to elevation -32' MLLW. The approximate volume of dredging is 169,800 cubic yards (CY) including all over dredge. Approximately 111,000 CY will be reused upland with the remaining material to be disposed in the CAD cell. The site will be elevated to elevation +20 ft MLLW. To accomplish this grade the site will be filled with approximately 193,000 CY of material, some of which will be reused dredge material. The fill material needed will be imported to the site. The site will have areas where the fill is compacted and/or amended to allow heavy loads. The upland area will include 4,560 LF of new waterline and 4,440 LF of new electrical line. The project will impact 21,278 square feet (SF) of fringe saltmarsh and 5,549 SF of upper marsh.

We have reviewed the subject application and site plans entitled "South Quay Proposed Site Redevelopment Project, Rhode Island Waterfront Enterprises, LLC, 222 Berkley Street, Boston, MA 02116" dated September 2020, Sheets 1 to 33 of 33. The state water associated with this project is the Providence River, Class SB{1}a.

It is the opinion of the Department of Environmental Management that said project is in compliance with the Dredging Regulations and the Water Quality Regulations provided that the applicant complies with the above plans and the following conditions.

1. The applicant must obtain all other applicable local, state, and federal permits prior to commencing operations.
2. The applicant shall include all state and federal permits approved for the dredging and disposal activities in the solicitation to the contractor. The contractor and all sub-contractor(s) shall be required to comply with all aspects of all permits.
3. The RIDEM Office of Customer and Technical Assistance shall be notified prior to the commencement of any authorized work. Failure to adhere to this notification requirement may result in revocation of the Dredging Permit.
4. Prior to commencement of dredging, the applicant is required to survey the proposed area to be dredged to estimate the amount of shellfish present, and if deemed necessary by the RI DEM Division of Marine Fisheries (DMF), relocate the shellfish from the area prior to dredging in accordance with the process described in the DMF "Guidance for Conducting Shellfish Surveys for Dredging Projects" document, updated August 2018.
 - a. Please contact Anna Gerber-Williams for further information, guidance, or arrangements at 401.423-1930 or Anna.GerberWilliams@dem.ri.gov.
 - b. The proposed work will occur in waters closed to shellfishing (i.e., unapproved, or unassessed by RIDEM Office of Water Resources) and must be supervised by the RIDEM Division of Law Enforcement (DLE).
 - i. Please contact Kurt Blanchard, Deputy Chief, DLE for arrangements at 401. 222-2284.
5. Approximately 111,000 cubic yards of dredge material shall be utilized as fill on the site, as noted in the above-referenced plans. The remaining 58,800 cubic yards shall be disposed of in the State's Confined Aquatic Disposal (CAD) Cell in the Providence River. No other disposal locations are to be utilized without obtaining prior written approval from the Department.
6. For CAD Cell disposal:
 - a. The location, orientation, and dumping of scows over the CAD cell site shall be fully coordinated with the CRMC Dredge Coordinator prior to the initiation of dumping into the CAD cell. All activities related to the use of the CAD cell site including dumping operations, scow inspections, transport, scheduling, and any other logistical requirements, shall be performed as directed and in accordance with the Water Quality Certificate (WQC) issued to the CRMC for the management of the Providence River Cad cell site (WQC File No. 01-61).

- b. All scows shall be of the bottom-dump type that have been inspected and approved by the ACOE, CRMC or RIDEM.
 - c. No debris shall be disposed in the CAD cell: all debris must be legally disposed in accordance with state and federal regulations.
 - d. The applicant and/or contractor/subcontractor(s) shall coordinate CAD cell disposal requirements, CAD cell schedule, scow inspections and any other logistical requirements with the CRMC prior to the commencement of any dredge operations.
7. Dredging shall occur between October 15 and January 31 only. (Note: No extensions to this window will be granted.)
 8. Dredging shall occur by mechanical means in the areas and elevations specified on the above referenced plans. An enclosed bucket shall be used for maintenance dredging. An open bucket may be used with the approval of the CRMC Dredge Coordinator.
 9. This approval does not allow for any future dredging at this location. A separate approval must be obtained for any future dredging at this site.
 10. The RIDEM shall be notified immediately of any site or operational condition that results in the violation of the requirements noted herein. If conditions are discovered that violate the Dredging Permit or Water Quality Certificate, dredging operations shall cease until the problem is rectified and authorization to continue has been received from the Department.
 11. This Dredging Permit shall expire three (3) years from the date of issuance.

This is the Department's Dredging Permit. This permit also constitutes the Rhode Island Water Quality Certification under Section 401 of the Federal Clean Water Act (33 U.S.C. Sec. 1341). Violation of the terms and conditions of this permit may result in appropriate enforcement action. If you have any questions regarding this permit, please contact Ronald Gagnon in the Office of Technical and Customer Assistance at 401 222-4700, extension 2777500.

Sincerely,

Eric Beck, P.E.

Administrator for Groundwater and Wetlands Protection

cc: Danni Goulet, RI CRMC
Neal Personcus, RI DEM
Eric Schneider, RI DEM
Diane Ray, US ACOE