



**RHODE ISLAND**  
**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**  
**OFFICE OF WATER RESOURCES**  
235 Promenade Street, Providence, Rhode Island 02908-5767

November 2, 2022

McAllister Towing of Narragansett Bay, LLC  
c/o Gary Oliveira  
1 India Street  
Providence, RI 02903

**RE: Water Quality Certification (WQC): Concrete Pen Stabilization Project**  
**1 India Street, Assessor's Plat 18, Lot 48 & 332, Providence, RI.**  
**WQC/STW File No. 22-154**

Dear Mr. Oliveira:

The Rhode Island Department of Environmental Management Office of Water Resources (RIDEM OWR) has reviewed the above-referenced project for compliance with the State Water Quality Regulations (250-RICR-150-05-1). The purpose of the project is to perform work to stabilize two existing concrete pen structures along a bulkhead ship docking area, that are actively showing signs of failing. Work will include removal of collapsed wall, depositing new fill, extending existing stormwater outfall pipe, and installing new steel sheet pile bulkhead. The total fill deposited during this project, between both pen structures, will be 73 Cubic yards deposited below the MHW, as further described in the application materials and site plans consisting of 3 sheets as prepared by Fairbanks Engineering Corporation, dated August 1, 2022, and received by RIDEM OWR on August 5, 2022. The State water associated with this project is Providence River, Class SB1{a}.

It has been determined that the above-referenced application is compliant with the requirements of the RI State Water Quality Regulations, provided that the Applicant complies with the above-referenced application materials and the following conditions:

- 1) You must notify the RIDEM OWR contact person identified below of the anticipated date of construction and your contractor's contact information, prior to any site disturbance.
- 2) Prior to construction, you must erect or post a sign resistant to the weather and at least twelve (12) inches wide and eighteen (18) inches long, which identifies the initials "DEM" and the application number(s) assigned to this project. The sign must be posted in a conspicuous location near the site access and maintained until the project is complete.
- 3) All fill material shall be clean and free of matter that could cause pollution of the waters of the State.
- 4) No sewage, refuse, or waste of any kind shall be discharged into waters of the State from activities associated with the proposed project. Any release of materials from the site associated with the project during the construction period will require immediate notification to RIDEM OWR.

- 5) A copy of this WQC must be kept at the site at all times during site preparation, construction, and final stabilization. Copies of this WQC must be made available for review by any RIDEM or City/Town representative upon request.
- 6) Any alterations, additions, or modifications to the project design plans from that approved herein must first be reviewed and approved by RIDEM OWR.
- 7) You must notify the RIDEM OWR contact person identified below upon completion of the project.
- 8) This WQC shall expire on November 2, 2025. Project construction is to be completed by this date. You are required to submit a request for any modification(s) and/or extension(s).
- 9) This WQC does not relieve your obligation to obtain and adhere to any other applicable local, state and federal permits prior to commencing construction. Should any stipulation/condition identified within any other applicable permit be in conflict with the conditions set forth in this WQC, the applicant shall notify RIDEM OWR immediately.

You are required to adhere to all above Terms and Conditions and carry out this project in compliance with the State Water Quality Regulations at all times. Issuance of this certificate does not bar the Rhode Island Department of Environmental Management, nor any of its various Divisions, from initiating any investigation and/or enforcement actions that it may deem necessary for violations of this certificate or of any and all applicable statutes, regulations and/or permits.

This is the State's Water Quality Certification, which shall have the full force and effect of a permit issued by the Director. Violation of the Terms and Conditions of this Certification may result in violation of the State's Water Quality Regulations and appropriate enforcement action.

Should you have any questions or require additional information, you may contact me or Michael Arguello at [Michael.Arguello@dem.ri.gov](mailto:Michael.Arguello@dem.ri.gov) or (401)222-6820 ext 277-7602.

Sincerely,



Neal Personeus, Senior Environmental Scientist  
neal.personeus@dem.ri.gov, 401-222-6820 ext 277-7610  
Federal 401/State WQC Program; GWD/UIC Program  
Office of Water Resources

ec: Charles Horbert, Deputy Administrator, Groundwater & Freshwater Wetlands Protection  
Robert Fairbanks, PE, Fairbanks Engineering  
Richard Lucia, PE, CRMC



STATE OF RHODE ISLAND

HISTORICAL PRESERVATION & HERITAGE COMMISSION

Old State House 150 Benefit Street Providence, RI 02903

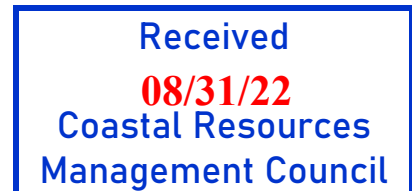
Telephone 401-222-2678  
TTY 401-222-3700

Fax 401-222-2968  
[www.preservation.ri.gov](http://www.preservation.ri.gov)

August 31, 2022

Via email: [lturner@crmc.ri.gov](mailto:lturner@crmc.ri.gov) & [jabbruzzese@crmc.ri.gov](mailto:jabbruzzese@crmc.ri.gov), CRMC

Raymond Coia, Chair  
Coastal Resources Management Council  
Oliver H. Stedman Government Center  
4808 Tower Hill Road  
Wakefield, Rhode Island 02879



Re: CRMC File Number 2022-08-043  
Applicant: McAllister Towing & Transportation  
1 India Street  
Providence, RI

Dear Mr. Coia:

The Rhode Island Historical Preservation and Heritage Commission (RIHPHC) staff has reviewed the information that your office provided for the above-referenced application. McAllister Towing & Transportation is proposing stabilize existing concrete pens at 1 India Street in Providence.

The property is located within the College Hill Historic District National Historic Landmark, which is listed in the National Register of Historic Places. The concrete pens will be stabilized: the north pen will be incorporated into existing revetment project and the south pen will be infilled. **Based on our review of available information, it is the conclusion of the RIHPHC that the project will have no adverse effect on historic properties.**

These comments are provided in accordance with *650-RICR-20-00-1.2.3 Areas of Historic and Archaeological Significance* of the Coastal Resources Management Council. If you have any questions, please contact Elizabeth Totten, Project Review Coordinator, or Charlotte Taylor, Staff Archaeologist of this office.

Sincerely,

Jeffrey Emidy  
Interim Executive Director  
Interim State Historic Preservation Officer



DEPARTMENT OF THE ARMY  
US ARMY CORPS OF ENGINEERS  
NEW ENGLAND DISTRICT  
696 VIRGINIA ROAD  
CONCORD MA 01742-2751

November 28, 2022

Regulatory Division  
File Number NAE-2022-01921

Mr. Gary Oliveira  
McAllister Towing of Narragansett Bay, LLC  
1 India Street  
Providence, Rhode Island 02903  
[goliveir@mcallistertowing.com](mailto:goliveir@mcallistertowing.com)

RI CRMC Application #: 2022-08-043

Dear Mr. Oliveira:

The U.S. Army Corps of Engineers (USACE) has reviewed your application to stabilize two failing concrete pen structures that line a bulkhead along the Providence River. The two pens measure 14.50 to 15.17 feet wide, 28.92 to 29.32 feet long, and 11 feet deep. Within a total of 613 square feet of waters of the U.S., the project will construct a stone revetment comprised of 18.3 cubic yards of riprap within a 174 square-foot portion of the north pen; place 55.2 cubic yards of granular backfill in the south pen to match the existing grade; extend an existing, 8-inch-diameter stormwater outfall pipe at the south pen to be 35 feet long; realign a 32-foot portion of the existing bulkhead along the south wall of the north pen; and add a new sheet-pile bulkhead of approximately 35 feet long at the north pen to improve slope stability. This project is located at 1 India Street in Providence, Rhode Island (41.8149°N, 71.3998°W). It is shown on the enclosed plans titled "Concrete Pen Stabilization Project, McAllister Towing of Narragansett Bay, Providence, Rhode Island," on four sheets dated November 22, 2022.

Based on the information that you have provided, we verify that the Pre-Construction Notification (PCN) activity is authorized under General Permit 9 of the enclosed May 6, 2022, Federal permits known as the Rhode Island General Permits (GPs).

Please review the enclosed GPs carefully, including the general conditions beginning on page 43, to ensure that you and whoever does the work understand the requirements. A copy of the GPs and this verification letter shall be available at the project site throughout the time the work is underway. The GPs are also available at <https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Rhode-Island-General-Permit/>. Performing work within our jurisdiction that is not specifically authorized by this determination or failing to comply with any special condition provided above and all of the terms and conditions of the GPs may subject you to the enforcement

provisions of our regulations. You must perform this work in compliance with the terms and conditions of the GPs and the following special conditions:

1. In-water work that produces greater than minimal turbidity or sedimentation shall be limited to the period between October 15 and January 31, of any year(s).
2. Appropriate soil erosion, sedimentation, and turbidity controls shall be used and maintained in effective operating condition during in-water construction. Activities capable of producing greater than minimal turbidity or sedimentation shall be done during periods of low-flow or no-flow, when the tide is waterward of the work, or when controls are used to obtain dry work conditions.
3. You must complete and return the enclosed Work Start Notification Form to this office at least two weeks before the anticipated starting date.

This authorization expires on May 6, 2027. You must commence or be under contract to commence the work authorized herein by May 6, 2027, and complete the work by May 6, 2028. If not, you must contact this office to determine the need for further authorization before beginning or continuing the activity. We recommend that you contact us *before* this authorization expires to discuss permit reissuance. Please contact us immediately if you change the plans or construction methods for work within our jurisdiction. We must approve any changes before you undertake them.

This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law, as listed on page 2 of the GP. Performing work not specifically authorized by this determination or failing to comply with any special condition(s) provided above or all the terms and conditions of the GP may subject you to the enforcement provisions of our regulations.

This determination becomes valid only after the Rhode Island CRMC issues their required authorization. The CRMC contact information is provided on Page 55 of the GPs.

We continually strive to improve our customer service. For us to better serve you, we would appreciate your completing our Customer Service Survey located at <https://regulatory.ops.usace.army.mil/customer-service-survey/>.

Please contact Daniel Breen, of my staff, at (978) 318-8831 or [Daniel.B.Breen@usace.army.mil](mailto:Daniel.B.Breen@usace.army.mil) if you have any questions.

Sincerely,

*Kevin R Kotelly*

Kevin R. Kotelly, P.E.  
Chief, Permits & Enforcement Branch  
Regulatory Division

Enclosures

cc:

Robert Fairbanks, Fairbanks Engineering Corp., Exeter, RI;  
[rfairbanks@fairbankseng.com](mailto:rfairbanks@fairbankseng.com)

Neal Personeus, RI DEM, Providence, RI; [neal.personeus@dem.ri.gov](mailto:neal.personeus@dem.ri.gov)

Lisa Turner, RI CRMC, Wakefield, RI; [lturner@crmc.ri.gov](mailto:lturner@crmc.ri.gov)

Erica Sachs, US EPA, Region 1, Boston, MA; [sachs.eric@epa.gov](mailto:sachs.eric@epa.gov)

Sabrina Pereira, NMFS, Gloucester, MA; [sabrina.pereira@noaa.gov](mailto:sabrina.pereira@noaa.gov)



**US Army Corps  
of Engineers**®  
New England District

**WORK-START NOTIFICATION FORM**  
(Minimum Notice: Two weeks before work begins)

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EMAIL TO: [Daniel.B.Breen@usace.army.mil](mailto:Daniel.B.Breen@usace.army.mil) and [cenae-r@usace.army.mil](mailto:cenae-r@usace.army.mil); or

MAIL TO: **Daniel Breen**  
Regulatory Division  
U.S. Army Corps of Engineers, New England District  
696 Virginia Road  
Concord, Massachusetts 01742-2751

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Corps of Engineers Permit No. **NAE-2022-01921** was issued to **McAllister Towing of Narragansett Bay, LLC**. This work is located adjacent to the Providence River and authorized a stone revetment comprised of 18.3 cubic yards of riprap within a 174 square-foot portion of the north pen; 55.2 cubic yards of granular backfill in the south pen to match the existing grade; the extension of existing, 8-inch-diameter stormwater outfall pipe at the south pen to be 35 feet long; realignment of a 32-foot portion of the existing bulkhead along the south wall of the north pen; and installation of a new sheet-pile bulkhead of approximately 35 feet long at the north pen to improve slope stability.

The people (e.g., contractor) listed below will do the work, and they understand the permit's conditions and limitations.

**PLEASE PRINT OR TYPE**

Name of Person/Firm: \_\_\_\_\_

Business Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone & email: ( ) \_\_\_\_\_ ( ) \_\_\_\_\_

Proposed Work Dates: Start: \_\_\_\_\_ Finish: \_\_\_\_\_

Permittee/Agent Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Date Permit Issued: \_\_\_\_\_ Date Permit Expires: \_\_\_\_\_

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**FOR USE BY THE CORPS OF ENGINEERS**

PM: \_\_\_\_\_ Submittals Required: \_\_\_\_\_

Inspection Recommendation: \_\_\_\_\_