

The LINK Stormwater Permitting Status

December, 2013

A Stormwater Master Plan (SWMP) was developed to provide a mechanism for obtaining stormwater permit approvals for the I-195 Redevelopment District (District) through the Rhode Island Coastal Resources Management Council (CRMC) and the Rhode Island Department of Environmental Management (RIDEM). The SWMP applies the State's stormwater management standards "District-wide" rather than on an individual parcel basis and also applies to any parcels that abut a District parcel or parcels and are assembled under common ownership. On November 15, 2013, CRMC issued a decision to grant Assent (permit) for the SWMP. RIDEM drafted a Water Quality Certification dated November 22, 2013.

The significance of the framework established by the SWMP is that developers of District parcels will receive an expedited administrative approval process for projects that are designed in accordance with the SWMP, the Rhode Island Stormwater Design and Installation Standards Manual (RISDISM), and the conditions of the Assent and Water Quality Certification. In addition, developers will have the ability to maximize the amount of developable land in the District with the flexibility to place stormwater best management practices (BMPs) where there is adequate and suitable land available to be most-effective for stormwater treatment.

Stormwater treatment practices may be placed on District parcels where the development activity is proposed or may treat runoff from roadways, for example, with green infrastructure or other best management practices to fulfill the stormwater quality requirements of one or more development projects. This approach minimizes the consumption of development land that is necessary to install treatment practices while meeting water quality goals and increasing the potential value of the property. The owners of District parcels will be responsible for the operation and maintenance of stormwater treatment facilities serving their respective properties regardless of the facility location.

Other significant benefits to development projects within the District include:

- Permit applications will receive a combined RIDEM authorization under the Master Water Quality Certification and, if necessary, a RIPDES Construction Permit and a Groundwater Discharge Permit, within 30 days of certification of a complete application.
- The CRMC Assent for the SWMP is valid for 10 years with the potential for an extension of an additional 10 years to allow a predictable permit process that reflects the scale of the District redevelopment.
- CRMC Category A activities for Parcels 1A, 2, 3, 5, 14, P2 and P4 will be subject to a 15-day public notice pursuant to CRMC Metro Bay SAMP UCG Rule 150.1 but will be processed within 60 days or less of a determination that the application is complete. CRMC Category A applications for all other District parcels will not require public notice and will be processed within 30 days or less of a determination that the application is complete.

- CRMC Assents for redevelopment projects on individual parcels will be valid for a period of three (3) years, but may include one-year extensions.
- The 15% landscaped area requirement of CRMC's Metro Bay SAMP Urban Coastal Greenway (UCG) policy applies to Parcels 1A, 2, 3, 5, 14, P2, and P4. The landscape areas for each parcel may be provided entirely on Parcels P2 and P4 to satisfy this requirement.
- The individual application fees for Parcels 2, 3, 5, and 14 will be capped at \$5,000 each and will not be based on estimated project cost because of their classification as Brownfields. CRMC Category A applications for all other parcels within the District will not have to submit an applications fee.

The following key documents pertaining to the completed stormwater permitting activities are available for review:

- Stormwater Master Plan, October, 2013 by Fuss & O'Neill
- CRMC Assent Decision, #2013-10-012, November 15, 2013
- RIDEM Water Quality Certificate, November 22, 2013
- Rhode Island Stormwater Design and Installation Standards Manual, RIDEM and CRMC
<http://www.dem.ri.gov/programs/benviron/water/permits/ripdes/stwater/t4guide/desman.htm>
- Rules and Regulations for Use of Wastewater Facilities within the Narragansett Bay Commission District, Narragansett Bay Commission
<http://www.narrabay.com/~media/Files/Vendor%20Documents/NBC%20Rules%20%20%20Regs.ashx>