



RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

August 18, 2010

Rhode Island Department of Transportation  
c/o Peter A. Healey, P.E.  
Acting Chief Civil Engineer  
Two Capitol Hill, Rm. 226  
Providence, RI 02903-1124

RE: Application No. 05-0219 - **Application for Renewal for the site located:**

Along George Washington Highway (Rt. 116) at the Stillwater Viaduct Bridge No. 278, approximately 500 feet northeast of the intersection of George Washington Highway (Rt. 116) and Farnum Pike (Routes 5 & 104), Smithfield, RI.

Dear Mr. Healey:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your Application for Renewal received on July 28, 2010.

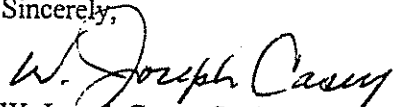
It is our understanding that you are requesting renewal of the permit issued for Application No. 05-0219. The original revised permit was issued on July 27, 2006 to Rhode Island Department of Transportation for alterations to freshwater wetlands at the above-referenced location.

This Program has completed a review of your application and has found that your project, at this time, is 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 (Rules). It is our determination, therefore, that the permit may be renewed. This renewal is valid until July 27, 2012 and expires on that date unless an additional renewal is allowed and authorized in accordance with Rules (See Rules 9.04 and 11.02).

A copy of the original revised permit letter of July 27, 2006 is enclosed for your convenience. It is your 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 you of any obligations to obtain any local, state, or federal approvals or permits as required by ordinance or law.

Please contact me at (telephone: 401-222-6820 Ext. 7412) should you have any questions.

Sincerely,

  
W. Joseph Casey, Senior Environmental Scientist  
Office of Water Resources/Permitting Section  
Freshwater Wetlands Program

Enclosure: Copy of original revised permit letter



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July 27, 2006

Rhode Island Department of Transportation  
c/o Edward S. Szymanski, P.E.  
Chief Transportation Projects Engineer  
Two Capitol Hill, Room 230  
Providence, RI 02903-1127

**Revised Insignificant Alteration – Permit**

RE: Application No. 05-0219 in reference to the property and proposed project located:

Along George Washington Highway (Rt. 116) at the Stillwater Viaduct Bridge No. 278, approximately 500 feet northeast of the intersection of George Washington Highway (Rt. 116) and Farnum Pike (Routes 5 & 104), Smithfield, RI.

Dear Mr. Szymanski:

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 reconstruction of the Stillwater Viaduct Bridge as illustrated and detailed on site plans submitted with your application. These site plans were received on April 5, 2006.

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 Rule 9.03 of the Rules and Regulations Governing the Administration and Enforcement of the Fresh Water Wetlands Act (Rules), this project may be permitted as an **insignificant alteration** to freshwater wetlands under the following terms and conditions:

Terms and Conditions for Application No: 05-0219

1. This letter is the DEM's permit for this project under the R.I. Fresh Water Wetlands Act, Rhode Island General Laws (RIGL) Section 2-1-18 *et seq.*
2. 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 April 5, 2006. 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 permit conflict with the approved site plans, these terms and conditions shall be deemed to supersede the site plans.

4. You must notify this Program in writing immediately prior to the commencement of site alterations and upon completion of the project.
5. 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. A copy of this permit and the stamped approved plans must be available for review by any DEM representative upon request.
6. The effective date of this permit is the date this letter was issued. This permit expires four (4) years from the date of issue.
7. Any material utilized in this project must be clean and free of matter that could pollute any freshwater wetland.
8. 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.
9. 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.
10. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls consisting of hay bales or silt fence must be removed.
11. You are responsible for the proper operation, maintenance and stability of any mitigative features, facilities, and systems of treatment and control that are installed or used in compliance with this permit to prevent harm to adjacent wetlands. This is your responsibility until such time that you provide written documentation to this Program that this responsibility has been assumed and accepted by another person, organization or entity.
12. 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.
13. All construction activities involving soil disturbances within watercourses must be limited to the low flow period (i.e., the period from July 1 to October 31 of any calendar year). Soil disturbance in these watercourses must temporarily cease in the event of any abnormally high stormwater runoff event during the low flow period.

14. 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. Plantings that fail to survive one full growing season shall be replaced. Replacement plantings shall be similarly guaranteed for one full growing season.
15. 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.

**This Permit also constitutes your authorization from the U.S. Army Corps of Engineers ("Corps") under Section 404 of the Clean Water Act for the work proposed. Your project qualifies as a Category 1 activity under the Rhode Island Programmatic General Permit (RI PGP, Permit No. 57). You are, therefore, not required to file a separate application with the Corps.**

Please note that the attached RI PGP conditions apply to all activities authorized under the RI PGP. Please review them carefully to thoroughly familiarize yourself with their contents. You may wish to discuss all permit conditions with your contractor to ensure that the work can be accomplished in a manner that conforms to all requirements.

Please note the Water Certification Program (WQC) will require a post-construction survey of the river bottom within the area of construction to guarantee that demolition debris has not been left in the river channel. A copy of the survey is to be submitted to the WQC Program referencing the WQC File Number 05-041.

This permit is valid for the original applicant only and is not transferable to another person unless the new owner completes and submits an **Application for Permit Transfer** in accordance with Rule 9.08.

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 types and 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 Rule 9.02.**

Application No. 05-0219

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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 me at (telephone: 401-222-6820 Ext. 7412) should you have any questions regarding this letter.

Sincerely,



W. Joseph Casey, Senior Environmental Scientist  
Freshwater Wetlands Program  
Office of Water Resources

JC/jc

Enclosure: Approved site plans

xc: Alfred T. DeCorte, Smithfield Building Official  
Robert DeSista, U.S. Army Corps of Engineers  
Bharat Patel, P.E., Vanasse Hagaen Brustlin, Inc.