



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

February 14, 2011

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

Re: Application No. 05-0420 in reference to the location below:

The length of Hartford Avenue (Rt. 6A) from 400 feet east of Atwood Avenue to 200 feet east of Killingly Street, in Johnston and Providence, 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 January 4, 2011.

It is our understanding that you are requesting renewal of the permit issued for Application No. 05-0420. The original permit was issued on January 8, 2007 to the Rhode Department of Transportation for alterations to freshwater wetlands at the above-referenced location.

This Program has completed an inspection of the site and has found that your project, at this time, is in substantial 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 January 8, 2013 and expires on that date (See Rule 9.04E). No further renewals are available after that date.

A copy of the original permit letter of January 8, 2007 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 Andy Charpentier of this office (telephone: 401-222-6820, ext. 7414) should you have any questions.

Sincerely,

Charles A. Horbert, Permitting Supervisor
Office of Water Resources
Freshwater Wetlands Program
CAH/AC/ac

Enclosure: Original Permit dated January 8, 2007





RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

January 8, 2007

Edward Szymanski, PE, Associate Chief Engineer
RI Dept of Transportation
Two Capitol Hill - Room 371
Providence, RI 02903

Insignificant Alteration - Permit

Re: Application No. 05-0420 in reference to the location below:

The length of Hartford Avenue (Rt. 6A) from 400 feet east of Atwood Avenue to 200 feet east of Killingly Street, in Johnston and Providence, 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 Hartford Avenue with associated drainage improvements as illustrated and detailed on site plans submitted with your application. These site plans were received on December 27, 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. 05-0420:

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 this Department on December 27, 2006. A copy of the site plans stamped approved by the DEM is enclosed. Changes or revisions to the project which 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. Copies of this permit and the stamped approved plans must be made available for review by any DEM or municipal 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 haybales and/or siltfence must be removed.
11. You are responsible for the proper installation, operation, maintenance and stability of any mitigative features, facilities, and systems of treatment and control which are installed or used in compliance with this permit to prevent harm to adjacent wetlands until such time that you document that this responsibility has been assumed by another person or organization.
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. 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.
14. This Program has made a specific revision to the approved site plans. This revision is clearly marked in red on the approved plans. This project must take place in compliance with this revision. Specifically, that area which is presently naturally vegetated and proposed to be disturbed by installing the 36" pipe, is to be loamed, seeded and allowed to revert to a natural condition. Refer to Drainage and Utility Plan -2 for details.

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.

Kindly be advised that this permit is not equivalent to a determination of the type or extent of freshwater wetlands on the subject property. Should you wish to obtain such verification, you may submit an application in accordance with Rule 9.02.

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 which conforms to all requirements.

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 and/or subject you to the enforcement provisions of the Corps' regulations.

In permitting the proposed alterations, the DEM 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.

Please contact Andrew Charpentier of this office (telephone: 401-222-6820, ext. 7414) should you have any questions regarding this letter.

Sincerely,



Charles A. Horbert, Permitting Supervisor
Office of Water Resources
Freshwater Wetlands Program
CAH/AC/ac

Enclosure: Approved site plans
 RI PGP Permit Conditions

xc: Mark Bertoncini, P.E., Vanesse Hangen Brustlin, Inc.
 Laura Aibel, Town Engineer for Johnston
 Thomas Deller, Planning and Development Director for Providence