



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

August 4, 2011

Rhode Island Dept. of Transportation
c/o Peter A. Healey, P.E., Chief Civil Engineer
Two Capitol Hill, Room 226
Providence, RI 02903-1127

Application for Renewal

Re: Application No. 07-0174 in reference to the location below:

Along a portion of Green End Avenue from approximately 500 feet west to approximately 300 feet east of its intersection with Valley Road, Utility Pole Nos. 107 through 114, Middletown, 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 12, 2011.

It is our understanding that you are requesting renewal of the permit issued for Application No. 07-0174. The original permit was issued on July 12, 2007 to you for alterations to freshwater wetlands at the above-referenced location.

This Program has found that your project, at this time, is in conformance with those conditions set forth in the original and modified 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 12, 2013, and expires on that date (See Rules 9.04 & 11.02).

A copy of the original and modified permit letters of July 12, 2007 and March 5, 2009 are 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 Claire Swift of this office (telephone: 401-222-6820, ext. 7418) should you have any questions.

Sincerely,

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

WJC/CVS/cvs

Enclosure Original permit no. 07-0174 dated July 12, 2007
Modified permit no. 07-0174 dated March 5, 2009



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-831-5508

March 5, 2009

Rhode Island Dept. of Transportation
c/o Peter A. Healey, P.E.
Two Capitol Hill, Room 230
Providence, RI 02903-1127

REVISED PERMIT

Re: Application No. 07-0174 in reference to the location below:

Along a portion of Green End Avenue from approximately 500 feet west to approximately 300 feet east of its intersection with Valley Road, Utility Pole Nos. 107 through 114, Middletown, RI

Dear Mr. Healey:

The Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Application for Permit Modification** and has evaluated your proposed modifications to the permitted roadway traffic and safety improvements that include widening existing pavement along Green End Avenue, adding sidewalks, and placing riprap at an existing drainage outlet, as illustrated and detailed on revised site plans submitted with your application. The revised site plans were received on February 27, 2009.

Based upon the Program's evaluation of the revised project and pursuant to Rule 11.03 of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act (Rules), it is the Program's determination that a revised permit for the modified project may be issued under the following terms and conditions:

1. This letter is the DEM's revised 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 revised 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 February 27, 2009. 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 revised permit conflict with the approved site plans, these terms and conditions shall be deemed to supersede the site plans.
4. A copy of the stamped approved site plans and a copy of this revised permit must be kept at the site at all times during site preparation, construction, and final stabilization. Copies of this revised permit and the stamped approved plans must be made available for review by any DEM representative upon request.

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5. Within ten (10) days of the receipt of this revised permit, you must record this permit in the land evidence records of the Town of Middletown and supply this Program with written documentation obtained from the Town showing this revised permit was recorded.
6. This revised permit expires four (4) years from the date of issue of the original letter of July 12, 2007.
7. This Program has made a specific revision to the approved plans. This revision is clearly marked in red on the approved plans. Specifically the site plans have been correctly numbered sheets 1,2 & 3 of 3.

Except as authorized in this revised permit, pursuant to revised and approved site plans (enclosed), all terms and conditions previously specified in the Program's permit dated July 12, 2007 (copy enclosed) remain in effect.

Pursuant to the provisions in Rule 7.09 and 11.04, as applicable, any properly recorded and valid permit is automatically transferred to the new owner upon sale of the property.

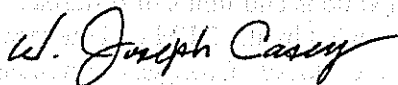
You are required to comply with the terms and conditions of this revised permit and to carry out this project in compliance with the Rules at all times. Failure to do so may result in an enforcement action by the Program.

In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

This revised 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 Claire Swift of this Program (telephone: 401-277-6820 ext. 7418) should you have any questions regarding this letter.

Sincerely,



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

WJC/CVS/cvs

Enclosure: Approved revised site plans

xc: John Kane, Jr., Middletown Building Official
Thomas O'Loughlin, Middletown Public Works Director
James M. Pisano, P.E., Vanasse Hangan Brustlin, Inc.



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
235 Promenade Street, Providence, RI 02908-5767 TDD 401-222-4462

July 12, 2007

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

Insignificant Alteration - Permit

Re: Application No. 07-0174 in reference to the location below:

Along a portion of Green End Avenue from approximately 500 feet west to approximately 300 feet east of its intersection with Valley Road, Utility Pole Nos. 107 through 114, Middletown, 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 roadway traffic and safety improvements including associated new pavement, traffic lights, crosswalks, grassed swale and riprap as illustrated and detailed on site plans submitted with your application. These site plans were received on April 12, 2007.

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. 07-0174:

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 12, 2007. 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. Copies of this permit and the stamped approved plans must be made available for review by any DEM representative upon request.
6. Within ten (10) days of the receipt of this permit, you must record this permit in the land evidence records of the Town of Middletown and supply this Program with written documentation obtained from the Town showing this permit was recorded.
7. The effective date of this permit is the date this letter was issued. This permit expires four (4) years from the date of issue.
8. Any material utilized in this project must be clean and free of matter that could pollute any freshwater wetland.
9. 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.
10. 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.
11. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls consisting of hay bales and/or silt fence must be removed.
12. 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.
13. 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.
14. This Program has made a specific revision to the approved plans. This revision is clearly marked in red on the approved plans. Specifically the site plans have been correctly numbered sheets 1, 2 & 3 of 3.

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.

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.

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.

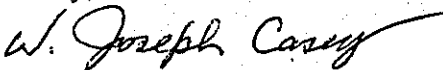
In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

Kindly be advised that this permit is not equivalent to a verification of the type or 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.

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 Claire Swift of this office (telephone: 401-222-6820 x 7418) should you have any questions regarding this letter.

Sincerely,



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

WJC/CVS/cvs

Enclosure: Approved site plans
PGP permit conditions

xc: John Kane, Jr., Middletown Building Official
Thomas O'Loughlin, Middletown Public Works Director
James Pisano, P.E., Vanasse Hangen Brustlin, Inc.