



RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

September 13, 2007

The Town of Smithfield  
Attn: Richard B. Geldard, P.E.  
64 Farnum Pike  
Smithfield, RI 02917

Re: Application No. 07-0225 in reference to the location below:

Along Log Road, west of its intersection with Pleasant View Avenue (Route 5) to a distance of approximately 880 feet, adjacent to Utility Pole Nos. 1 through 8, Smithfield, RI

Dear Mr. Geldard:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program, ("Program") has completed its review of your proposed installation and extension of approximately 880 linear feet of sewers within Log Road to service a residential subdivision as illustrated and detailed on site plans submitted with your application. The site plans referenced by this letter and on file with this Program were received on May 22, 2007.

Our inspection reveals that freshwater wetlands regulated by the DEM are present on or in close proximity to the subject property. Review of your proposed project, however, reveals that this project is an exempt activity under Rule 6.10. It is our determination therefore that a permit for this project pursuant to the Freshwater Wetland Act (Rhode Island General Law Section 2-1-18 et seq.) or the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act is not required, provided all general conditions of Rule 6.01 are adhered to. **This Determination is specific to the proposed site alterations illustrated and detailed on site plans on file with this Program** and is further predicated on the following:

1. Adequate measures are employed during and after site alterations to control soil erosion and to prevent any sediment from such erosion being deposited in any freshwater wetlands. You should consult the Rhode Island Soil Erosion and Sediment Control Handbook for appropriate methods to control erosion and prevent sediment from leaving your project site.
2. This determination does not authorize you to modify your project in such a way as to result in the following:
  - a. An increase in the rate and/or volume of surface water runoff flowing into, or draining or diverting from these wetlands; or
  - b. A diversion of groundwater into or away from these wetlands; or
  - c. A modification to the quality of water reaching these wetlands, which could change their natural character.

3. The "proposed drainage swell" (sic) leading from the roadway near Utility Pole 7 directly to the Stillwater Reservoir appears to be on property not owned by the applicant, and is entirely outside of the depicted limit of disturbance. This note has been crossed off of the site plans in red ink, indicating that it is not authorized by this Determination. Any proposed drainage improvements here will require a separate application.

Please note that this Determination is specific to this proposed project as illustrated on the reviewed site plans, is valid for a limited period of four (4) years from the date of issue, and does not remove your obligation to obtain any local, state or federal approvals or permits required by ordinance or law.

Modification to your project, which would result in an alteration or allowing your project to result in an alteration to freshwater wetlands, requires a permit from this Program. Unauthorized alterations to freshwater wetlands are subject to enforcement action.

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

Enclosed please find one (1) copy of your site plans stamped REVIEWED by this Program. Please contact Kate McPherson of this Office (telephone: 401-222-6820, ext. 7732) should you have any questions.

Sincerely,



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

Enclosure: Reviewed Site Plan

xc: Frank Simonelli  
Christopher Duhamel, P.E., DiPrete Engineering Associates, Inc.  
Scott Rabideau, Natural Resource Services, Inc.