



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

March 21, 2014

Meadowbrook Properties, LLC
Attn: Peter Hendrick
163 Kingstown Road
Wyoming, RI 02898

Insignificant Alteration – Permit

Re: Application No. 09-0101 in reference to the location below:

Approximately 300 feet south of Kingstown Road (Rte. 138), Utility Poles No. 107-114, and approximately 1500 feet west of the intersection of Kingstown Road and Richmond Townhouse Road, Assessor's Plat 6C, Lot 9, Richmond, RI .

Dear Mr. Hendrick:

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 golf course reconstruction and expansion, including changes to course layout and grading, two new footbridges, pond creation and enlargement, a maintenance building, irrigation improvements, and associated landscaping as illustrated and detailed on site plans submitted with your application. All of these alterations were accomplished without the required permits, and are being applied for after-the-fact. The most recently revised site plans were received on March 7, 2014.

Our observations of the subject property, review of the site plans and evaluation of the proposed project reveals that alterations of freshwater wetlands have occurred, and are proposed after-the-fact. However, pursuant to Rule 9.00 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.09-0101:

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 has been received by the DEM on March 7, 2014. 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. 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 Town representative upon request.
5. Within ten (10) days of the receipt of this permit, you must record this permit in the land evidence records of the City of Richmond and supply this Program with written documentation obtained from the Town showing this permit was recorded.
6. The effective date of this permit is the date this letter was issued. Pursuant to R.I. Gen. Laws § 42-17.1- 2.5 this permit is subject to tolling and shall be valid until July 1, 2019 unless renewed pursuant to the Rules.
7. You are responsible for ensuring that any material utilized for maintenance of this golf course must be clean and free of matter that could pollute any freshwater wetland.
8. You are obligated to install, utilize and follow and maintain all best management practices detailed or described on the approved site plans in the management of the golf course to minimize or prevent adverse impacts to any adjacent freshwater wetlands and the functions and values provided by such wetlands.
9. 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; weather and season permitting. Any plantings which fail to survive one full growing season shall be replaced. Replacement plantings shall be similarly guaranteed for one full growing season.
10. 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 any future cutting, mowing or manicuring.
11. The following requirements from DEM's Water Quality Certification Program apply with respect to the irrigation system for the golf course:
 - A. A flow meter is to be installed on the well within 30 days of the effective date of this permit. Daily water withdrawals are to be recorded, and an annual report is to be submitted each December indicating compliance with the conditions of this permit.
 - B. A float/shutoff system is to be installed within the primary irrigation pond. This system will serve to shut off pumping from the well automatically when the volume capacity is reached.
 - C. Approved withdrawals from the well are limited as follows:
 1. 86,000 gal/day from July-September
 2. 125,000 gal/day during any other month
 3. 125,000 gal/day for 24 hours after a 2" rainstorm.

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

It is the Department's understanding that you have presented, and intend to utilize (as has been done over at least the last 5 seasons), the existing course layout and play sequence as depicted on the approved site plans. Consistent with a determination issued by this Program to Meadowbrook Properties, LLC under Application No. 08-0382, you are advised that any future construction of a new clubhouse with associated parking and access road to more closely align with the course layout and play sequence as presented will require submittal of a formal Application to Alter Freshwater Wetlands to this Program, and receipt of approval by this Program, prior to any construction of such a facility.

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 the Rules.

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 (General Permit No. NAE-2011-2402), ("RI GP"). You can view this permit at http://www.nae.usace.army.mil/Regulatory/SGP/RI_PGP.pdf. **You are, therefore, not required to file a separate application with the Corps.**

Please note that the General Conditions within the RI GP apply to all activities authorized under the RI GP. 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.

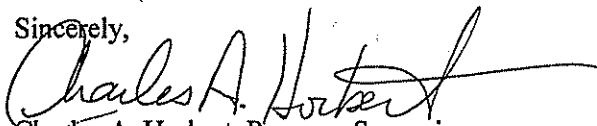
You are required to comply with the terms and conditions of this permit and to carry out this project in compliance with the Rules at all times. Failure to do so may result in an enforcement action by this Department and/or subject you to the enforcement provisions of the Corps' regulations.

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, Program Supervisor
Office of Water Resources
Freshwater Wetlands Program
CAH/AC/ac

Enclosure: Approved site plans

xc: Alisa Richardson, DEM Water Quality Certification
 Hank Ellis, DEM Office of Compliance & Inspection
 Michael Elliott, U.S. Army Corps of Engineers, New England District
 Scott Rabideau, Natural Resource Services, Inc.
 Richard A. Green, PLS, Richard A. Greene & Associates, Inc.