



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

June 10, 2011

Harry & Dolores Jeffries
289B Yawgoo Pond Road
West Kingston, RI 02892

Insignificant Alteration – Permit

Re: Application No. 11-0006 in reference to the location below:

Approximately 1,150 feet east of Yawgoo Pond Road (House No. 289B), Utility Pole 5272, and approximately 2,170 feet north of the intersection of Yawgoo Pond Road and Sand Turn Road, Assessor's Plat 5, Lot 3, South Kingstown, RI

Dear Mr. & Mrs. Jeffries:

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 site inspections of the above referenced property ("subject property") and an evaluation of the proposed addition and the after-the-fact approval for the cleared pond access and floating dock north of the existing dwelling as illustrated and detailed on site plans submitted with your application. The most recently revised site plans were received on May 20, 2011.

Our observations of the subject property indicate that the requirements of our letters of March 17, 2011 (both of them) have been completed to our satisfaction. Additionally, review of the site plans and evaluation of the proposed project reveals that alterations of freshwater wetlands are proposed. 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. 11-0006:

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 May 20, 2011. 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 Town 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 South Kingstown 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. Pursuant to R.I. Gen. Laws § 42-17.1- 2.5 this permit is subject to tolling and shall be valid until July 1, 2015 unless renewed pursuant to the Rules.
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 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 plantings of trees (specifically, the required White Pines commensurate with the northern limit of the 100-foot riverbank wetland) or other forms of vegetation as shown or detailed on the approved plans, or detailed in this permit which fail to survive one full growing season shall be replaced. Replacement plantings shall be similarly guaranteed for one full growing season.
14. Buffer zone plantings of trees between the project and any adjacent freshwater wetland areas, except for necessary replacement, as well as all areas between these trees (as planted along the limit of the 100-foot riverbank wetland) and the pond, must be allowed to grow naturally without being subjected to any future mowing, cutting or manicuring.

15. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. This project must take place in compliance with these revisions. Specifically, a limit of disturbance has been added to clarify the approved limits of the 20 foot pond access north of the existing dwelling and to enclose the existing floating dock at this location. Additionally, a note has been added clarifying that the wetlands south and east of the required White Pine plantings must be allowed to revert to a natural condition free of mowing, clearing, pruning or other landscaping activities. Additionally, the depicted "bridge" which has been removed as required, is not authorized by this Permit and has been crossed out.

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.

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.

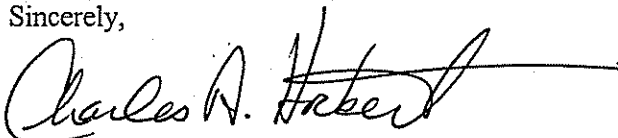
You are required to comply with the terms and conditions of this permit and to carry out this project in compliance with the Rules at all times. Failure to do so may result in an enforcement action by this Department.

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

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

xc: Wesely Grant III, P.E., Environmental Planning & Surveying Inc.
Kathleen P. Mangan
Stephen Tyrrell, DEM Office of Compliance & Inspection