



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

July 25, 2011

RIDOT
Mr. Peter Healey, Chief Civil Engineer
Two Capitol Hill, Room 226
Providence, RI 02903-1124

Re: Application No. 11-0113 in reference to the location below:

West Main Road, from Locust Avenue to Route 24, approximately 2 miles, Portsmouth, 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 proposed roadway improvements 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 June 29, 2011.

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 does not represent an alteration to these freshwater wetlands pursuant to Rules 6.03(D) & (E) of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act ("Rules"). 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 is not required. 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.

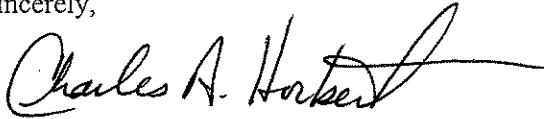
Please note that this Determination is specific to this proposed project as illustrated on the reviewed site plans, is valid for a limited period of four (4) years from the date of issue, and does not remove your obligation to obtain any local, state or federal approvals or permits required by ordinance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

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 in accordance with the Rules.

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.

Enclosed please find one (1) copy of your site plans stamped REVIEWED by this Program. Please contact me (telephone: 401-222-6820, ext. 7402 should you have any questions.

Sincerely,



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

Enclosure: Reviewed Site Plan

xc: Hugh J. Neenan, Prime Engineering, Inc.