



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

July 13, 2012

Peter A. Healey, P.E.
RIDOT Engineering Division
Two Capitol Hill, Rm. 226
Providence, RI 02903-1124

Re: Wetland Application number 11-0130, and RIPDES Program file number RIR100934 in reference to the property and proposed project located:

Along Route 165 in Exeter, RI beginning at the intersection of Route 165 and Carolina Nooseneck Road to the east and continuing westerly to the Rhode Island border with Connecticut.

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 resurfacing, sign removal and replacement, guardrail removal and replacement, utility pole relocation, and stormwater control system maintenance 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 5, 2012.

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. 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. 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 until July 1, 2017, 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.

Construction Activities which disturb one (1) or more acres of land and where storm water runoff is directed, via a point source, into a separate storm sewer system or into the waters of the State, are required to seek coverage under the Rhode Island Pollutant Discharge Elimination System (RIPDES) storm water permit. In accordance with Part I.C.2.b. of the *General Permit RIPDES Stormwater Discharge Associated with Construction Activity (effective September 2008 (GP))*, point source discharges of storm water associated with construction activity that disturb > 1 acre are automatically authorized upon the applicant's receipt of a Freshwater Wetlands Permit. The owner/operator is required to comply with all terms and conditions of the GP to maintain authorization. This includes but is not limited to developing and maintaining a Storm Water Pollution Prevention Plan (SWPPP), performing the required inspections and maintenance of the selected Best Management Practices (BMPs), and record keeping and retention. Further information on the requirements, or terms and conditions, of the GP are available at <http://www.dem.ri.gov/pubs/regs/regs/water/ripdesca.pdf>."

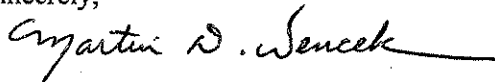
RIDEM strongly recommends that you obtain written assurances from contractors or subcontractors retained to undertake construction activity that they will comply with all applicable requirements of the RIPDES GP. Owners and operators of construction sites authorized to discharge under the RIPDES GP are encouraged to participate in the RIDEM's Voluntary CONSTRUCTION SITE STORMWATER COMPLIANCE PROGRAM. More detailed information about the program can be found on the RIDEM's Office of Customer and Technical Assistance (OCTA) website:

<http://www.dem.ri.gov/programs/benviron/assist/ms4/index.htm>.

Participation in this program will ensure that your site is less likely to cause environmental impacts due to erosion or impact the local drainage system and is prepared for regulatory compliance inspections. If you would like to discuss how you might participate in the voluntary program, please call Michelle McCaughey from the RIDEM – Office of Technical and Customer Assistance at (401) 222-6822 ext. 7269 or Brian Lafaille from the RIDEM – Office of Water Resources RIPDES Permitting Program at (401) 222-4700 ext. 7731."

Enclosed please find one (1) copy of your site plans stamped REVIEWED by this Program. Please contact Jane Kelly of this Office (telephone: 401-222-6820, ext. 7420) should you have any questions.

Sincerely,



Martin D. Wencek, Permitting Supervisor
Freshwater Wetlands Program
Office of Water Resources
MDW/JEK/jek

Enclosure: Reviewed Site Plan

Xc: Tracy Pena, RIPDES Program
Ronald A. DeFrancesco, Exeter Building Official