



October 30, 2013

Town of Jamestown  
Bruce Keiser, Town Administrator  
93 Narragansett Avenue  
Jamestown, RI 02835

**Insignificant Alteration – Permit**

**RE:** Wetlands Application No. 12-0204; RIPDES No. RIR101027 in reference to the property and proposed project located:

East of North Main Road, Utility Pole No. 96A, southeast of its intersection with Severence Lane, along the Jamestown Reservoir Dam and former Ice House Road to approximately 1,600 feet east of the Jamestown Reservoir Dam spillway, Assessor's Plat 4, Lot 6, Jamestown, RI.

Dear Mr. Keiser:

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 10-foot wide multi-use paved path and associated bridge crossing, stormwater control system and landscaping as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on September 20, 2013.

Our observations of the subject property, 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. 12-0204:

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 September 20, 2013. A copy of the site plans stamped approved by the DEM is enclosed. Changes or revisions to the project that 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 representative upon request.
6. The effective date of this permit is the date this letter was issued. This permit expires on July 1, 2019.
7. Any material utilized in this project must be clean and free of matter that could pollute any freshwater wetland.
8. 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.
9. 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.
10. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls consisting of hay bales and/or silt fence must be removed.
11. You are responsible for the proper operation, maintenance and stability of any mitigative features, facilities, and systems of treatment and control that are installed or used in compliance with this permit to prevent harm to adjacent wetlands.
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 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 after completion of final grading; weather and season permitting. You must notify this Program in writing upon completion of the required plantings for a compliance inspection by a Program representative.
14. 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 mowing or manicuring.
15. Any plantings which fail to survive one full growing season shall be replaced. Replacement plantings shall be similarly guaranteed for one full growing season.
16. You must provide written certification from a registered land surveyor or registered professional engineer that the stormwater drainage system including any and all basins, piping systems, catch basins, culverts, swales and any other stormwater management control features have been constructed/installed in accordance with the site plans approved by this permit. This written certification must be submitted to this Program within twenty (20) days of its request or upon completion of the project.

17. This Program has made specific revisions to the approved site plans. These revisions are clearly noted in red ink on the approved plans. Specifically, a temporary limit of disturbance, including all necessary erosion controls, shall extend along the length of the existing limits of clearing associated with the "restoration areas" depicted on plan sheets 7 of 14 and 9 of 14. No alterations of any kind are permitted beyond the existing limits of clearing associated with the restoration areas, except as authorized in this permit. When the restoration areas have stabilized, all installed erosion controls must be removed. In addition, all of the proposed arborvitae (*Thuja occidentalis*) saplings shall be replaced with eastern red cedar (*Juniperus virginiana*) saplings to minimize anticipated deer damage. This project must take place in compliance with these revisions.

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.

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.

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.)

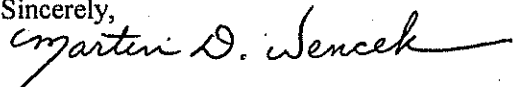
In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

**Kindly be advised that this permit is not equivalent to a verification of the type or extent of freshwater wetlands on site. Should you wish to have the types and extent of freshwater wetlands verified, you may submit the appropriate application in accordance with Rule 8.03.**

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 Jane Kelly of this office (telephone: 401-222-6820 x 7420) should you have any questions regarding this letter.

Sincerely,



Martin D. Wencek, Permitting Supervisor  
Office of Water Resources  
Freshwater Wetlands Program

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Enclosure: Approved site plans

xc: Carl Adamo, P.E., Pare Corporation  
Lauren Hastings, Senior Environmental Scientist, Pare Corporation  
Eric Beck, RIPDES