



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

OFFICE OF WATER RESOURCES
235 Promenade Street, Providence, Rhode Island 02908

August 22, 2017

Gemini Housing Corporation
C/o Smithfield Housing Authority
C/o Clare Fortin
7 Church Street
Smithfield, RI 02828

REVISED PERMIT

RE: Wetland Application No. 16-0235 and RIPDES Program File No. RIR 101475 in reference to the property and proposed project located:

Approximately 215 feet south of Whipple Avenue, by utility pole nos. 1 & 2; approximately 335 feet southeast of the intersection of Higgins Street and Whipple Avenue; Assessor's Plat 23, Lot 71, Smithfield, RI.

Dear Ms. Fortin:

The Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Application for Permit Modification** and has evaluated your proposed modification request for an extension of the planting deadline for the Riverbank And Restoration Planting Schedule as outlined in Term and Condition No. 14 of the Insignificant Alteration Permit issued on December 9, 2016.

Based upon the Program's evaluation of the revised project and pursuant to Rule 11.03 of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act (Rules), it is the Program's determination that a revised permit for the modified project may be issued under the following terms and conditions:

1. This letter is the DEM's revised 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 revised permit is specifically limited to the project, site alterations and limits of disturbance as detailed on the site plans submitted with your application and approved by the DEM on December 12, 2016 and as modified in these terms and conditions. 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 revised 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 (stamped as approved on December 12, 2016), the original permit, and a copy of this revised permit must be kept at the site at all times during site preparation, construction, and final stabilization. Copies of the original permit and this revised permit and the stamped approved plans must be made available for review by any DEM representative upon request.

5. Within ten (10) days of the receipt of this revised permit, you must record this permit in the land evidence records of the Town of Smithfield and supply this Program with written documentation obtained from the Town showing this revised permit was recorded.
6. This revised permit expires on December 9, 2020, unless renewed pursuant to Rule 9.04.
7. All riverbank and restoration plantings are to be installed no later than October 31, 2020, or by the following May 30 or October 31 of the calendar year in which the brownfield remediation activities are completed, whichever is sooner. You must notify this Program in writing upon completion of these plantings for a compliance inspection by a Program representative.

Except as authorized in this revised permit pursuant to the approved site plans, all terms and conditions previously specified in the Program's permit dated December 9, 2016 remain in effect.

Pursuant to the provisions of 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.

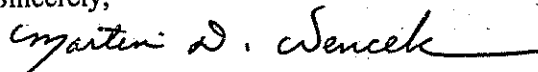
You are required to comply with the terms and conditions of this permit and to carry out this project in compliance with the Rules at all times. Failure to do so may result in an enforcement action by this Department.

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

This revised 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 Daniel Kowal of this Program (telephone: 401-222-4700, ext. 7416) should you have any questions regarding this letter.

Sincerely,

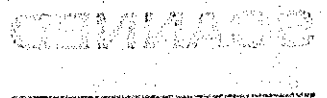


Martin D. Wencek, Permitting Supervisor
Freshwater Wetlands Program
Office of Water Resources

MDW/DMK/dmk

Enclosure: Copy of original permit letter of December 9, 2016

xc: Peter R. Scorpio, Smithfield Building Official





RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

December 9, 2016

Gemini Housing Corporation
C/o Smithfield Housing Authority
C/o Clare Fortin
7 Church Street
Smithfield, RI 02828

Insignificant Alteration – Permit

RE: Wetland Application No. 16-0235 and RIPDES Program File No. RIR101475 in reference to the property and proposed project located:

Approximately 215 feet south of Whipple Avenue, by utility pole nos. 1 & 2; approximately 335 feet southeast of the intersection of Higgins Street and Whipple Avenue; Assessor's Plat 23, Lot 71, Smithfield, RI.

Dear Ms. Fortin:

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 and has evaluated the proposed construction of nine multi-family residential buildings with driveway access, parking spaces, walkways, a community center, utilities, stormwater best management practices, and landscape plantings, as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on November 10, 2016.

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. 16-0235:

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 November 10, 2016. 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 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 Smithfield 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. This permit expires four (4) years from the date of issue.
8. Any material utilized in this project must be clean and free of matter which 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 silt fence must be removed.
12. You are responsible for the proper operation, maintenance and stability of any mitigative features, facilities, and systems of treatment and control which are installed or used in compliance with this permit to prevent harm to adjacent wetlands.
13. 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.
14. All of the trees and shrubs listed in the *Riverbank And Restoration Planting Schedule* on sheet 9 of 12 of the approved site plans must be installed by May 31, 2017. You must notify this Program in writing upon completion of these plantings for a compliance inspection by a Program representative.
15. All other plantings of shrubs, trees or other forms of vegetation that are not listed in the *Riverbank And Restoration Planting Schedule*, which are 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.
16. The trees and shrubs listed in the *Riverbank And Restoration Planting Schedule* on sheet 9 of 12 of the approved site plans, except for necessary replacement, must be allowed to develop naturally without being subjected to mowing or manicuring.

17. 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.

Additionally, the Program has also reviewed this project in accordance with the standards of the RIPDES General Permit for Storm Water Discharge Associated with Construction Activity ("CGP"). 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. Our review has determined that the project has been designed to meet the requirements of the 2013 GP. This determination therefore includes your final authorization to discharge storm water associated with construction activity under the CGP. For future references and inquiry, your permit authorization number is **RIPDES No. RIR101475**.

Both the owner and the contractor retained to undertake the construction activity are required to comply with all terms and conditions of the CGP. This includes maintaining the Soil Erosion and Sediment Control (SESC) Plan, performing the required inspections and maintenance of the selected Best Management Practices (BMPs), and retaining inspection records. Further information on the requirements of the CGP is available at: <http://www.dem.ri.gov/pubs/regs/regs/water/ripdesca.pdf>.

Please be aware that the RIDEM's Rules and Regulations Governing the Establishment of Various Fees require that RIPDES CGP permit holders to pay an Annual Fee of \$100.00. An invoice will be sent to the owner on record in May/June of each year if the construction was still active as of December 31st of the previous year. The owner will be responsible for the Annual Fee until the construction activity has been completed, the site has been properly stabilized, and a completed Notice of Termination (NOT) has been received by the RIPDES Program. A copy of the NOT can be found attached to the CGP on the web page referenced above.

Please note that the wetland edges shown on the Existing Conditions Plan on sheet 3 (Sheet 1 of 1) of the approved site plans have not been revised in accordance with the modifications stated in the Wetland Edge Verification Letter issued on August 16, 2016 for application no. 16-0086. Also, be advised that Wetland Edge Flags B-19 and F-1 on sheets 4, 5, 6, and 9 of the approved site plans have not been revised in accordance with the modifications stated in the Wetland Edge Verification Letter issued on August 16, 2016 for application no. 16-0086.

Further be advised that the depicted RB (riverbank) wetland edge flags along the Woonasquatucket River and the depicted 200 foot riverbank wetland edge have not been verified, as part of this review. Also note that the depicted intermittent stream is actually a river and the associated illustrated 100 foot riverbank wetland edge has not been verified as part of this review.

There is no State of Rhode Island 50' Buffer off of B-Series flags.

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.

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.

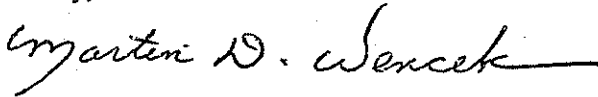
Application No. 16-0235
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In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

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 Daniel Kowal of this office (telephone: 401-222-4700, ext. 7416) should you have any questions regarding this letter.

Sincerely,



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

Enclosure: Approved site plans

xc: David D'Amico, P.E., D'Amico Engineering Technology, Inc.
Scott P. Rabideau, Natural Resource Services, Inc.
Peter R. Scorpio, Smithfield Building Official

DEM/MA38