



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

August 22, 2017

Town of Burrillville
c/o Jeffrey M. McCormick, Director of Public Works
65 Union Avenue
Burrillville, RI 02930

Insignificant Alteration – Permit

RE: Application No. 17-0156 in reference to the property and proposed project located:

At Wilson Reservoir, immediately west of East Wallum Lake Road, AP 139, Lot 23, UP 26, approximately 500 feet southwest of the East Wallum Lake Road and Whipple Road intersection, Burrillville, RI.

Dear Mr. McCormick:

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 construction of an angular weir and removable sluice gates as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on June 29, 2017.

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. 17-0156:

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 June 29, 2017. 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 four years from the date of issue.
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 construction activities involving soil disturbances within watercourses must be conducted when at least three (3) consecutive days of dry weather are forecast. Soil disturbance in these watercourses must temporarily cease in the event of any abnormally high stormwater runoff event during the low flow period.
14. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. Specifically, you must install sandbags or turbidity curtains no more than thirty nine feet downstream of the proposed weir installation to contain all disturbed soil and sediment. The choice of sediment control must be removed upon completion of the proposed work. In addition, the limits of disturbance on the south-southeasterly side of the spillway where a stockpile area is proposed must be reduced to only provide an access path no greater than eight feet wide to the work staging area. Stockpiling cut vegetation is not permitted at this location. This project must take place in compliance with these revisions.
15. This permit supersedes a previous permit issued by the DEM for the subject property under Application No. 15-0031.

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.

This Permit also constitutes your authorization from the U.S. Army Corps of Engineers ("Corps) under Section 404 of the Clean Water Act for the work proposed. Your project qualifies as a Self-Verification ("SV") activity under the Rhode Island General Permit (General Permit No. NAE-2016-2264), (RIGP). You can view this permit at:

[http://www.nae.usace.army.mil/Portals/74/docs/regulatory/StateGeneralPermits/RI/Rhode Island General Permits 2017.pdf](http://www.nae.usace.army.mil/Portals/74/docs/regulatory/StateGeneralPermits/RI/Rhode%20Island%20General%20Permits%202017.pdf). **You are, therefore, not required to file a separate application with the Corps.**

Please note that the General Conditions within the RI GP apply to all activities authorized under the RI GP. Please review them carefully to thoroughly familiarize yourself with their contents. You may wish to discuss all permit conditions with your contractor to ensure that the work can be accomplished in a manner which conforms to all requirements.

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.

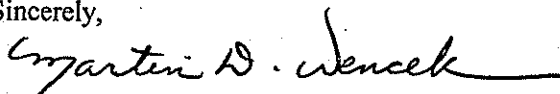
In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

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: 401-222-4700 x7420) should you have any questions regarding this letter.

Sincerely,



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

MDW/JEK/jek

Enclosure: Approved site plans

Xc: U.S. Army Corps of Engineers
Kevin DeMers, P.E., DiPrete Engineering