



RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF WATER RESOURCES
235 Promenade Street
Providence, Rhode Island 02908

October 11, 2017

Town of Portsmouth
c/o Richard Rainer, Town Administrator
2200 East Main Road
Portsmouth, RI 02871

Re: Wetland Application No. 17-0187; RIPDES Program No. RIR101634; & UIC File No. 001800 in reference to the property and proposed project located:

Approximately 400 feet west of East Main Road (Route 138), approximately 800 feet northwest of the intersection of East Main Road (Route 138) and Middle Road, Utility Pole No. 154-3, Assessors Plat 39, Lots 42 & 42C, Portsmouth, RI.

Dear Mr. Rainer:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program, ("Program") has completed its review of your proposed construction of a new public safety building for the Town of Portsmouth including a new police station, paved parking, and stormwater management features, 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 September 26, 2017.

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, **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 determination 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.

The proposed project does however require RIPDES and UIC authorization which were reviewed concurrently with the wetland review. This included review of any stormwater infiltration system subject to the RI DEM "Rules for the Discharge of Non-Sanitary Wastewater and Other Fluid To or Below the Ground Surface". Our review has concluded that the design of the proposed underground infiltration systems has satisfied the requirements of those Rules. Your Underground Injection Control ("UIC") file number for future reference is **No. 001800**. The following terms and conditions apply to your UIC authorization:

1. Any alterations or modifications to the stormwater system from that approved herein, including permanent closure, must be reviewed and approved by RIDEM prior to being effected.
2. The property owner/applicant shall periodically inspect, clean, and maintain the stormwater collection and disposal system to ensure proper performance of all components as specified in the "Operations & Maintenance Plan, Portsmouth Police Station, Located in Portsmouth, Rhode Island, Applicant: Town of Portsmouth", dated 7-18-2017, revised 9-22-2017, and received on September 26, 2017.

Additionally, the Program has 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. RIR101634**.

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 are 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.

Application No. 17-0187
Page 3

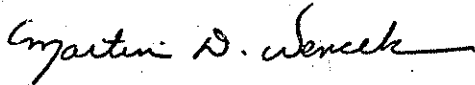
You are responsible for the proper installation, operation, maintenance and stability of any mitigative features, facilities, and systems of treatment and control which are installed or used in compliance with this permit to prevent harm to adjacent wetlands until such time that you document that this responsibility has been assumed by another person or organization. You are also responsible for ensuring that your project complies at all times with the UIC Rules and the RIPDES CGP.

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

Any modification to your project that would result in an alteration to freshwater wetlands, 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 Claire Swift (telephone: 401-222-6820x 7418) should you have any questions.

Sincerely,



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

MDW/CVS/cvs

Enclosure: Reviewed Site Plan

xc: Molly Titus, DiPrete Engineering