



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

October 31, 2017

RIDEM Division of Planning & Development
c/o Pat Hogan, P.E., Supervising Civil Engineer
235 Promenade Street
Providence, RI 02903

Insignificant Alteration – Permit

RE: Application No. 17-0200 in reference to the property and proposed project located:

At the terminus of Indian Trail South, approximately 250 feet north/northwest of its intersection with Woodland Trail, near Utility Pole No. 25, Assessor's Plat 34-1, Lot 3, South Kingstown, RI.

Dear Mr. Hogan:

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 12' wide by 50-foot long boat ramp (of which 33-feet extends into the water) with an adjacent concrete abutment and walkway and 6-foot wide by 20-foot long extended wooden floating dock with vegetative bank clearing and grubbing, bank grading, stabilization and planting as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on October 17, 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: 17-0200:

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 October 17, 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 issued unless renewed pursuant to the Rules.
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.
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 straw bales, silt fencing or other non-biodegradable materials must be removed.
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.
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. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans and include the following:
- A cluster of native plantings containing at least one of the following species: Gray Birch trees (*Betula populifolia*) and/or Red Maple (*Acer rubrum*) are to be planted on the west side of the revised slopes (five trees, 4-6 feet tall after plantings, approximately 10 feet on center) and a cluster are to be planted along the eastern revised banks (at least 3 trees, 4-6 feet tall after planting and approximately 10 feet on center) in the area crosshatched in red to mitigate for areas proposed for clearing. Exact placement of individual plants is to be determined on-site so as not to block existing footpaths used to access the lake for fishing. This Program suggests that you consider interspersing the above trees with transplanted Sweet Pepperbush (*Clethra alnifolia*), which is present on-site within areas proposed to be cleared.
 - A turbidity curtain is to be installed for all "in-water" work shown outside of the coffer dam. It is this Program's understanding that the grading contours depicted outside the coffer dam are to pull back and re-stack stones for shoreline stabilization from equipment operating from the top of slope on dry land. Notes have been added to the plan on Sheet 3 of 4.
 - Site plan sheets have been numbered sequentially in red (Sheets 1 of 4 to 4 of 4) and Indian Lake underlined for clarification.

This project must take place in compliance with these revisions.

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", No. 5) activity under the Rhode Island General Permit (General Permit No. NAE-2016-2264), (RI GP). You can view this permit at: http://www.nae.usace.army.mil/Portals/74/docs/regulatory/StateGeneralPermits/RI/Rhode_Island_General_Permits_2017.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.

Application No. 17-0200

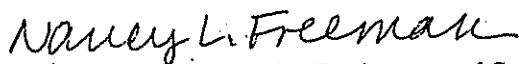
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Kindly be advised that this permit is not equivalent to a verification of the type or extent of freshwater wetlands on site. Should you wish to have the types and extent of freshwater wetlands verified, you may submit the appropriate application in 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 me (telephone: 401-222-6820 x 7408) should you have any questions regarding this letter.

Sincerely,



Nancy L. Freeman, Senior Environmental Scientist
Freshwater Wetlands Program
Office of Water Resources
NLF/nlf

Enclosure: Approved site plans

cc: Taylor Bell, US Army Corps of Engineers, NE District Regulatory Division
Jeffrey T. O'Hara, Building Official, Town of South Kingstown