



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

February 9, 2018

Tennessee Gas Pipeline Co., d/b/a Kinder Morgan
Attn: Matthew Nowak
8 Anngina Drive
Enfield, CT 06082

Insignificant Alteration – Permit

Re: Application No. 17-0232 in reference to the location below:

Multiple sites along a Tennessee Gas pipeline, including (north to south): Bronco Highway and Old Nasonville Rd, Assessor's Plat 98, Lot 004 in Burrillville and Assessor's Plat 004, Lot 418 in North Smithfield; Capron Road, Farnum Pike and Putnam Pike, Assessor's Plat 46, Lots 127, 166, 21 and 4 in Smithfield; Bellfield Drive, Old Pocasset Road, Central Avenue, Simmons Lake Drive and Taylor Road, Assessor's Plat 54, Lot 3; Assessor's Plat 44, Lots 412 & 420; Assessor's Plat 31, Lot 063; and Assessor's Plat 30, Lot 076 in Johnston, and Plainfield Pike, Assessor's Plat 36, Lot 37 in Cranston, RI

Dear Mr. Nowak:

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 to installation of a subterranean linear zinc ribbon at 12 specific dig sites adjacent to an existing natural gas pipeline for alternating current corrosion mitigation and grounding as illustrated and detailed on site plans submitted with your application. The most recently revised site plans were received by the DEM on December 18, 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. 17-0232:

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 December 18, 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 again 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 or municipal 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 issuance.
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 signs 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. These sign must be maintained at the site in a conspicuous location visible from existing public roadways near each dig site 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 or watercourses not subject to disturbance under this permit.
10. Regardless of any notes to the contrary on the approved site plans, limits of disturbance through upland, perimeter wetland and riverbank wetland are authorized to accommodate an area of disturbance of up to twelve (12) feet wide along the proposed zinc ribbon, excepting areas of greater width where specifically depicted on the approved site plans.
11. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls consisting of 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. An environmental consultant, experienced in site assessments and measures necessary to protect sensitive aquatic environments or sensitive ecosystems, must be employed prior to the commencement of site alterations to monitor this project and to ensure compliance with the terms and conditions of this permit. This Program must be notified in writing of the consultant chosen to comply with this condition. The consultant must notify this Program in writing immediately of any deviance from the approved limits of the project or the conditions of this permit and, at a minimum, must provide monthly written progress reports regarding compliance with this permit until such time that the project is complete.

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) under GP No. 6 of the Rhode Island General Permit (General Permit No. NAE-2016-2262), (RI GP). You can view this permit at:

<http://www.nae.usace.army.mil/Portals/74/docs/regulatory/StateGeneralPermits/RIGP.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 Kate McPherson of this office (telephone: 401-222-6820 x7732) should you have any questions regarding this letter.

Sincerely,



Charles A. Horbert, Program Supervisor
Office of Water Resources
Freshwater Wetlands Program
CAH/KHM/khm

Enclosure: Approved site plans

ec: Taylor Bell, U.S. Army Corps of Engineers
Diana Walden, BSC Group
Melissa Kaplan, P.W.S.