



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

June 14, 2018

Providence Parks and Recreation Department  
c/o Brian F. Byrnes, Deputy Superintendent  
1000 Elmwood Avenue  
Providence, RI 02905

**Insignificant Alteration – Permit**

**RE:** Application No. 18-0103 in reference to the property and proposed project located:

Approximately 170 feet west of Cladrastis Avenue and approximately 100 feet south of its intersection with Frederick C. Green Memorial Boulevard at the Japanese Garden Pond within Roger Williams Park near Utility Pole Nos. 64 and 65, Assessor's Plat 90, Lot 1, Providence, RI.

Dear Mr. Byrnes:

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 gravel wetland filtration system and mortared spillway channel, weir reconstruction, installation of a submersible "Aquablox" pond filter and utility pump, piping with clearing, grading and associated site alterations as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on May 8, 2018.

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: 18-0103**

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 May 8, 2018. 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.
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 straw bales, silt fence or other 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. 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.

**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.**

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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 me at (telephone: 401-222-6820 x 7408) should you have any questions regarding this letter.

Sincerely,

*Nancy L. Freeman*

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

Enclosure: Approved site plans

cc: Taylor Bell, U.S. ACOE, NE District, Regulatory Division  
Brian Kuchar, Senior Landscape Architect, Horsley Witten Group, Inc.  
Tara Nye Lewis, Senior Coastal Ecologist, Horsley Witten Group, Inc.  
Elizabeth Scott, Deputy Chief of Water Quality & Standards, OWR  
William C. Bombard, P.E., City of Providence Public Works Dept., Engineering Division