



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

January 31, 2019

Kevin Gilligan  
54 Bucknam Road  
Wood River Jct., RI 02894

RE: Application No. 18-0303 in reference to the location below:

Approximately 640 feet east of Bucknam Road, east of utility pole numbers 2 thru 7; approximately 700 feet southeast of the intersection of Riverview Drive and Bucknam Road; Assessor's Plat 11A, Lot 24, Richmond, RI.

Dear Mr. Gilligan:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your proposed clearing of additional trees to prevent shading on an existing solar facility located at the above referenced property ("subject property") as illustrated and detailed on site plans submitted with your application. The solar facility depicted on the site plans was approved under Freshwater Wetlands Application No. 17-0241 and has since been constructed. The site plans referenced by this letter and on file with this Program were received on November 16, 2018.

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 (R.I. Gen. Laws § 2-1-18 et seq.) or the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, 250-RICR-150-15-1, 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 of Non-Jurisdiction is specific to this proposed project as illustrated on the reviewed site plans, is valid for four (4) years from the date of this letter, and does not remove your obligation to obtain any local, state or federal approvals or permits required by ordinance or law.

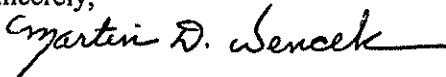
Kindly be advised that this determination is not equivalent to a determination of the type or extent of freshwater wetlands on the subject property. Should you wish to obtain such verification, you may submit an application in accordance with 250-RICR-150-15-1.

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.

**Please be advised that this Program has not received written documentation obtained from the Town showing that the permit for Freshwater Wetlands Application No. 17-0241 was recorded. Therefore, within ten (10) days of the receipt of this letter, submit to this Program written documentation obtained from the Town showing the permit was recorded in accordance with Terms and Conditions No. 6 of the Insignificant Alteration Permit issued on January 16, 2018.**

Enclosed please find one (1) copy of your site plans stamped REVIEWED by this Program. Please contact Daniel Kowal (telephone: 401-222-4700, ext. 7416) should you have any questions.

Sincerely,



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

MDW/DMK/dmk

Enclosure: Reviewed Site Plan

cc: Alan Benevides, PE, Woodard & Curran  
David Tacey, Richmond Building Inspector