



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

October 24, 2019

Rhode Island Department of Transportation
c/o Brian Moore, P.E., Administrator of Stormwater Management
360 Lincoln Avenue
Warwick, RI 02888

Insignificant Alteration – Permit

Re: Application No. 19-0267 in reference to the location below:

Approximately 65 feet west of Farnum Pike (Rt. 104; at Esmond Park Conservation Area), Utility Pole 50, approximately 150 feet south of its intersection with Leland Mowry Drive, Assessor's Plat 24, Lot 69, Smithfield, RI.

Dear Mr. Moore:

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 stormwater management improvements in the form of a new underground injection control (UIC) system with associated clearing and site alterations as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on September 10, 2019.

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 250-RICR-150-15-1.9 of the Rules and Regulations Governing the Administration and Enforcement of the Fresh Water Wetlands Act, 250-RICR-150-15-1, this project may be permitted as an **insignificant alteration** to freshwater wetlands under the following terms and conditions:

Terms and Conditions for Wetlands Application No. 19-0267; Groundwater Discharge/UIC No. 001940:

1. This letter is the DEM's permit for this project under the R.I. Fresh Water Wetlands Act, R.I. Gen. Laws § 2-1-18 et seq. This application review has also included review and authorization of any stormwater infiltration system subject to the DEM Groundwater Discharge Rules (Rules for the Discharge of Non-Sanitary Wastewater and Other Fluid to or Below the Ground Surface) (250-RICR-150-05-4).
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 September 10, 2019. 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 or town representative upon request.
6. Within ten (10) days of the receipt of this permit, you must record this permit in the land evidence records of the Town of Smithfield and supply this Program with written documentation obtained from the Town showing this permit was recorded.
7. The effective date of this permit is the date this letter was issued. This permit expires four (4) years from the date of this letter unless renewed pursuant to the Rules.
8. Any material utilized in this project must be clean and free of matter that could pollute any freshwater wetland.
9. 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 must be removed.
12. 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. The long-term operation and maintenance plan shall be strictly followed. The long-term O & M Plan shall be that entitled "Stormwater Operation and Maintenance Plan and Long Term Pollution Prevention Plan, Woonasquatucket River Watershed Esmond Park Lower Woonasquatucket River Watershed 10-B Stormwater Retrofits Esmond Park (STU_013), Smithfield, Rhode Island, Assessors Plat 24, Lot 69, Prepared for: Rhode Island Department of Transportation Office of Stormwater Management, 360 Lincoln Avenue Warwick, RI 02888," Dated: September 3, 2019, Prepared by: Pare Corporation 8 Blackstone Valley Place Lincoln, RI 02865.
13. If at any time during this project there is evidence of a "Recognized Environmental Concern" as defined in ASTM E-1527-13, soils must be sampled to determine if they exceed the soil objectives outlined in 250-RICR-140-30-1, "Rules and Regulations for the Investigation and Remediation of Hazardous Material Releases", Rule 1.6.1(C) effective 1-8-19, ("Remediation Regulations"). If the soil sampling exceeds Table 1 or Table 2 in Rule 1.9.2 of the Remediation Regulations, the RIDEM Office of Water Resources and Office of Waste Management must be notified.

14. 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.
15. 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.

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.

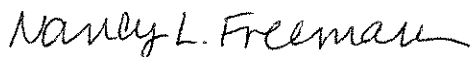
In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

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 250-RICR-150-15-1.8(C).

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 Rene Legault of this office (telephone: 401-222-6820, ext. 7732) should you have any questions regarding this letter.

Sincerely,



Nancy L. Freeman, Acting Principal Environmental Scientist
Office of Water Resources
Freshwater Wetlands Program

NLF/RJL/rjl

Enclosure: Approved site plans

cc: Gene Allen, Director of Public Works, Town of Smithfield
Robert Caine, Parks, Recreation & Grounds Director, Town of Smithfield
Michael Phillips, Town Planner, Town of Smithfield
Carl Adamo, Pare Corporation
Erika Klinkhammer, Pare Corporation
Neal Personcus, DEM Stormwater Program
Timothy J. Stagnitta, E.I.T, DEM Stormwater Program