



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

May 7, 2020

City of Providence  
Department of Planning & Development  
Emily A. Freedman, Community Development Director  
444 Westminster Street  
Providence, RI 02903

**Insignificant Alteration – Permit**

**Re:** Application No. 20-0028 in reference to the location below:

Approximately 250 feet southwest of Manton Avenue, near Utility Pole 120, and approximately 325 feet west of its intersection with Riverdale Street, Assessor's Plat 96, Lot 245, Providence, RI.

Dear Ms. Freedman:

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 skate park, paved walkway, stormwater management, landscaping and associated site alterations as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on January 23, 2020 with Sheet Nos. C-01, DR-1 and DR-2 received April 23, 2020.

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. 20-0028:**

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.
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 January 23, 2020 with Sheet Nos. C-01, DR-1 and DR-2 received April 23, 2020. 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 of the anticipated start date, and of your contractor's contact information, by submitting the Notice of Start of Construction Form prior to commencement of any permitted site alterations or construction activity. You must also notify this Program in writing upon completion of the project. The Start of Construction Form can be found on the webpage: [dem.ri.gov/stormwaterconstruction](http://dem.ri.gov/stormwaterconstruction)
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 city 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 City of Providence and supply this Program with written documentation obtained from the City 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 installation, operation, maintenance and stability of any mitigative features, stormwater treatment facilities, and systems of treatment and control that are installed or used in compliance with this permit to prevent harm to adjacent wetlands until documentation is provided that this responsibility has been assigned to another entity. Operation and maintenance shall be as described in the plan entitled, "Long-Term Operation and Maintenance Plan, Manton Avenue Skate Park, Manton Avenue, Providence, Rhode Island; prepared for: City of Providence, Department of Planning and Development, 444 Westminster Street, Providence, RI", dated April 28, 2020, as prepared by Oak Consulting Group, LLC, P.O. Box 1123, Newburyport, Massachusetts, 01950.
13. 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.

14. Any artificial lighting installed must be directed away from all vegetated wetland areas. Where this is not possible, the use of deflectors to concentrate lighting away from vegetated wetlands must be employed.
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.
16. This Program has made specific revisions to the approved site plans, which include the following:
  - With respect to the proposed bioretention mix for the proposed bioretention practice, the compost content of the bioretention mix shall be modified to no greater than 20%.
  - Sheet Nos. C-01, DR-1 and DR-2 received April 23, 2020 have been added to the overall site plan set. The site plan sheets have been renumbered sequentially starting with the cover sheet (1 of 11 through 11 of 11).

These revisions are clearly marked in red on the approved plans. This project must take place in compliance with these revisions.
17. All work on-site must be in accordance with the Remedial Approval Letter issued by DEM's Office of Waste Management (OWM) under File No. SR-28-1895. Refer to DEM's OWM for details.

Pursuant to the provisions in 250-RICR-150-15-1.7(A)(9) and 250-RICR-150-15-1.11(D), as applicable, any properly recorded and valid permit is automatically transferred to the new owner upon sale of the property.

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: 401-222-4700, ext. 7732) should you have any questions regarding this letter.

Sincerely,

*Nancy L. Freeman*

Nancy L. Freeman, Principal Environmental Scientist  
Office of Water Resources  
Freshwater Wetlands Program  
NLF/RJL/rjl

Enclosure: Approved site plans

ec: Joseph M. Atchue, Providence Director of Inspection & Standards  
Timothy J. Snay, LSP, LEP, V.P., Ransom Consulting, Inc.  
Tim Gerrish, RLA, Gardner & Gerrish, LLC.  
Paul F. Avery, P.E., Oak Consulting Group, LLC  
Neal Personeus, DEM Stormwater Program  
Nicholas A. Pisani, PE, DEM Stormwater Program  
Rene Legault, DEM Freshwater Wetlands Program  
Kathryn Sarsfield, DEM OWM (File No. SR-28-1895)  
Kirsten Bailey, DEM OWR  
Kelly Owens, DEM OWM