



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

August 26, 2020

Wayne and Keith Beauchamp
PO Box 84
Manville, RI 02838

Re: Freshwater Wetlands Application No. 20-0096 & RIPDES Application No. RIR102045 in reference to the location below:

Approximately 100 feet north of Park East Drive, Utility Pole VZ 5, approximately 1,000 feet northeast of its intersection with Mendon Road, Assessor's Plat 50, Lot 4, Woonsocket, RI.

Dear Messrs. Beauchamp:

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 solar panel array with crushed stone access drive, electrical equipment, equipment pad, utility poles, fencing, with clearing, grading, and landscaping as illustrated and detailed on revised site plans submitted with your application. These revised site plans were received by the DEM on July 3, 2020, as well as a revised sheet L-1 received August 21, 2020.

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.

3. 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, "Operation & Maintenance Plan Mendon Road Solar 0 Mendon Road, Woonsocket, Rhode Island", dated April 28, 2020 and Revised June 26, 2020, as prepared by ESS Group, Inc., 4040 Wyman Street Suite 375, Waltham, Massachusetts 02451.
4. 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 1/8/2019, ("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 Resource (OWR) and Office of Land Revitalization and Sustainable Materials Management (OLRSMM) must be notified.
5. This Program has made specific revisions to the reviewed site plans. These revisions are clearly marked in red on the reviewed plans. Specifically, plan sheet C-1 (Sheet 3 of 6, Proposed Site Plan) now has a note detailing an 8.5 ft. inter-row spacing condition, and plan sheet D-2 (Sheet 6 of 6, Details) removes the phrase "6 in. min. compacted gravel borrow..." replaces the "6 in. min." with "12 in. min.," and adds a second note which states "2. Scarify existing road base to improve infiltration." This project must take place in compliance with these revisions.
6. If additional off-site poles and overhead wires or trenching become necessary for the interconnection route to the regional grid that require vegetative clearing in Freshwater Wetlands (i.e. that do not meet the Exempt Activities per the Rules), a new application would be required.

Please note that this Determination 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.

The Program has also reviewed this project in accordance with the standards of the RIPDES General Permit for Stormwater Discharge Associated with Construction Activity ("CGP"). Construction Activities which disturb one (1) or more acres of land and where storm water runoff is directed, via a point source, into a separate storm sewer system or into the waters of the State, are required to seek coverage under the Rhode Island Pollutant Discharge Elimination System (RIPDES) storm water permit. Our review has determined that the project has been designed to meet the requirements of the 2018 CGP. This determination therefore includes your final authorization to discharge stormwater associated with construction activity under the CGP. For future references and inquiry, your permit authorization number is RIPDES No. **RIR102045**

Both the owner and the contractor retained to undertake the construction activity are required to comply with all terms and conditions of the CGP. This includes maintaining the Soil Erosion and Sediment Control (SESC) Plan, performing the required inspections and maintenance of the selected Best Management Practices (BMPs), and retaining inspection records. Further information on the requirements of the CGP are available at:

<http://www.dem.ri.gov/programs/benviron/water/permits/swcoord/pdf/cpg092618.pdf>.

Please be aware that the DEM's Rules and Regulations Governing the Establishment of Various Fees, 250-RICR-30-00-1, require that RIPDES CGP permit holders pay an Annual Fee of \$100.00. An invoice will be sent to the owner on record in May/June of each year if the construction was still active as of December 31st of the previous year. The owner will be responsible for the Annual Fee until the construction activity has been completed, the site has been properly stabilized, and a completed Notice of Termination (NOT) has been received by the RIPDES Program. A copy of the NOT can be found attached to the CGP on the web page referenced above.

You are responsible for the proper installation, operation, maintenance and stability of any mitigative features, facilities, and systems of treatment and control which are installed or used in compliance with this permit to prevent harm to adjacent wetlands until such time that you document that this responsibility has been assumed by another person or organization. You are also responsible for ensuring that your project complies at all times with the RIPDES CGP.

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

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.

Enclosed please find one (1) copy of your site plans stamped REVIEWED by this Program. Please contact Rene Legault of this Office (telephone: 401-222-4700, ext. 7732) should you have any questions.

Sincerely,

Nancy L. Freeman

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

NLF/RJL/rjl

Enclosure: Reviewed Site Plan

cc: Steven P. D'Agostino, Woonsocket Director of Public Works
Carl J. Johnson, Woonsocket City Zoning Department
Neal Personeus, DEM Stormwater Program
Jason Gold, ESS Group, Inc.
Jason Ringler, ESS Group Inc.