



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

June 23, 2021

Antoinette Jeyan Messina Boulton
P.O. Box 12
Frenchtown, NJ 08825

Insignificant Alteration – Permit

RE: Wetlands Application No. 21-0008 in reference to the property and proposed project located:

At 391 Church Street, approximately 900 feet southwest from the intersection of New Kings Factory Road and Church Street, Assessor's Plat 11A, Lot 5, Richmond, RI.

Dear Ms. Messina Boulton:

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 array with gravel access road, security fencing, stormwater basin, vegetative clearing, grading and landscaping as illustrated and detailed on site plans submitted with your application. Sheets 1 through 6 of the site plans were received by the DEM on May 3, 2021, and landscape design sheets 7 through 10 were received by DEM on June 14, 2021.

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 (Rules), 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. 21-0008; RIPDES No. RIR102151:

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 determination also includes your final authorization to discharge storm water associated with construction activity under the **2018 RIDPES General Permit for Stormwater Discharge During Construction Activity ("CGP")**. For future references and inquiry, your permit authorization number is RIPDES No. **RIR102151**.
3. This permit is specifically limited to the project, site alterations and limits of disturbance as detailed on the site plans submitted with your application, sheets 1 through 6 of site plans received by the DEM on May 3, 2021, and sheets 7 through 10 received by DEM on June 14, 2021. 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.
4. 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.

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5. 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, including submittal of the Notice of Termination Form. The Start of Construction Form and the Notice of Termination can be found on the webpage: dem.ri.gov/stormwaterconstruction
6. 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.
7. Within ten (10) days of the receipt of this permit, you must record this permit in the land evidence records of the Town of Richmond and supply this Program with written documentation obtained from the Town showing this permit was recorded.
8. 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.
9. Any material utilized in this project must be clean and free of matter that could pollute any freshwater wetland.
10. 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.
11. 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 is available at:
<http://www.dem.ri.gov/programs/benviron/water/permits/swcoord/pdf/cpg092618.pdf>.
12. 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.
13. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls must be removed.
14. 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. The long-term operation and maintenance plan shall be strictly followed and shall be that entitled "Operation and Maintenance Plan, Church Street Solar, 391 Church Street, Richmond, Rhode Island; Owner: Antoinette Jeyan Messina Boulton, P.O. Box 12, Frenchtown, NJ 08825; Applicant: Inman Solar, Inc., c/o Mark Jones, 320 North Highland Avenue, Atlanta, GA 30307", dated Rev. April 2021, received 5/03/2021, prepared by Cherenzia & Associates, LTD, c/o Sergio Cherenzia, PE, P.O. Box 513, Westerly, RI 02891.

15. 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.
16. This Program has made specific revisions to the approved site plans. Landscape plans have been included into the permitting plans. Revisions include renumbering site plan sheets so that they are sequential. These revisions are clearly marked in red on the approved plans. This project must take place in compliance with these revisions.
17. In the event that additional off-site poles and overhead wires or trenching are required that would result in vegetative clearing in Freshwater Wetlands for the interconnection route to the regional grid (i.e. they do not meet the Exempt Activities per the Rules), a new application would be required.
18. Existing gravel areas to be loamed and seeded within the 50-foot perimeter wetland opposite approximately Flags B6 through B10 must be allowed to revegetate naturally.

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.

Please be aware that the RIDEM's Rules and Regulations Governing the Establishment of Various Fees (250-RICR-30-00-1) require that RIPDES CGP permit holders to 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.

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 Sophie Clode of this office (telephone: 401-222-6820, x77419) should you have any questions regarding this letter.

Sincerely,



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

Enclosure: Approved site plans

- c: Neal Personeus, DEM Stormwater Program
- Nicholas Pisani, PE, RIDEM
- Anthony Santilli, Building Official, Town of Richmond
- Sergio F. Cherenzia, PE, President, Cherenzia & Associates, Ltd.
- Brandon B. Faneuf, Principal Scientist, Ecosystem Solutions, Inc.