



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

February 25, 2025

ECC Eagleville, LLC
William Reed, Member
202 Chase Road
Portsmouth, RI 02871

REVISED PERMIT

RE: Application No. **21-0119** & RIPDES No. **RIR102184** in reference to the location below:

Approximately 150 feet north of Eagleville Road, opposite Utility Pole 18, approximately 2,600 feet east of its intersection with Fish Road, Assessor's Plat 105, Lot 601, Tiverton, RI.

Dear Mr. Reed,

The Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Application for Permit Modification** and has evaluated your proposed modifications to the permitted materials storage yard to include a new commercial building, paved parking areas, and updated stormwater treatment structures as illustrated and detailed on revised site plans submitted with your application. The revised site plans were received on October 25, 2024.

Based upon the Program's evaluation of the revised project and pursuant to 250-RICR-150-3.14.3 of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, 250-RICR-150-15-3, it is the Program's determination that a revised permit for the modified project may be issued under the following terms and conditions:

1. This letter is the DEM's revised permit for this project under the R.I. Fresh Water Wetlands Act, R.I. Gen. Laws § 2-1-18 et seq.
2. This revised 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 October 25, 2024. A copy of the site plans stamped approved by the DEM is enclosed. Changes or revisions to the project, which would alter freshwater wetlands are not authorized without a permit from the DEM.
3. Where the terms and conditions of the revised permit conflict with the approved site plans, these terms and conditions shall be deemed to supersede the site plans.
4. A copy of the stamped approved site plans and a copy of this revised permit must be kept on site at all times during site preparation, construction, and final stabilization. Copies of this revised permit and the stamped approved plans must be made available for review by any DEM representative upon request.
5. Within ten (10) days of the receipt of this revised permit, you must record this permit in the land evidence records of the Town of Tiverton and supply this Program with written documentation obtained from the Town showing this revised permit was recorded.
6. Please inspect existing erosion controls and replace and/or supplement to prevent sediments from eroding beyond the approved limit of disturbance.
7. Slash and woody debris were present beyond the approved limit of disturbance in the vicinity of depicted

wetland flags A90 to A97. Please remove this debris by hand, ensure that disturbed soils are stabilized, and properly install any necessary erosion controls as required.

8. This revised permit expires on November 5, 2025, unless renewed pursuant to the Rules.
9. The long-term operation and maintenance plan shall be strictly followed. The long-term operation and maintenance plan shall be that entitled: "Stormwater System Operations and Maintenance Plan ECC Construction Facility & Storage Yard Proposed Materials Yard Map 105 Lot 601 Eagleville Road Tiverton, RI" submitted in October, 2024 by Northeast Engineers & Consultants, Inc. located at 6 Valley Road, Middletown, RI 02842.

Except as authorized in this revised permit pursuant to revised and approved site plans (enclosed), all terms and conditions previously specified in the Program's permit dated November 5, 2021 (copy enclosed) remain in effect.

You are required to comply with the terms and conditions of this revised permit and to carry out this project in compliance with the Rules. Failure to do so may result in an enforcement action by the Program.

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

This revised 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 at this office at (telephone: 401-537-4248) should you have any questions regarding this letter.

Sincerely,



Andrew Charpentier, Environmental Scientist III
Freshwater Wetlands Program
Office of Water Resources
AC/RJL/rjl

Enclosure: Original permit letter dated November 5, 2021

cc: Neal Personeus, RI DEM Stormwater Program
Jeremy Rosa, PE, Northeast Engineers & Consultants, Inc.
Tiverton Town Building Official



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

November 5, 2021

ECC Eagleville, LLC
c/o William Reed, Member
202 Chase Road
Portsmouth, RI 02871

Insignificant Alteration – Permit

Re: Wetlands Application No. 21-0119 & RIPDES No. RIR102184 in reference to the location below:

Approximately 150 feet north of Eagleville Road, opposite Utility Pole 18, approximately 2,600 feet east of its intersection with Fish Road, Assessor's Plat 105, Lot 601, Tiverton, RI.

Dear Mr. Reed:

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 construction materials storage yard with gravel staging areas, boulder walls, and two (2) detention basins and sediment forebays for stormwater treatment with associated site alterations as illustrated and detailed on the site plans submitted with your application. These site plans were received by the DEM on October 27, 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. 21-0119; RIPDES No. RIR102184:

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 **2020 RIDPES General Permit for Stormwater Discharge During Construction Activity ("CGP")**. For future references and inquiry, your permit authorization number is RIPDES No. **RIR102184**.
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 and received by the DEM on July 26, 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.

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 Tiverton 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/ripdes/pdfs/cgp092620.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.
15. The long-term operation and maintenance plan (O&M) shall be strictly followed. The long-term O&M Plan shall be that entitled: "Stormwater System Operations and Maintenance Plan; "ECC Construction Storage Yard," Proposed Materials Yard, Map 105 Lot 601, Eagleville Road, Tiverton, RI; Prepared for ECC Eagleville, LLC, 202 Chase Road, Portsmouth, RI 02871;" dated

April 2021, prepared by Northeast Engineers & Consultants, Inc., 6 Valley Road, Middletown, RI 02842.

16. 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.
17. 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.

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.

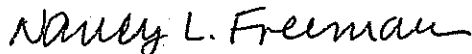
In permitting the proposed alterations, the DEM assumes no responsibility for damages resulting from faulty design or construction.

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 Rene Legault of this office (telephone: 401-222-4700, ext. 2777732) should you have any questions regarding this letter.

Sincerely,



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

Enclosure: Approved site plans

cc: John M. Hoyle, Jr., Tiverton Town Building/Zoning Official
Neal Personeus, DEM Stormwater Program
Jeremy Rosa, PE, Northeast Engineers, Inc.



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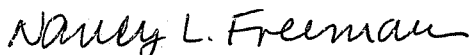
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