



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

July 2, 2021

Autumn Run Condominium Association  
c/o Mario Papitto, President  
38B Waterview Drive  
Smithfield, RI 02917

**Insignificant Alteration – Permit**

Re: Application No. 21-0143 for the property and project located:

Approximately 100 feet east of Waterview Drive and approximately 1,400 feet southeast of its intersection with Pleasant View Avenue, Assessor's Plat 46, Lot 167, Smithfield, RI.

Dear Mr. Papitto:

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 water withdrawal from Stump Pond (Stillwater Reservoir) for irrigation purposes with associated pipe and pump as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on May 18, 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, 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. 21-0143:

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 May 18, 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.
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. A copy of the stamped approved site plans and a copy of this permit must be kept at the site at all times during operation and use of the pump and irrigation system. Copies of this permit and the stamped approved plans must be made available for review by any DEM or town representative upon request.

5. 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.
6. 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. Please note that the four years applies to simply commencing operations on the irrigation. Once you are using the irrigation system as approved, you do not need to renew the permit to keep pumping at the approved amounts noted below.
7. Any material utilized in this project must be clean and free of matter that could pollute any freshwater wetland.
8. You are obligated to install, utilize, maintain, 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.
9. The maximum pump withdrawal rate shall be no greater than 75 gallons per minute (gpm) over 8 hours.
10. The applicant shall not operate the irrigation intake immediately before, during, or immediately after a rainfall event of 1-inch of rainfall or more.
11. The applicant shall monitor drought phases within Rhode Island via the Water Resources Board website ([http://www.wrb.ri.gov/work\\_programs\\_drought.html](http://www.wrb.ri.gov/work_programs_drought.html)) and voluntarily reduce irrigation during "Drought Warning" and "Drought Emergency" phases.
12. Irrigation monitoring data, including daily water withdrawal volume and precipitation data collected by the irrigation system, as available, shall be submitted to RIDEM Water Quality Certification Program for the 2022 irrigation season no later than November 1<sup>st</sup>, 2022. All data generated subsequent to the 2022 irrigation year shall be kept on file and made available to RIDEM upon request.

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 Jessica Lord of this office (telephone: 401-222-3961, ext. 77416) 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/JAL/jal

Enclosure: Approved site plans

cc: Joshua Rosenberg, P.E., RMA Environmental, LLC  
Joseph McCue, PWS, Mason & Associates, Inc.  
Bruce Ahern, Principal Environmental Scientist, DEM Office of Compliance and Inspection  
Christopher McWhite, Town of Smithfield Building Official  
Charles A. Horbert, Deputy Administrator, Groundwater & Freshwater Wetlands Protection  
Sarah Frazar, DEM Water Quality Program (#21-086)