



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

January 26, 2023

Providence Water Supply Board
c/o Peter DiLorenzo, Division Manager
125 Dupont Drive
Providence, RI 02907

Insignificant Alteration – Permit

RE: Wetlands Application No. 22-0197 in reference to the property and proposed project located:

Approximately 720 feet southwest from the terminus of Washington Drive and approximately 1150 feet northeast from the intersection of Central Avenue and Cross Road, Assessor's Plat 43, Lot 583, Johnston, RI.

Dear Mr. DiLorenzo:

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 construction of a water storage tank, a new water main, onsite wastewater treatment system (OWTS), paved access road and geo-grid parking spaces, overhead electrical connection two detention basins for stormwater management, vegetative clearing, grading, landscaping, and temporary erosion controls as illustrated and detailed on site plans submitted with your application. Sheets 1 through 10 of these site plans were received by the DEM on June 3, 2022 and Sheet 11 of these site plans was received on January 9, 2023.

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. 22-0197; RIPDES No. RIR102374:

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. **RIR102374**.
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, with Sheets 1 through 10 of these site plans received by the DEM on June 3, 2022, and Sheet 11 of these site plans was received on January 9, 2023. 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 City/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 Johnston 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. The long-term operation and maintenance plan shall be strictly followed. The long-term O & M Plan shall be that entitled "Stormwater Management System Operation & Maintenance Plan, Western Johnston Pine Hill Tank, Cross Road, A. P. 43/4 Lot 583, Johnston, Rhode Island, Prepared for:

Providence Water Supply Board, 125 Dupont Drive, Providence, RI 02907; dated June 2022, and shall include revisions dated received 1/09/2023, prepared by Pare Corporation.

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. 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.
17. This Program has made specific revisions to the approved site plans. These revisions are clearly marked in red on the approved plans. This project must take place in compliance with these revisions. Site Plan Sheet 5 of 11 (Drawing C3.0) shall be revised such that Rip-Rap Swale No. 4 be relabeled as Dry / Bioretention Swale No. 4 and Rip-Rap Swale No. 5 be re-labeled as Dry/Bioretention Swale No. 5. Additionally, Sheet 14 of 15 will be relabeled to read Sheet 11 of 11.
18. With respect to the submitted Sand Filter Detail on revised Sheet 14 of 15, now labeled 11 of 11, (Drawing No. C7.6) the Section A-A drawing needs to be revised to have the "bottom of sand" arrow point to the bottom of sand and not the bottom of stone. Also, the drawing elevations for SF-1 for the finish grade and/or the Bottom of sand need to be revised to provide a difference that totals 1.5' to ensure that the indicated 18" of ASTM C-33 sand is supported by the indicated elevations. Also, on the longitudinal section of this detail, the lowermost indication of "finish grade" shall be revised to indicate "bottom of stone".

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, x2777419) 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/SC/sc

Enclosure: Approved site plans

- c: Mohamed Freij, PE, PLS, Supervising Environmental Engineer, DEM OWTS Program
- Neal Personeus, DEM Stormwater Program
- Nicholas Pisani, RIDEM
- Shane Driscoll, PE, Senior Project Engineer, Pare Corporation
- Seaver Anderson, Environmental Scientist, Pare Corporation
- Ben Nascenzi, Building Official, Town of Johnston