



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

July 18, 2024

RI Department of Transportation  
Alisa Richardson, MS, PE, PMP, Administrator, Environmental Division  
360 Lincoln Avenue  
Warwick, RI, 02888

### **Freshwater Wetlands Permit**

Re: Application No. 24-0152 for the property and project located:

At the Newell Bridge and within the state highway right-of-way on Diamond Hill Road, approximately 270-feet north of Nate Whipple Highway and approximately 400-feet northeast of Nate Whipple Highway and its intersection with Sneece Pond Road, near Utility Pole Nos. 302 to 304, RI State Highway Plat 121, Cumberland, RI.

Dear Ms. Richardson:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Application for a Freshwater Wetlands Permit** as described in Rule 3.11 of the Rules and Regulations Governing the Administration and Enforcement of the Fresh Water Wetlands Act, 250-RICR-150-15-3 ("Rules"). This review included a site inspection of the above referenced property ("subject property") and an evaluation of the proposed replacement of the Newell Bridge superstructure within the existing bridge footprint, including the installation of new micropile-supported abutments installed behind the existing stone abutments to remain, utility pole relocation, drainage improvements and associated site alterations as illustrated and detailed on site plans submitted with your application. These site plans were received by the DEM on June 20, 2024.

Our observations of the subject property, review of the site plans and evaluation of the proposed project reveals that alterations of jurisdictional areas are proposed. However, pursuant to Rule 3.7.3A of the Rules, this project meets the General Variance Criteria and a **Freshwater Wetlands Permit** may be issued under the following terms and conditions:

Terms and Conditions for Wetlands Application No. 24-0152:

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 June 20, 2024. A copy of the site plans stamped approved by the DEM is enclosed. Changes or revisions to the project that would alter jurisdictional areas 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. 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. The Start of Construction Form can be found on the webpage: [dem.ri.gov/stormwaterconstruction](http://dem.ri.gov/stormwaterconstruction).
5. 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.
6. The effective date of this permit is the date this letter was issued. This permit expires five (5) years from the date of this letter unless renewed pursuant to the Rules.
7. Any material utilized in this project must be clean and free of matter that could pollute any jurisdictional area. Debris captured by temporary floats and tarps must be removed daily or as needed to prevent dust and debris from entering the river. Debris collected must be disposed of in accordance with all local, state and federal laws.
8. 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.
9. 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 freshwater wetland, buffer, floodplain, area subject to storm flowage, or area subject to flooding or other jurisdictional areas not subject to disturbance under this permit.
10. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls must be removed.
11. 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 freshwater wetland, buffer, floodplain or other jurisdictional areas until documentation is provided that this responsibility has been assigned to another entity. Operation and maintenance shall be as described in the plan entitled, "RIDOT Small-Site Stormwater Pollution Prevention Plan Bridge Group 17C Newell and Sneeceh, Town of Cumberland, RI PTSID No. 2602D", dated May 2024, as prepared by VHB, 1 Cedar Street, Suite 400, Providence, RI 02903.
12. You are obligated to install, utilize, follow, and maintain 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 wetland, buffer or floodplain, or other jurisdictional areas and the functions and values provided by such freshwater wetlands and buffers or floodplain.
13. No clearing of vegetated buffer, unless otherwise exempt per Section 3.6 of the Rules is authorized under this permit for the relocation of utility poles or other construction activities.

14. 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.

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 or jurisdictional areas 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-150-15-3.9.3.

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. If you have not already done so, or in order to check on the status of their review, please contact the U.S. Army Corps of Engineers to determine federal permit requirements on your project.

Please contact Sam Dufresne of this office (telephone: 401-537-4220) should you have any questions regarding this letter.

Sincerely,



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

NLF/SGD/sgd

Enclosure: Approved site plans

ec: Andrew F. Prezioso, PE, VHB  
Scott S. Hobson, PWS, Senior Ecologist, VHB  
Heather Hamilton, RIDOT  
Joseph Duarte, Director of Public Works, Cumberland, RI