



**RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

Certified Mail/Hand Delivered

June 22, 2010

Wood-Pawcatuck Watershed Association
Malcom J. Grant, W.P.W.A. President
203B Arcadia Road
Hope Valley, RI 02832

Insignificant Alteration – Permit

Re: Application No. ARRA 10-007 in reference to the property and proposed project located:

Immediately east of Shannock Village Road and approximately 400 feet southeast of its intersection with North Road, near utility pole # 2/619, Assessor's Plat 28, Lot 160, in the Town of Charlestown, RI. (Horseshoe Falls Dam)

Dear Mr. Grant:

Kindly be advised that the Department of Environmental Management ("DEM") has completed its review of your **Request for Preliminary Determination** application. This review included a site inspection of the above referenced property (the "Subject Property") and an evaluation of the proposed fish ladder installation, as illustrated and detailed on site plans submitted with your application. These site plans were received on April 6th, 2010 and revised on June 21, 2010.

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 Rule 9.00 of the Rules and Regulations Governing the Administration and Enforcement of the Fresh Water Wetlands Act (the "Rules"), this project may be permitted as an **insignificant alteration** to freshwater wetlands under the following terms and conditions:

Terms and Conditions for Application No. ARRA 10-007:

1. This letter is the DEM's permit for this project under the R.I. Fresh Water Wetlands Act, Rhode Island General Laws (RIGL) Section 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 April 6th, 2010. 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 permit conflict with the approved site plans, these terms and conditions shall be deemed to supersede the site plans.

4. You must notify this office in writing immediately prior to the commencement of site alterations and upon completion of the project.
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 City/Town representative upon request.
6. Within ten (10) days of the receipt of this permit, you must record this permit in the land evidence records of the Town of Charlestown, RI and supply this office with written documentation obtained from the Town showing this permit was recorded.
7. The effective date of this permit is the date this letter was issued. This permit expires four (4) years from the date of issue unless renewed pursuant to the *Rules*.
8. Any material utilized in this project must be clean and free of matter that could pollute any freshwater wetland.
9. 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.
10. 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.
11. Upon permanent stabilization of all disturbed soils, temporary erosion and/or sediment controls must be removed.
12. You are responsible for the proper installation, operation, maintenance and stability of any mitigative features, facilities, and systems of treatment and control which are installed or used in compliance with this permit to prevent harm to adjacent wetlands until such time that you document that this responsibility has been assumed by another person or organization.
13. All construction activities involving soil disturbances within watercourses must be limited to the low flow period (*i.e.*, the period from July 1 to October 31 of any calendar year). Soil disturbance in these watercourses must temporarily cease in the event of any abnormally high stormwater runoff event during the low flow period.
14. All plantings of shrubs, trees or other forms of vegetation as shown or detailed on the approved plans, or detailed in this permit, must be installed as soon as possible after completion of final grading; weather and season permitting.
15. Buffer zone plantings of trees and/or shrubs proposed between the project and any adjacent freshwater wetland areas, except for necessary replacement, must be allowed to develop naturally without being subjected to mowing or manicuring.
16. A geotechnical engineer, experienced in site assessments and measures necessary to protect dam

safety and integrity, must be employed prior to the commencement of site alterations to monitor this project and to ensure the integrity of the dam is not compromised. Should any changes to the dam's integrity or safety occur, all construction activities must cease and the appropriate authorities must be notified, including DEM and the US Army Corps of Engineers.

This permit is valid for the original applicant only and is not transferable to another person unless the new owner completes and submits an **Application for Permit Transfer** in accordance with Rule 9.08.

This Permit does not constitute your authorization from the **U.S. Army Corps of Engineers ("Corps")** under Section 404 of the Clean Water Act for the work proposed. The Army Corps of Engineers will issue their own decision following the completion of their review of the application.

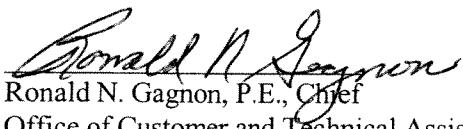
You are required to comply with the terms and conditions of this permit and to carry out this project in compliance with the Rules at all times. Failure to do so may result in an enforcement action by this Department.

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

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 Andrew Manca of this office (telephone: 401-222-6822, ext. 2022) should you have any questions regarding this letter.

Sincerely,


Ronald N. Gagnon, P.E., Chief
Office of Customer and Technical Assistance

Enclosure: Approved site plans

xc: Richard M. Bianculli Jr., Esq., DEM Office of Legal Services
Robert DeSista, U.S. Army Corps of Engineers
John Matuza, Building Official, Charlestown, RI
Loren Gengarella, Building Official, Richmond, RI
Paul Guglielmino, DEM Dam Safety Program

PAWCATUCK RIVER FISH PASSAGE RESTORATION

SHANNOCK VILLAGE · RHODE ISLAND

PERMITTING DRAWING SET

HORSESHOE FALLS DAM FISH LADDER

APRIL 2010

REVISED: JUNE 21, 2010

PROJECT TEAM

CONTRACT OWNER
WOOD-PAWCATUCK WATERSHED ASSOCIATION
203B ARCADIA ROAD
HOPE VALLEY, RI 02832
P: 401-539-9017

DESIGN ENGINEER
FUSS & O'NEILL, INC.
317 IRON HORSE WAY, SUITE 204
PROVIDENCE, RI 02908
P: 401-861-3070

PERMITTING BIOLOGIST
NATURAL RESOURCE SERVICES, INC.
P.O. BOX 311
HARRISVILLE, RI 02830
P: 401-568-7390

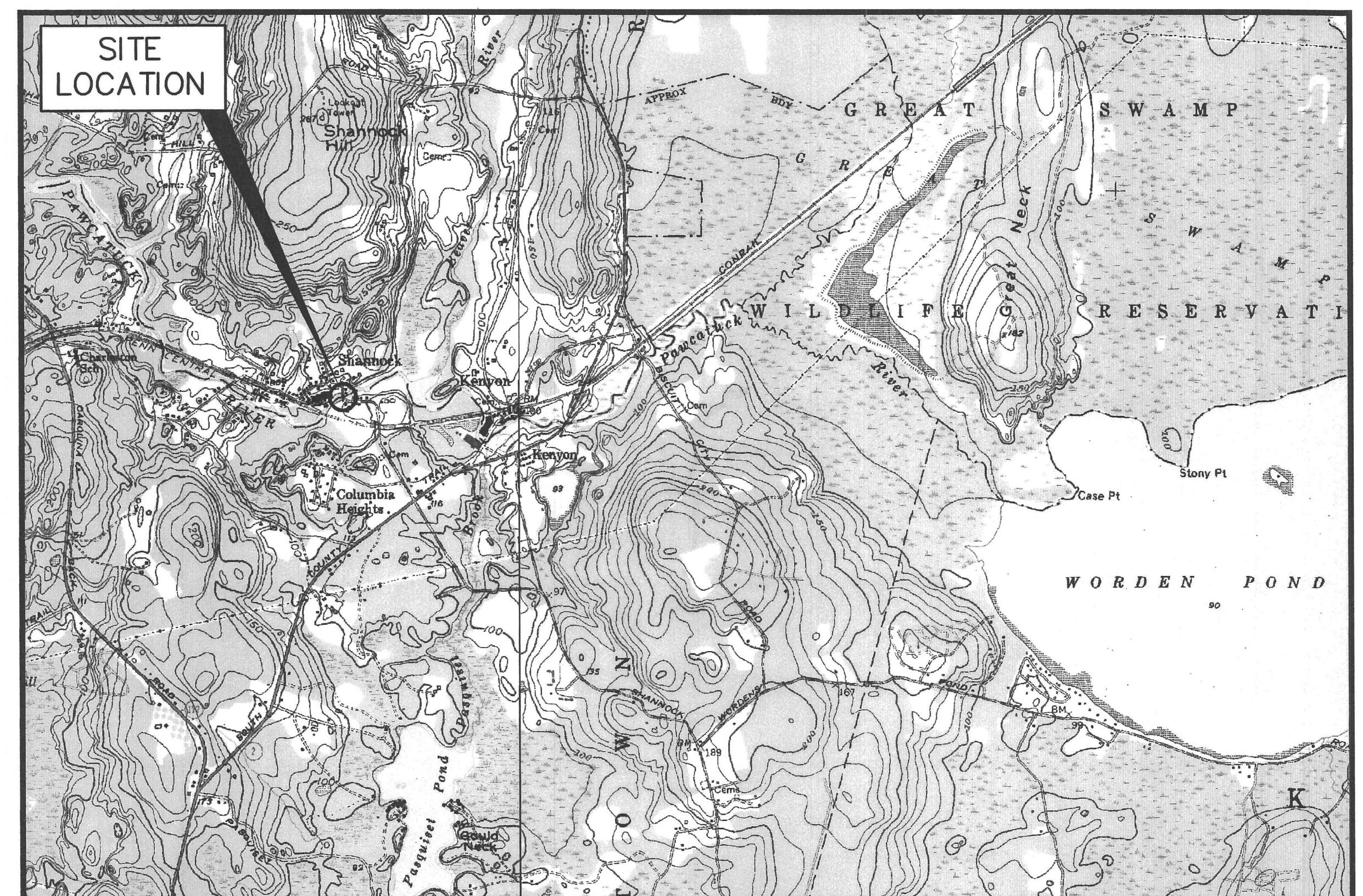
LAND SURVEYOR
NATIONAL SURVEYORS-DEVELOPERS, INC.
42 HAMLET AVENUE
WOONSOCKET, RI 02895
P: 401-769-7779

PROJECT PARTNERS
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
RESTORATION CENTER
28 TARZWELL DRIVE
NARRAGANSETT, RI 02882
P: 401-782-3338; F: 401-782-3201

RI DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
DEPARTMENT OF FISH & GAME
250 PROMENADE STREET
PROVIDENCE, RI 02908
P: 401-222-3961; F: 401-222-3564

NATIONAL RESOURCES CONSERVATION SERVICE
RHODE ISLAND NRCS STATE OFFICE
60 QUAKER LANE
WARWICK, RI 02886
P: 401-828-1300; F: 401-828-0433

U.S. FISH & WILDLIFE SERVICE
NORTH ATTLEBORO NATIONAL FISH HATCHERY
144 BUNGAY ROAD
NORTH ATTLEBORO, MA 02760
P: 508-695-5002; F: 508-695-5098



LOCATION MAP

SCALE: 1" = 200'

PREPARED FOR
WOOD-PAWCATUCK
WATERSHED ASSOCIATION

203B ARCADIA ROAD
HOPE VALLEY, RI 02832

PREPARED BY



FUSS & O'NEILL

Disciplines to Deliver

317 IRON HORSE WAY, SUITE 204
PROVIDENCE, RI 02908
401.861.3070
www.FandO.com



RECEIVED
JUN 21 2010
BY:
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF CUSTOMER & TECHNICAL ASSISTANCE
APPROVED WITH CONDITIONS AS SPECIFIED
IN THE LETTER OF APPROVAL
DATED June 22, 2010 FILE # AREA 10-007
NO CHANGES ALLOWED WITHOUT PRIOR APPROVAL
APPROVED PLANS MUST BE AT CONSTRUCTION SITE.
Donald Dugan

PROJ. NO.: 20090794.A10
DATE: APRIL 2010

GI-001

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