



RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

July 18, 2007

Jean Lucier, Marie Feeley, Joyce Tartaglia, John Tartaglia and Antonio Tartaglia  
c/o Antonio Tartaglia  
145 Simmonsville Avenue  
Johnston, RI 02919

Re: Application No. 07-0146 in reference to the location below:

Approximately 140 feet east of Simmonsville Avenue (House #145), and approximately 700 feet southwest of the intersection of Simmonsville Avenue and Randall Avenue, Utility Pole No. 49, Assessor's Plat 27, Lot 147, and Assessor's Plat 28, Lots 80 & 81, Johnston, RI

Dear Ms. Lucier, Ms. Feeley, Ms. Tartaglia  
and Mssrs. Tartaglia:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Request to verify the delineated edge of freshwater wetlands**. This review included an inspection of the above referenced property ("subject property") as described by the site plans submitted with your application and received on April 2, 2007.

Based upon the Program's observations and review, it is our determination that freshwater wetlands are present on or are in close proximity to the subject property. These freshwater wetlands are regulated by this Department and include at least the following types:

- Swamp
- 50-foot perimeter wetland (that area of land within 50 feet of the edge of any bog, marsh, swamp, or pond)
- Intermittent Streams less than 10 feet wide (at least 4)
- 100-foot Riverbank Wetland (the area of land within 100 feet of the edge of any flowing body of water less than 10 feet wide)
- River greater than 10 feet wide (Simmons Brook)
- 200-foot Riverbank Wetland (the area of land within 200 feet of the edge of any flowing body of water 10 feet wide or greater)
- Flood plain (associated with all flowing bodies of water)

The DEM has completed an inspection and review of the wetland edges delineated by you on-site. It is our determination that those wetland edges delineated on-site are substantially accurate. These wetland edges have been shown on the site plan submitted with your application and are referenced as flags W-102 through W-143. Corrections and/or modifications to the delineated edge are required, however, which include the following:

- Move flag W-132 fifteen feet (15' ) south
- Move flag W-133 fifteen feet (15' ) south
- Move flag W-136 fifteen feet (15' ) south

Please note that our inspection of the subject property has revealed the presence of other freshwater wetlands not specifically delineated by you. An additional intermittent stream channel was noted flowing in a northeasterly direction from flag W-117 until at least flag W-120. There is a 100-foot riverbank wetland associated with this stream that extends beyond the currently depicted perimeter wetlands.

Therefore, you should not infer that any verification of wetland edges carried out by this Department to date represents a determination that this is the extent of all wetlands on your property. **The Department has verified only those edges delineated and shown by you on-site and on site plans submitted with your application and as qualified in this letter.** Should you wish to verify the edge of any additional wetlands, an additional application will be required.

**This letter does not constitute an approval or permit for any proposed project on the subject property. Pursuant to Section 2-1-21(a) of the Freshwater Wetlands Act and the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act (Rules) a permit is required from this Program prior to the commencement of any activity which impacts or alters freshwater wetlands**

This Program assumes that the edges of freshwater wetlands, as flagged or marked on site, have been accurately surveyed and portrayed on site plans submitted in support of your application. This Program makes no guarantee or representation that such survey is accurate.

In addition, you should note that freshwater wetlands are present on this property which may be regulated under Section 404 of the Clean Water Act (Federal Water Pollution Control Act, as amended 33 U.S.C. 1344). Accordingly, a permit may be required from the U.S. Army Corps of Engineers for alteration of these wetland areas.

In accordance with Rule 8.03(H) of the Rules, this verification of the delineated edge of freshwater wetlands is valid for a limited period of four (4) years from the date of issue.

Please contact Shawna Holdredge of this Office telephone: (401-222-6820, ext. 7427) should you have any questions regarding this letter.

Sincerely,

*Nancy L. Freeman*

Nancy L. Freeman, Senior Environmental Scientist  
Office of Water Resources  
Freshwater Wetlands Program  
NLF/SBH/sbh

xc: David Garrigan, PLS  
Diana Brennan, The Gifford Design Group, Inc.