



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

August 23, 2007

Fenton G. Keyes Associates, Inc.
c/o Sandra L. Dailey, Managing Partner
65 Lorelei Drive
Saunderstown, RI 02874

Re: Application No. 07-0267 in reference to the location below:

Approximately 750 feet south of the terminus of Keyes Way, and approximately 850 feet west of the intersection of Keyes Way and James P. Murphy Industrial Highway, Utility Pole No. 7, Assessor's Plat 30, portion of Lot 51, West Warwick, RI

Dear Mrs. Dailey,

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 June 7, 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)
- River less than 10 feet wide (unnamed)
- 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)
- Flood plain

The DEM has completed an inspection and review of the wetland edges delineated by you on-site. It is our determination that the wetland edges delineated on-site are accurate. These wetland edges have been shown on the site plan submitted with your application and are referenced as flags A-23 through A-37, and B-1 through B-5.

Please note that our inspection of the subject property has revealed the presence of other freshwater wetlands not specifically delineated by you. There is an unnamed river less than ten feet wide located within the A/B series swamp, with an associated 100-foot riverbank wetland and flood plain. Future project proposals must accurately depict any additional 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. The "approximate" wetland edges shown on the western portion of Lot 51 have not been verified under this application. However, it should be noted that the approximate channel depicted on the western portion of the property is considered an Area Subject to Storm Flowage, not an intermittent stream channel, and the 100-foot riverbank wetland should be removed from future site plans. Should you wish to verify the edge of these or 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: Kevin C. Morin, P.E., DiPrete Engineering, Inc.
Scott Rabideau, Natural Resource Services, Inc.