



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

November 8, 2007

James Holmes
303 Mitchells Lane
Middletown, RI 02882

Re: Application No. 07-0346 in reference to the location below:

Approximately 50 feet west of Mitchell's Lane, and approximately 1,500 feet southeast of the intersection of Mitchell's Lane and Pilgrim Lane, Utility Pole Nos. 66-69, Assessor's Plat 123, Lot 6, Middletown, RI

Dear Mr. Homes:

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 September 19, 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 wetland complex (WLF-200 series)
- 50-foot perimeter wetland (that area of land within 50 feet of the edge of any bog, marsh, swamp, or pond)
- Shrub Wetland (WLF-100 series)
- Area Subject to Storm Flowage (ASSF)

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 substantially accurate. These wetland edges have been shown on the site plan submitted with your application and are referenced as flags WLF-100 through WLF-107, WLF-200 through WLF-211, and ASSF-100 through ASSF-107. Corrections and/or modifications to the delineated edge are required, however, which include the following:

- Move flag WLF-200 fifteen feet (15') west
- Move flags WLF-201 through WLF-209 thirty feet (30') west
- Move flag WLF-210 twenty feet (20') west
- The ASSF along Mitchell Lane flows west from Flag No. ASSF-107 into the 100-series wetland. Future site plans must depict this connection.

Please note that 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

Enclosure:

xc: John R. Mello, Jr., P.E.