



DATE

Ernest D. George, Jr.
Nicolas Triantafyllidis
PO Box 5245
Wakefield, RI 02879

Determination of Non-Jurisdiction

Re: Application No. 07-0362 in reference to the location below:

Approximately 200 feet southwest of Tuckertown Road and approximately 100 feet northeast of the terminus of Brown Bear Court, approximately 800 feet northwest of the intersection of Tuckertown Road and Old Post Road, and approximately 1000 feet southeast of the intersection of Tuckertown Road and Brown Bear Court, Utility Pole No. 89, Assessor' s Plat 62-2, Lot 22, South Kingstown, RI.

Dear Mr. George & Mr. Triantafyllidis:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program, ("Program") has completed its review of your proposed two-lot subdivision with two single-family homes and associated garages, driveways, ISDS, utility lines, and landscaped yards for the above referenced property ("subject property"), as illustrated and detailed on site plans submitted with your application. The site plans referenced by this letter and on file with this Program were received on September 10, 2007.

Our inspection reveals that freshwater wetlands regulated by the DEM are present on or in close proximity to the subject property. Review of your proposed project, however, reveals that this project does not represent an alteration to these freshwater wetlands. It is our determination therefore that a permit for this project pursuant to the Freshwater Wetland Act (Rhode Island General Law Section 2-1-18 et seq.) or the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act is not required. This Determination of Non-Jurisdiction is specific to the proposed site alterations illustrated and detailed on site plans on file with this Program and is further predicated on the following:

1. Adequate measures are employed during and after site alterations to control soil erosion and to prevent any sediment from such erosion being deposited in any freshwater wetlands. You should consult the Rhode Island Soil Erosion and Sediment Control Handbook for appropriate methods to control erosion and prevent sediment from leaving your project site.
2. This determination does not authorize you to modify your project in such a way as to result in the following:

- a. An increase in the rate and/or volume of surface water runoff flowing into, or draining or diverting from these wetlands; or
- b. A diversion of groundwater into or away from these wetlands; or
- c. A modification to the quality of water reaching these wetlands that could change their natural character.

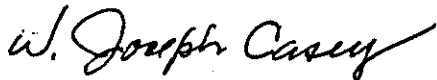
Please note that this Determination of Non-Jurisdiction is specific to this proposed project, is valid for a limited period of four (4) years from the date of issue, and does not remove your obligation to obtain any local, state or federal approvals or permits required by ordinance or law.

Modification to your project that would result in an alteration or allowing your project to result in an alteration to freshwater wetlands requires a permit from this Program. Unauthorized alterations to freshwater wetlands are subject to enforcement action.

Kindly be advised that this determination is not equivalent to a verification of the type or extent of freshwater wetlands on site. Should you wish to have the types and extent of freshwater wetlands verified, you may submit the appropriate application in accordance with Rule 8.03.

Enclosed please find one (1) copy of your site plans stamped REVIEWED by this Program. Please contact Claire Swift (telephone: 401-222-6820x 7418) should you have any questions.

Sincerely,



W. Joseph Casey, Senior Environmental Scientist
Office of Water Resources
Freshwater Wetland Program

WJC/CVS/cvs

Enclosure: Reviewed Site Plan

xc: Russell W. Brown, South Kingstown Building Official
James P. Lawless, P.E.
Gary A. Blazejewski, Kingstown Wetland & Soils, Inc.