



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

January 28, 2010

David R. Neville
3940 Main Road
Tiverton, RI 02878

Re: Application No. 09-0158 in reference to the location below:

Approximately 200 feet west of Main Road, at utility pole No. 406, and approximately 250 feet south of the intersection of Main Road and Puncatuck Neck Road, AP 2-3, Block 22, Lot 28A Tiverton, RI

Dear Mr. Neville:

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 most recently revised site plans submitted with your application and received on December 7, 2009.

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:

- Pond/shrub wetland
- perimeter wetland (that area of land within 50 feet of the edge of any bog, marsh, swamp, or pond)
- forested wetland
- 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:

- A-10 to A-17G delineating the Pond/Shrub wetland (with associated 50' perimeter wetland).
- B-1 to B-7 and A-17D to A-27 delineating forested wetland (no 50' perimeter wetland).
- A17D to A17G delineating the ASSF.

Please note that the forested wetland does not require the perimeter wetland. Therefore, the perimeter wetland associated with the forested wetland should not be on future submissions to this Program. Also note that flags A-1 to A-9 are off of the subject property and are not considered verified. However, it was noted for review of this application that the 50 foot perimeter wetland does not apply to the wetlands south of flags A-1 to A-8. Flag A-9 delineates a portion of the swamp, and a 50-foot perimeter wetland applies to this as it does to the remaining swamp flags referenced above.

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

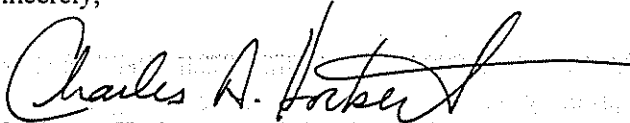
This Program assumes that the edges of freshwater wetlands, as flagged or marked on site, have been accurately surveyed and portrayed on site plans submitted in support of your application. This Program makes no guarantee or representation that such survey is accurate.

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 applicable 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 Andrew Charpentier of this Office telephone: (401-222-6820, ext.7414) should you have any questions regarding this letter.

Sincerely,



Charles A. Horbert, Permitting Supervisor
Office of Water Resources
Freshwater Wetlands Program
CAH/AC/ac

xc: William F. Smith, P.E., Civil Engineering Concepts, Inc.
Scott P. Rabideau, Natural Resource Services, Inc.