RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
235 Promenade Street, Providence, RI 02908-5767 TDD 401-222-4462

January 27, 2010

David and William Cotta
895 Middle Road
Portsmouth, RI 02871

**RE:** Application No. 09-0292 in reference to the property located:

Approximately 480 feet south of the terminus of Stonegate Drive, approximately 1,400 feet west of the intersection of Stonegate Drive and Schaefer Drive, Assessor's Plat 51, Lot 17, Portsmouth, RI.

Dear Mssrs. Cotta:

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 by the DEM 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:

- Wetland Complex (including at least a Pond and Swamp)
- Perimeter Wetland (that area of land within 50 feet of the edge of any bog, marsh, swamp, or pond)
- Stream/Intermittent Stream
- Riverbank Wetland (the area of land within 100 feet of the edge of any flowing body of water less than 10 feet wide)
- Area Subject to Storm Flowage

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 generally accurate. Corrections and/or modifications to the delineated edge are required, however, which include the following:

- Remove flag A4.
- Move flag A5 fifteen (15) feet easterly.
- Connect flag A3 to the aforementioned revised flag A5.
- Remove flags A6 through A9.
- Connect the aforementioned revised flag A5 to flag A10.
- Move flag B4 forty (40) feet easterly.

**Please note that our inspection of the subject property has revealed the presence of other freshwater wetlands not specifically delineated by you. 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 these 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 Jane Kelly of this Office telephone: (401-222-6820, ext. 7420) should you have any questions regarding this letter.

Sincerely,

Martin D. Wencek

Martin D. Wencek, Permitting Supervisor
Office of Water Resources
Freshwater Wetlands Program
MDW/JEK/jek

Xc: Jeffrey D'Arrigo, Sage Environmental, Inc.