



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

July 19, 2010

Prospect Place, LLC
42 Prospect Avenue
Narragansett, RI 02882

Re: Application No. 10-0076 in reference to the location below:

Approximately 400 feet east of Prospect Avenue (Building Nos. 40A, B, and C), and approximately 800 feet south of its intersection with Kingstown Road (RI Route 1A), near Utility Pole No. 7, Assessor's Plat H, Lot 74-2, Narragansett, RI

Dear Mr. Lacroix:

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 April 19, 2010.

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 Program 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 <10 feet wide (Crooked Brook)
- 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 generally accurate. The wetland edges have been shown on the site plan submitted with your application and are referenced as wetland flags B-1 through B-8, and C-3. The wetland edge flags delineate the edge of a swamp.

Corrections and/or modifications to the delineated edge are required which include the following:

1. Move flag B-6 ten feet (10') east.
2. Remove flag B-4.
3. Connect Flag B-3 to B-5.

Please be advised, there is a 50-foot perimeter wetland associated with the B-series wetland edge, which has not been depicted on the site plan.

In addition, after review of the completed wetland restoration efforts on site, it has been determined that the site is in general compliance with the conditions of the June 24, 2010 violation letter at this time. **Please note**, per condition No. 2, a permanent-type tag or sign labeled "RIDEM Buffer Zone" must be placed on each permanent marker.

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 that 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 me (401-222-6820, ext. 7408) should you have any questions regarding this letter.

Sincerely,

Nancy L. Freeman

Nancy L. Freeman, Senior Environmental Scientist
Office of Water Resources
Freshwater Wetland Program

NLF/SBH/sbh

xc: Scott P. Rabideau, Natural Resource Services, Inc.
Kevin Morin, DiPrete Engineering Associates, Inc.