



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

January 31, 2013

Edward H. Nester
1808 New London Turnpike
West Warwick, RI 02893

Re: Application No. 12-0211 in reference to the location below:

Approximately 560 feet south of Division Road, approximately 660 feet southwest of the intersection of Division Road and Shippeetown Road, Utility Pole No. 204, Assessor's Plat 14A, Lot 16, East Greenwich, RI.

Dear Mr. Nester:

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 December 7, 2012.

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
- River (Mawney Brook)
- Forested Wetland
- Special Aquatic Site
- Area Subject to Storm Flowage (ASSF)
- 50-foot Perimeter Wetland
- 100-foot Riverbank Wetland
- 100-year Floodplain

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 partially accurate. These wetland edges have been shown on the site plan submitted with your application and are referenced as wetland flags A100 through A176 and A200 through A204. Flags A100 through A176 delineate the edge of a swamp and a forested wetland. Flags A200 through A204 delineate the edge of a special aquatic site. Additionally, the 100-year floodplain has also been verified under this application.

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

- Connect flag A134 to A162 to close off the delineation of the swamp.

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- Connect flag A138 to A155, forming a separate forested wetland.
- Relocate flag A155 approximately 12 feet to the northwest.
- Eliminate flags A135 through A137.
- Eliminate flags A156 through A161.
- Relocate flag A112 approximately 8 feet to the east,
- Relocate flag A113 approximately 22 feet to the east,
- Relocate flag A114 approximately 20 feet to the east,
- Relocate flag A117 approximately 16 feet to the east,
- Relocate flag A121 approximately 10 feet to the northeast,
- Relocate flag A125 approximately 10 feet to the north, and
- Eliminate flag A132 and connect flag A131 to A133. *Please note that a probable surveying error appears to be present at flags A131 through A133. Flags depicted on the site plan do not match flags on site in this location. This surveying discrepancy must be corrected on any future site plans.* To correctly depict the wetland edge along this portion of the flagged line, flag A131 shall be relocated approximately 35 feet south of its depicted position as currently shown on the site plan. The corrected location of flag A131 shall then be connected directly to flag A133, and flag A132 shall be eliminated.

Please note that an area subject to storm flowage (ASSF) was observed entering the wetland at flag A162. The full extent of this ASSF must also be surveyed and shown on any future site plans.

Other than these corrections, all other wetland edges illustrated by the "A" series flags are considered accurate. The special aquatic site depicted by the 200 series flags are considered accurate.

The Forested Wetland depicted by flags A138 to A155 and the Special Aquatic Site depicted by the 200 Series flags contain sensitive aquatic resources. Significant effort should be made to avoid alterations of not only these wetlands, but also as much of the area surrounding each of these wetlands as possible, should there be future plans to perform alterations on the subject property.

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.

Aside from the surveying discrepancy noted above, this Program assumes that the remaining 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.

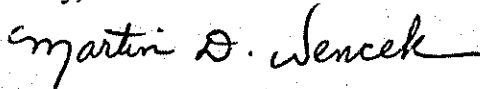
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In addition, you should note that freshwater wetlands are present on this property that may be regulated under Section 404 of the Clean Water Act (Federal Water Pollution Control Act, as amended 33 U.S.C. 1344). Accordingly, a permit may be required 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 Claire Swift of this Office telephone: (401-222-6820, ext. 7418) should you have any questions regarding this letter.

Sincerely,



Martin Wencek, Permitting Supervisor
Office of Water Resources
Freshwater Wetland Program

MDW/CVS/cvs

xc: Steven M. Clarke, PE, Commonwealth Engineers & Consultants, Inc.