



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

August 16, 2013

Steven M. Tulli
11 Albert Drive
Johnston, RI 02919

RE: Application No. 13-0060 in reference to the property and project located:

Approximately 60 feet northwest of Eagle Street, by utility pole no. 6; approximately 90 feet west-northwest of the intersection of Birchwood Drive and Eagle Street; Assessor's Plat 19, Lot 251, Johnston, RI.

Dear Mr. Tulli:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your proposed three bedroom dwelling with deck, driveway, public water service, new onsite wastewater treatment system (OWTS), and yard area 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 July 29, 2013.

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 which could change their natural character.
3. You must adhere to the limit of disturbance line illustrated on the reviewed site plan, as an additional wetland area that is not depicted is present offsite to the northeast of the subject



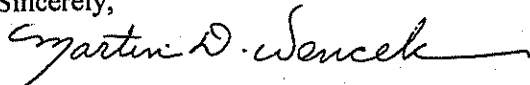
property. This additional wetland area is present on the unimproved portion of Eagle Street and on A.P. 19, Lot 163 with its edge occurring as close as about five feet from the eastern property corner [Iron Rod (Set)] that borders Eagle Street.

Please note that this Determination of Non-Jurisdiction is specific to this proposed project, is valid till July 1, 2019, 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 which would result in an alteration or allowing your project to result in an alteration to freshwater wetlands requires a permit from this Department. Unauthorized alterations to freshwater wetlands are subject to enforcement action.

Enclosed please find one (1) copy of your site plans stamped REVIEWED by this Program. Please contact Daniel Kowal (telephone: 401-222-4700, ext. 7416) should you have any questions.

Sincerely,



Martin D. Wencek, Permitting Supervisor
Freshwater Wetlands Program
Office of Water Resources

MDW/DMK/dmk

Enclosure: Reviewed Site Plan

xc: Bernard J. Nascenzi, Johnston Building Official
Nicholas Veltri, PLS, N. Veltri Survey, Inc.