



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

February 23, 2016

Facing Paradise, LLC
c/o Michelle Sullivan
46 Miller Street
Middletown, RI 02842

Re: Application No. 16-0016 in reference to the location below:

Approximately 120 feet north of Green End Avenue (at 970 Green End Avenue), approximately 525 feet east of the intersection of Green End Avenue and Berkeley Avenue, Utility Pole No. 57, Assessors Plat 120, Lot 72, Middletown, RI.

Dear Ms. Sullivan:

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 January 27, 2016.

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:

- Shrub Wetland
- Area Subject to Storm Flowage (ASSF)
- 50-foot Perimeter Wetland (associated with an off-site swamp)

The DEM has completed an inspection and review of the wetland edges delineated by you on site. It is our determination that the wetland edge delineated on site is substantially accurate. This wetland edge has been shown on the site plan submitted with your application and is referenced as wetland flags B1 through B10. These wetland edge flags delineate the edge of a shrub wetland.

The ASSF is culverted beneath your driveway and flows within the roadside ditch shown on the site plan. The 50-foot perimeter wetland (associated with the swamp that is partially depicted by flags A1 through A5, situated west-northwest of the northwest corner of the subject property) must be shown on any future applications for permitting.

Please note 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.

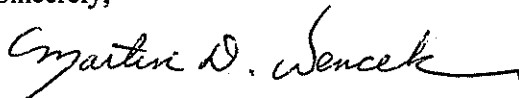
In accordance with Rule 8.03(H) of the Rules, this verification of the delineated edge of freshwater wetlands is valid for a limited period of four (4) years from the date of issue.

You are hereby advised that on July 10, 2015, significant revisions to the RI Freshwater Wetlands Act (R.I.G.L. Section 2-1-18 et. seq.) were signed into law. These revisions modify, among other things, the "jurisdictional areas" recognized by the State of Rhode Island. The Department is currently in the process of amending the Rules. If you are contemplating a project on your property, and submit the application prior to the promulgation of the revised Rules, you can expect the wetlands jurisdictional areas to correspond as described in this verification letter.

Any application submitted after promulgation of the Rules will be expected to conform to the then existing and duly promulgated Rules. While these changes will not affect the location of flagged wetland edges as verified in this letter, they may affect how activities located in adjacent jurisdictional upland areas will be regulated. You are advised, in the meantime, to monitor the rulemaking process, which will include opportunities for public input and comment.

Please contact Claire Swift of this Office telephone: (401-222-6820, ext. 7418) should you have any questions regarding this letter.

Sincerely,



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

MDW /CVS/cvs

xc: Michael E. Russell, PE, Land Development Engineering & Consultants, LLC
Scott P. Rabideau, Natural Resource Services, Inc.