



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

April 1, 2016

Andrew Nicoletta
216 Gray Craig
Middletown, RI 02842

RE: Application No. 16-0038 in reference to the location below:

Approximately 250 feet east-southeast of the eastern terminus of Adelaide Avenue, by utility pole no. 6; approximately 500 feet east-southeast of the intersection of Sherri Lane and Adelaide Avenue; Assessor's Plat 114, Lot 812, Middletown, RI.

Dear Mr. Nicoletta:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Request to Verify Delineated Edge of 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 February 22, 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 Department and include at least the following types:

- **Swamp**
- **Perimeter Wetland (that area of land within 50 feet of the edge of any bog, marsh, swamp, or pond)**
- **River (Bailey Brook)**
- **Riverbank (the area of land within 100/200 feet of the edge of any flowing body of water <10/10 feet or greater in width associated with the river)**
- **Flood Plain (associated with the river)**

The DEM has completed an inspection and review of the wetland edge delineated by you on site and requested for verification (i.e., flags A1 through A6). It is our determination that this wetland edge delineated on the subject site is accurate.

Wetland edge flags A1 through A6 demarcate the edge of a swamp.

Please be advised that wetland edge flags RB2 through RB5 along Bailey Brook and the depicted 200 foot riverbank wetland have not been verified as part of this review.

You should not infer that any verification of wetland edges carried out by this Program to date represents a determination that this is the extent of all wetlands on your property. This Program has verified only those edges marked by you on site and depicted on site plans submitted with your application and as qualified in this letter.

This Program did not undertake an inspection of other areas of this property to determine the presence of any additional freshwater wetlands.



This Program assumes that the edges of the 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.

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.

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. 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 Daniel M. Kowal (401-222-4700, ext. 7416) of this Office should you have any questions regarding this letter.

Sincerely,



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

MDW/DMK/dmk

xc: Brandon Faneuf, Ecosystem Solutions, Inc.
Kamal Hingorany, P.E., Narragansett Engineering, Inc.