



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

August 31, 2016

Kevin Lombardi
145 Kettlehole Road
West Barnstable Massachusetts 02668

RE: Application No. 16-0194 in reference to the property located:

Approximately 500 feet west of Lake Road and approximately 1,000 feet southwest of its intersection with Jacqueline Way opposite Utility Pole No. 2762, Assessor's Plat 609, Lot 107, Tiverton, RI.

Dear Mr. Lombardi:

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 July 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, but are not limited to, 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)

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 substantially accurate. These wetland edges have been shown on the site plan submitted with your application and are referenced as: **Flags A-1 through A-35, Flags B1 through B-13 and Flags C-3 through C-16**. Please note that the D-Series flags were missing on-site and were not verified. However, they are off-site and would not be verified under this application since they fall on the town road right-of-way. Although not verified, the D-Series as shown on the site plan appears to be generally accurate.

Those wetland edges delineated on-site are substantially accurate. Corrections and/or modifications to the delineated edge are required, however, which include the following:

- Omit Flag A-27 and connect Flag A-26 to A-28;
- Relocate Flag A-33, twenty (20) feet to the north to capture additional swamp.

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. Kindly be advised that on a cross-reference wetland application file for the adjacent properties to the north (Application No. 09-0241), an intermittent stream (with an associated 100-foot riverbank wetland and floodplain) was identified as being culverted underneath Lake Road in the vicinity of your property. Although this area was

not inspected under this review, additional wetlands might be present that extend onto your property. Future project proposals must correctly depict all jurisdictional wetlands. 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.

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.

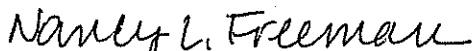
In addition, you should note that freshwater wetlands are present on this property which may be regulated under Section 404 of the Clean Water Act (Federal Water Pollution Control Act, as amended 33 U.S.C. 1344). Accordingly, a permit may be required from the U.S. Army Corps of Engineers for alteration 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 me at (401-222-6820, ext. 7408) should you have any questions regarding this letter.

Sincerely,



Nancy L. Freeman, Senior Environmental Scientist
Office of Water Resources
Freshwater Wetlands Program
NLF/nlf

cc: William F. Smith, President, Civil Engineering Concepts
Scott P. Rabideau, President, Natural Resource Services, Inc.