



## RHODE ISLAND

# DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

September 26, 2016

Raymond E. Huling, Jr and Dianne Huling  
45 Taggart Court  
East Greenwich, RI 02818

**RE: Application No. 16-0198 in reference to the property located:**

Approximately 1,400 feet west of Taggart Court (at House No. 55) and approximately 1,650 feet southwest of its intersection with Princess Pine Court, Map 7, Assessor's Plat 19, Lots 12 and 156, East Greenwich, RI.

Dear Mr. and Ms. Huling:

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 29, 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(s)
- Perimeter Wetland (that area of land within 50 feet of the edge of any bog, marsh, swamp, or pond)
- Forested Wetland
- Stream
- Riverbank Wetland (that area of land within one hundred feet (100') of the edge of any flowing body of water having a width of less than ten feet (10') during normal flow)
- Flood plain

The DEM has completed an inspection and review of the wetland edge(s) delineated by you on-site. It is our determination that:

The wetland edges delineated and requested for verification on-site are substantially accurate. These wetland edges have been shown on the site plan submitted with your application and are referenced as: Flags A100 through A154; B111 through B-119, C89 through C118 and D1 through D5. Corrections and/or modifications to the delineated edge are required, however, which include the following:

- Add a flag 30 feet east of Flag C89 and 30 feet north of Flag C90 to encompass additional swamp;
- Relocate Flag B119, 40 feet south of C118 (or ~40 feet east/southeast of its current location), then connect relocated B119 to B118 to the west and connect to C118 to the north ;
- Relocate Flag B117, 15 feet south;
- Relocate Flag B116, 30 feet south and connect to existing B115.
- The D-Series linear pocket of wetland extends approximately 30 feet further north of Flag D4, opposite or roughly parallel with Flag A142. Add two new flags extending approximately 35 feet north of Flags D3 and D5 to encompass the entirety of this small, wetland depression.

Please note that our inspection of the subject property has revealed the presence of other freshwater wetlands not specifically delineated by you. Therefore 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. The Department has verified only those edges delineated and requested for verification by you as shown on-site and on site plans submitted with your application and as qualified in this letter. Should you wish to verify the edge of these 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. **Please note that future project proposals submitted to this Program must be drawn at a scale no smaller than one-inch equals one-hundred feet per Rule 7.03.**

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.

All areas cleared within freshwater wetlands must continue to be allowed to revert to a natural state without any further mowing or manicuring unless in accordance with exempt activities as outlined in Rule 6.00.

Please contact me (401-222-6820, ext. 7408) should you have any questions regarding this letter.

Sincerely,



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

cc: Kevin Fetzner, Ecotones, Inc.  
Kevin Morin, PE, DiPrete Engineering