



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

October 21, 2016

Churchill & Banks Companies, LLC
Attn: Richard Baccari, Manager
10 Greene Street
Providence, RI 02903

Re: Application No. 16-0241 in reference to the location below:

Approximately 900 feet northwest of the intersection of Putnam Pike (Route 44) and Esmond Street, Assessor's Plat 29, Lot 66A; Assessor's Plat 30, Lots 20, 29, 30, 30A, 31, 31A; and Assessor's Plat 35, Lots 13 & 21, Smithfield, RI

Dear Mr. Baccari:

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 September 16, 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 (A & D series flags)
- Pond (B Series flags)
- Perimeter wetland (that area of land within 50 feet of the edge of any bog, marsh, swamp, or pond) and associated 50-foot perimeter wetland
- River ("Hawkins Brook")
- Riverbank Wetland (that area of land within two hundred feet (200') feet of the edge of any flowing body of water having a width of ten feet (10') or more) associated with Hawkins Brook
- Intermittent 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) associated with the intermittent stream
- Floodplain (associated with the river and intermittent stream)
- Emergent plant community (F series flags)
- Forested Wetlands (C & E series flags)

The DEM has completed an inspection and review of the wetland edges delineated by you on-site. It is our determination that those wetland edges delineated on-site are substantially accurate. Corrections and/or modifications to the delineated edge are required, however, which include the following:

1. Remove the 100 foot riverbank wetland from Hawkins Brook; a 200-foot riverbank wetland applies.
2. Depict a 100-foot riverbank wetland to the intermittent stream that feeds Hawkins Brook within the D series flags.
3. Connect flags A11 and A15, and remove flags A12, A13, and A14.



Please note that only wetland edges A3 through A81, B4 through B53, C1 through C9, D1 through D20, E1 through E15, and F1 through F23 were verified. Wetland flags not specifically shown on the site plans were not verified.

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 Kate McPherson of this Office telephone: (401-222-6820, ext. 7732) should you have any questions regarding this letter.

Sincerely,



Charles A. Horbert, Program Supervisor
Office of Water Resources
Freshwater Wetlands Program
CAH/KHM/khm

xc: Walter & Norma Paterson, Applicants
ec: Brandon Carr, DiPrete Engineering