



RHODE ISLAND  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

October 31, 2016

Jennifer Hilton  
128 Church Pond Drive  
Tiverton, RI 02878

**RE:** Application No. 16-0245 in reference to the property located:

Approximately 400 feet north of the terminus of April Lane and approximately 1,000 feet northeast of its intersection with Highland Road, Assessor's Plat 309, Lot 110, Tiverton, RI.

Dear Ms. Hilton:

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 21, 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) A-Series and offsite to the east
- Perimeter Wetland (that area of land within 50 feet of the edge of any bog, marsh, swamp, or pond)
- River (Archer Brook)
- 100-foot 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.
- Floodplain

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 accurate. These wetland edges have been shown on the site plan submitted with your application and are referenced as: WF-A-1 through WF-A-6.**

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 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 these additional wetlands, an additional application will be required. Please note that a swamp was identified off-site, east of your property boundary, the 50-foot perimeter wetland of which would encroach onto your property. Also note that the A-series Swamp continues easterly along portions of your northern

property boundary. Any future applications must accurately depict all jurisdictional freshwater wetlands within or near the proposed project.

**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(F) 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 (401-222-6820, ext. 7408) should you have any questions regarding this letter.

Sincerely,

*Nancy L. Freeman*

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

cc: Jennifer Hilton, Applicant  
Thomas J. Principe, III, P.E., Principe Engineering, Inc.  
Brandon Faneuf, Ecosystem Solutions, Inc.