



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF WATER RESOURCES
235 Promenade Street
Providence, Rhode Island 02908

December 19, 2017

RI Department of Transportation
Attn: Lori Fisette, Acting Manager, Project Management
Two Capitol Hill
Providence, RI 02903

Re: Application No. 17-0130 in reference to the location below:

Along Diamond Hill Road (Route 114), at the interchange between Diamond Hill Road and Interstate Rte 295, Cumberland, RI

Dear Ms. Fisette:

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 November 22, 2017.

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:

- 1 swamp (E series flags)
- perimeter wetland (that area of land within 50 feet of the edge of any bog, marsh, swamp, or pond)
- 4 forested wetlands (A, B, C, D, & F series flags)
- intermittent stream (unnamed)
- 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)
- 5 areas subject to storm flow
- 1 area subject to flooding
- floodplain (associated with the intermittent stream)

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, clarifications and/or modifications to their depiction on the site plan are required for any future applications, however, which include the following:

1. Remove the perimeter wetland from the B, C, and D series wetland edge flags.
2. On sheet 5 of 9, remove the depicted wetland edge that extends south from flag B1. This line inaccurately represents the wetland edge.
3. On sheet 6 of 9 remove the two red lines that parallel Route 295. These lines do not accurately represent the wetland edge or regulate 3d features.

Please note that our inspection of the subject property has revealed the presence of other freshwater wetlands not specifically delineated by you. These wetlands were described in our previous review comments dated July 19, 2017 but were inaccurately represented on the site plan. Specifically:

1. The C-series forested wetland extends (continues) approximately 30 feet north of where it intersects with the northernmost ASSF. Also within this same ASSF, further upstream, is an area subject to flooding.
2. Flags for an "A" series wetland were not verified per your request.

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.

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.

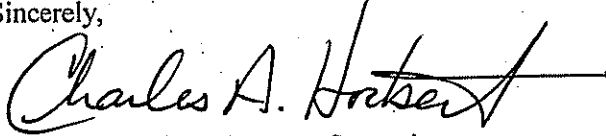
In accordance with Rule 8.03(H) of the Rules, this verification of the delineated edge of freshwater wetlands is valid for a limited period of four (4) years from the date of issue.

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,

A handwritten signature in black ink that reads "Charles A. Horbert". The signature is written in a cursive style with a long horizontal stroke at the end.

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

cc: Dave Freeman, P.E., Green International Affiliates, Inc.
Brandon Faneuf, Ecosystem Solutions, Inc.