



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

October 11, 2019

Peter Lewis
George P. Lewis Family LP II
100 Bailey Avenue
Middletown, RI 02847

RE: Application No. 19-0221 in reference to the location below:

Approximately 400 feet east of Lewis Drive, and approximately 200 feet south of its intersection with Trout Drive, Assessor's Plat 125, Lot 950, Middletown, RI

Dear Mr. Lewis:

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 31, 2019.

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:

- Marsh/Shrub Wetland
- Perimeter Wetland (that area of land within 50 feet of the edge of any bog, marsh, swamp, or pond)
- Two (2) Areas subject to storm flowage (ASSF)

The DEM has completed an inspection and review of the wetland edge 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:

- Wetland flag A111 was found on site near the southeast property corner but is not depicted on the site plan. This flag must be depicted on future submissions.
- The flagged wetland requires a 50-foot perimeter wetland which must be depicted on future submissions.
- One ASSF is located within the flagged wetland and in the southeast property corner.
- A second ASSF flows out of the flagged wetland between flags A100 and A101, flows west close to the northern property line before discharging into a catch basin on the western property line.

This letter does not constitute an approval or permit for any proposed project on the subject property. Pursuant to R.I. Gen. Laws § 2-1-21(a) of the Freshwater Wetlands Act and the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, 250-RICR150-15-1, 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.

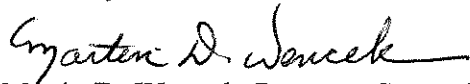
In addition, you should note that freshwater wetlands are present on this property which may be regulated under Section 404 of the Clean Water Act (Federal Water Pollution Control Act, as amended 33 U.S.C. 1344). Accordingly, a permit may be required from the U.S. Army Corps of Engineers for alteration of these wetland areas.

In accordance with 250-RICR-150-15-1.8(C)(8), 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. Gen. Laws § 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 Andrew Charpentier of this Office telephone: (401-222-4700, ext.7414) should you have any questions regarding this letter.

Sincerely,



Martin D. Wencek, Program Supervisor
Office of Water Resources
Freshwater Wetlands Program

MDW/AC/ac

cc: Joseph P. McCue, Mason & Associates, Inc.

Lyn Small, P.E., Northeast Engineers & Consultants, Inc.