



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

April 27, 2022

City of Newport
Joseph Nicholson, Jr., Newport City Manager
43 Broadway
Newport, RI 02840

RE: Application No. 22-0111 in reference to the property located:

At 15 Wickham Road and approximately 400 feet north and west of the intersection of Wickham Road and Ruggles Avenue, near Utility Pole No. 2, Assessor's Plat 41, Lots 2, 300, and 390, Newport, RI.

Dear Mr. Nicholson:

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 March 25, 2022.

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:

- 3 Forested Wetlands (A-Series, D-Series and E-Series)
- 2 Shrub Wetlands (B-Series and G-Series)
- Forested Wetland/Special Aquatic Site (C-Series)
- Emergent Plant Community (F-Series)
- 4 Areas subject to storm flowage

The DEM has completed an inspection and review of the wetland edges delineated by you on-site and are referenced as Flag Nos A-24 through A-48; B-1 through B-15; C-1 through C-28; D-1 through D-18; E-1 through E-7; F-1 through F-4; and G-1 through G-10. 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 wetland flags A-46 and A-47
2. Relocate flag A-48 12 feet north and connect directly to flag A-45
3. Relocate flag C-29 25 feet northwest
4. Remove flag G-8 and connect flag G-7 directly to G-9.

Please note that the following flags are not verified under this review: H-1 through H-12; H-100 through H-103; and H-200 through H-205. These flags are located within the Coastal Resources Management Council's (CRMC) jurisdiction. Please contact CRMC regarding their jurisdictional areas at (401)783-3370.

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 the site plans submitted with your application and as qualified in this letter.

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 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 for the purpose of freshwater wetlands protection. DEM has developed revised Freshwater Wetlands Rules and initiated rulemaking to have the full rules go into effect on July 1, 2022 (250-RICR-150-15-3). Until the effective date, the existing Freshwater Wetland Rules (250-RICR-150-15-1) remain in place.

If you are contemplating a project on your property and submit the application prior to the effective date, you can expect the wetlands jurisdictional areas to correspond as described in this verification letter. Any application submitted after the effective date 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.

Please contact Jessica Lord of this Office telephone: (401-222-6820, ext. 277-7416) should you have any questions regarding this letter.

Sincerely,



Nancy L. Freeman, Principal Environmental Scientist
Office of Water Resources
Freshwater Wetlands Program
NLF/JAL/jal

ec: Sarah Pierce, Senior Environmental Scientist, Pare Corporation
Amy Silva, Supervising Environmental Scientist, CRMC