



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

September 21, 2023

Patricia A. Donnelly
139 Camden Court
South Kingstown, RI 02879

RE: Application No. **22-0427** in reference to the property located:

Approximately 20 feet east of Brig Avenue, and approximately 150 feet north of its intersection with Frigate Street, Assessor's Plat 16, Lots 56 & 57, Jamestown RI

Dear Ms. Donnelly:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your Request to verify freshwater wetland edges. 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 29, 2022.

Per Rule 250-RICR-150-15-3.23, the **Statewide Buffer Zone Designation**, your property falls within:

- River Protection Region 2

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 and other jurisdictional areas are regulated by this Department and include, but are not limited to, at least the following types:

Jurisdictional Areas:

- Freshwater Wetlands
- Buffer: All areas of undeveloped vegetated land adjacent to a freshwater wetland that is to be retained in its natural undisturbed condition or is to be created to resemble a naturally occurring vegetated area. For the purpose of defining buffer in these Rules, "adjacent to" means land area within the buffer zone.
- Contiguous areas that extend one-hundred feet (100') from the edge of all other freshwater wetlands
- Areas subject to storm flowage (ASSF)

Freshwater Wetlands and associated Statewide Buffer Zone Designation:

- Swamp, greater than 10 acres = 75-foot Buffer Zone

The DEM has completed an inspection and review of the wetland edge delineated by you on-site and are referenced as Flag Nos. A2 through A7. It is our determination that the wetland edges delineated on-site are accurate.

Please note an Area Subject to Storm Flowage (ASSF) is present near the western property line, and the delineated swamp is greater than 10 acres in size and requires a 75-foot Buffer Zone.

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 or jurisdictional areas on your property. Specifically, an additional swamp edge and associated buffer zone are present within the southern portion of this 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.** Should you wish to verify the edge of these additional wetlands, a new application will be required.

Please be further advised that, for future considerations, in accordance with the Rules and Regulations, the DEM may not process an application for property which is the subject of any unresolved violation as cited by the DEM, or where the property subject to unauthorized alterations is not restored to the satisfaction of the DEM.

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-RICR150-15-3, a permit is required from this Program prior to the commencement of any activity which impacts or alters freshwater wetlands.

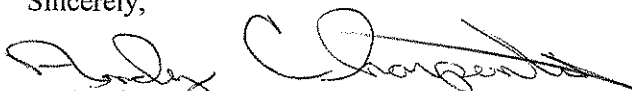
This Program assumes that the edges of freshwater wetlands, as flagged or marked on site, have been accurately surveyed and portrayed on site plans submitted in support of your application. This Program makes no guarantee or representation that such survey is accurate.

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-150-15-3.9.3(H), this verification of the delineated edge of freshwater wetlands is valid for a limited period of five (5) years from the date of issue.

Please contact Lucianna Faraone Coccia of this Office telephone: (401-222-6820, ext. 2777270) should you have any questions regarding this letter.

Sincerely,



Andy Charpentier, Environmental Scientist III
Office of Water Resources
Freshwater Wetlands Program
ASC/LFC/lfc

ec: Bruce Ahern, DEM Office of Compliance and Inspection
Michael Darveau, PLS, Darveau Land Surveying, Inc.
Scott P. Rabideau, Natural Resource Services, Inc.