



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

July 13, 2023

Kevin Kuryla
9A Tokeneke Trail
Darien, CT 06820

RE: Application No.23-0085 in reference to the property located:

At 1708 Corn Neck Road, approximately 1800 feet northeast from the intersection of Corn Neck Road and Scotch Beach Road, Assessor's Plat 4, Lot 12, New Shoreham, RI.

Dear Mr. Kuryla:

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 April 11, 2023.

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

- River Protection Region 1

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 (see below)
- 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

Freshwater Wetlands and associated Statewide Buffer Zone Designation (include at least the following types):

- Pond less than ¼ -acre (A-series) and 25-foot Buffer Zone
- 4 Marshes (2 Phragmites Marshes: B and C-Series and 2 Wet Meadows D & E-Series) with 25-foot Buffer Zone
- Shrub Swamp less than 1-acre (F-series) with 25' Buffer Zone
- Shrub Swamps (off-site to south of gravel driveway on A.P. 4, Lot 10 and also south of Wetland A) and 25-foot Buffer Zone(s) extending on-site.

The DEM has completed an inspection and review of the wetland edges delineated by you on-site and are referenced as Flag Nos. 1A-5A, 1B-6B, 2C -3C, D1-D6, E1-E8, 1F and 2F). 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:

- **Flag 2F should be moved approximately 12 feet southwest to include an additional area of shrub wetland and the buffer bumped out accordingly.**

Please note that 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. 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 any additional wetlands, a new application will be required.

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.

Please be advised that recent vegetative clearing within the Buffer of the F-series wetland was not authorized by this Program and must be allowed to revegetate naturally.

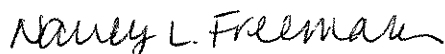
This Program assumes that the edges of freshwater wetlands, as flagged or marked on site, have been accurately surveyed and portrayed on site plans submitted in support of your application. This Program makes no guarantee or representation that such survey is accurate.

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 Sophie Clode of this Office telephone: (401-222-6820, ext. 277-7419) should you have any questions regarding this letter.

Sincerely,



Nancy L. Freeman, Environmental Scientist III
Office of Water Resources
Freshwater Wetlands Program
NLF/SC/sc

c: Ken Cole, Environmental Scientist, Ninigret Environmental
Marcus Channel, RLS, Atlas Land Surveying