



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

January 10, 2025

Sylvester DaSilva
32 Bay Street
Portsmouth, RI 02871

RE: Application No. **24-0259** in reference to the location below:

Approximately 200 feet east of Stafford Road, opposite Utility Pole No. 474, and directly opposite of its intersection with Washington Avenue, Assessor's Plat 207, Lot 111, Tiverton, RI

Dear Mr. DaSilva:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program, ("Program") has completed its review of your proposed 2-lot subdivision, development of "Proposed Lot 2" with a 4-bedroom dwelling, pervious driveway, well, septic system, and associated landscaping as illustrated and detailed on site plans submitted with your application. The site plans referenced by this letter and on file with this Program were received on October 25, 2024.

Our inspection reveals that jurisdictional areas regulated by the DEM are present on or in close proximity to the subject property. Review of your proposed project, however, reveals that this project does not represent an alteration to these jurisdictional areas. It is our determination therefore that a permit for this project pursuant to the Freshwater Wetland Act (R.I. Gen. Laws § 2-1-18 et seq.) or the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, 250-RICR-150-15-3, is not required. This Determination **is specific to the proposed site alterations illustrated and detailed on site plans on file with this Program** and is further predicated on the following:

1. Adequate measures are employed during and after site alterations to control soil erosion and to prevent any sediment from such erosion being deposited in any freshwater wetlands. You should consult the Rhode Island Soil Erosion and Sediment Control Handbook for appropriate methods to control erosion and prevent sediment from leaving your project site.
2. This determination does not authorize you to modify your project in such a way as to result in the following:
 - a. An increase in the rate and/or volume of surface water runoff flowing into, or draining or diverting from these wetlands and buffers; (or floodplain, areas subject to storm flowage or areas subject to flooding), or
 - b. A diversion of groundwater into or away from these wetlands and buffers;(or floodplain, areas subject to storm flowage or areas subject to flooding), or

- c. A modification to the quality of water reaching these wetlands and buffers ;(or floodplain, areas subject to storm flowage or areas subject to flooding), which could change their natural character.

Please note that this Determination is specific to this proposed project as illustrated on the reviewed site plans, is valid for five (5) years from the date of this letter and does not remove your obligation to obtain any local, state or federal approvals or permits required by ordinance or law.

Please note that the wetland edge depicted on the reviewed site plans is not accurate. Site inspections found the wetland edge generally commensurate with the depicted 215-contour line and extending to the 217-contour line in some areas. Site inspections and review of aerial photographs also revealed unauthorized clearing within at least swamp and its 75-foot buffer. Please cease and desist all clearing east of the depicted 222 contour on proposed Lot 2. Due to the presence of these additional wetlands, any land disturbances east of this depicted contour line must be reviewed and approved by this Program.

Kindly be advised that this determination is not equivalent to a determination of the type or extent of freshwater wetlands or other jurisdictional areas on the subject property. Should you wish to obtain such verification, you may submit an application in accordance with 250-RICR-150-15-3.

Any modification to your project that would result in an alteration to jurisdictional areas or allowing your project to result in an alteration to freshwater wetlands, requires a permit from this Program. Unauthorized alterations to freshwater wetlands are subject to enforcement action.

Enclosed please find one (1) copy of your site plans stamped REVIEWED by this Program.

Please contact Hunter Trowbridge of this Office (telephone: 401-537-4363) should you have any questions.

Sincerely,



Andy Charpentier, Environmental Scientist III
Freshwater Wetlands Program
Office of Water Resources

Enclosure: Reviewed Site Plan

cc: Raymond Taylor, Supervising Environmental Engineer IV, DEM OWTS Program
John M. Hoyle, Jr., Tiverton Building Official
William F. Smith, P.E., Civil Engineering Concepts, Inc.