



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

January 10, 2025

Narragansett Improvement Co.
Dustin J. Everson, President
223 Allens Avenue
Providence, RI, 02903

RE: Application No. **24-0275** in reference to the property located:

Approximately 100 feet west of Gazza Road, at Utility Pole No. 32, and approximately 260 feet northwest of its intersection with Peach Orchard Road, Assessor's Plat 250, Lot 2, Burrillville, RI.

Dear Mr. Everson:

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 November 1, 2024.

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.
- Floodplain
- Contiguous areas that extend outward two-hundred feet (200') feet from the edge of a river or stream.
- 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:

- Swamp (A series flagging) and 75-foot Buffer Zone (Buffer Zone extends to 100 feet where stream is within 50 feet of wetland edge (flags A21-A24).

- Swamp (B series flagging) and 75-foot Buffer Zone (Buffer Zone extends to 100 feet where river is within 50 feet of wetland edge (flags B1-B27).
- River (tributary to Chepachet River) and 150-foot Buffer Zone (South of B-series flagging).
- Stream and 100-foot Buffer Zone (located near flags A21-A24).
- Swamp (flags C11-C17) and 25-foot Buffer Zone (Buffer extends to 50 feet where Vernal Pool is within 50 feet of wetland edge).
- Vernal Pools (flags C1-C10, C18-C23, and D-series flags) and 100-foot Buffer Zone.
- Chepachet River and 200-foot Buffer Zone.

The DEM has completed an inspection and review of the wetland edges delineated by you on-site and are referenced as Flag Nos B1-B27, A1-A45, C1-C23, D1-D4). 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 A24 should be moved easterly approximately 12 feet.
- Flags A25 and A32 should be moved easterly approximately 16 feet.
- Flag A8 should be connected to flag A15 and remove flags A9 through A14.

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. 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 note that the Department, at this time, has determined that the wetlands encompassed within flags C1-C10, C18-C23, and D1-D4, are Vernal Pools. These areas will receive a 100-foot Buffer Zone which must be depicted on future submissions. You may submit a Request to Determine the Presence of Jurisdiction Areas during early spring of any calendar year in which event the Department can reinspect these wetland areas and confirm the presence of vernal pool species (i.e.: wood frog (*Lithobates sylvaticus*), spotted salamander (*Ambystoma maculatum*), marbled salamander (*Ambystoma opacum*) or fairy shrimp (*Eubrachipus spp.*)). This application should be received by this Program in early March so that the site can be inspected during amphibian breeding season.

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: (401-527-4225) should you have any questions regarding this letter.

Sincerely,



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

cc: Patricia Kelly, Kelly Land Service, Inc
Scott P. Rabideau, Natural Resource Services, Inc.
Martin D. Wencek, RIDEM Wetlands Permitting Supervisor

