



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

July 14, 2023

Leo Blais  
MooCowLLC  
40 Bank Street  
Coventry, RI 02816

**RE:** Application No. **23-0110** in reference to the location below:

Approximately 500 feet east from Victory Highway (at 2446 Victory Highway), Utility Pole 3-84, approximately 2,000 feet north of its intersection with Ambrose Knight Road, Assessor's Plat 304, Lots 27.1 & 28, Coventry, RI.

Dear Mr. Blais:

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 May 12, 2023, and site plans depicting the entirety of the properties received on May 25, 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.
- Floodplain
- Contiguous areas that extend outward two-hundred (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:**

- Swamp > 1 acre but < 10 acres:
  - E-series flags require a fifty-foot (50') Buffer Zone.

- Swamp > 10 acres:
  - D & F-series flags require a seventy-five-foot (75') Buffer Zone.
  - A & H-series flags require a seventy-five-foot (75') Buffer Zone. This wetland will require an additional 25' of Buffer (for a total of a 100' Buffer) in locations where the stream is within 50' feet of the flagged wetland edge.
- Intermittent Stream (within A & H-series swamp) requires a 100' Buffer Zone (contiguous areas that extend out 100-feet from the edge of a river or stream).

The DEM has completed an inspection and review of the wetland edges delineated by you on-site and are referenced as Flag Nos. WF-E-19 to WF-E23; WF-D38 to WF-D48; WF-F-24 to WF-F-27; WF-A55 to WF-A73 and WF-H69 to WF-H73. Per the applicant's request these flags, and only these specific flags, were inspected for verification. It is our determination that these specific wetland edges delineated on-site are substantially accurate. Corrections and/or modifications to the delineated edge are required, however, which include the following:

- Remove wetland flags D39 & D39A, and directly connect flag D38 to flag D39B.
- Remove wetland flags D40 through D43 and directly connect D39B to D44.
- Please relocate wetland flag H73 approximately 15' to the north, in line with the stone wall.
- Please relocate wetland flag H72 approximately 10' to the north, in line with the stone wall.
- Wetland flag A70 should be connected directly to flag H73 and delete flags A71 through 73.
- Future submissions must depict the stream location south of the "A" and "H" wetland flagging.

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 on your property. The Department has verified only those edges itemized above. These specific edges were 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.

**Additionally**, please be advised that an unauthorized trail was observed which passes through the "A" and "H" series wetland and generally between depicted flags A70 and H72. This appears to have been cleared and created sometime between 2014 and 2018. Cease and desist all work within these jurisdictional areas and allow to revegetate naturally following receipt of this letter. Any further alterations within these wetland jurisdictional areas requires a permit from this Program.

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.

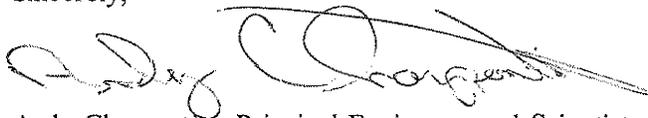
This Program assumes that the edges of freshwater wetlands, as flagged or marked on site, have been accurately surveyed and portrayed on site plans submitted in support of your application. This Program makes no guarantee or representation that such survey is accurate.

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 Rene Legault of this Office telephone: (401-222-6820, ext. 2777732) should you have any questions regarding this letter.

Sincerely,



Andy Charpentier, Principal Environmental Scientist  
Office of Water Resources  
Freshwater Wetlands Program  
AC/RJL/rjl

cc: Frank A. Robinson IV, Narya, LLC.  
Jason Gold, PE, TRC Engineers, Inc.  
Jason Ringler, CWB, PWS, TRC Engineers, Inc.

