



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

OFFICE OF WATER RESOURCES
235 Promenade Street, Providence, Rhode Island 02908

June 6, 2019

Mohammed Arif
1034 Old Smithfield Road
North Smithfield, RI 02896

RE: Application No. 19-0097 in reference to the location below:

Approximately 500 feet northwest of Sayles Hill Road at 40 Sayles Hill Road opposite utility pole no. 43; approximately 700 feet north of the intersection of Woodland and Sayles Hill Roads; Assessor's Plat 17, Lots 22 & 280, North Smithfield, RI.

Dear Mr. Arif:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Request to Verify Delineated Edge of Wetlands**. 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 March 25, 2019.

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 are regulated by this Department and include at least the following types:

- **Swamp**
- **Perimeter Wetland (that area of land within 50 feet of the edge of any bog, marsh, swamp, or pond)**
- **Forested Wetlands**
- **Stream**
- **Riverbank Wetland (that area of land within one hundred feet (100') of the edge of any flowing body of water having a width of less than ten feet (10') during normal flow associated with the stream)**
- **Flood Plain (associated with the stream)**
- **Areas Subject To Storm Flowage**

The DEM has completed an inspection and review of the wetland edge delineated by you on site and requested for verification (i.e., flags 100 through 106, 400 through 412, 201 through 218 and 306 through 321, no flag 316 and no flag 319. Flags 200 and 322 were not verified as they are located off the subject property. It is our determination that this wetland edge delineated on the subject property is accurate with the following corrections/modifications/comments:

- 1) relocate flag 406 10 feet to the southwest;
- 2) locate an intermediary 25 feet to the south-southeast of flag 208 and connect to flag 207,
- 3) locate an intermediary 30 feet to the north of flag 315 and connect to flag 314,
- 4) locate an intermediary 25 feet to the west-northwest of flag 321 and connect to flag 320,
- 5) relocate flag 311 50 feet to the east,
- 6) connect relocated flag 311 to flag 312 and 211,

- 7) locate an intermediary 40 feet to the northwest of flag 307 and connect to flag 306; and
- 8) connect flag 213 to flag 310.

Wetland edge flags 100 through 106 demarcate the edge of a forested wetland.

Wetland edge flags 400 through 412, as modified above, demarcate the edge of a forested wetland.

There are two separate vegetated wetland areas (i.e., Forested Wetland and Swamp) instead of one vegetated wetland as depicted for wetland edge flags 201 through 218 and 306 through 321 (flag numbers 316 and 319 are missing on the site plan). A forested wetland is bounded by flags 201 through 211, relocated flag 311, 312 through 315, 317, 318, 320 and 321, as modified above. A swamp is bounded by flags 213 through 218, and 306 through 310, as modified above. An area subject to storm flowage is located between the forested wetland and swamp.

The delineated area bounded by flags 211, 212, 213, 213 to 310, 310, 311, 312, to relocated flag 311, and back to flag 211 is considered a nonwetland area.

The two areas subject to storm flowage are located approximately between the existing parking lot and the delineated wetland edge between flags 403 and 405.

A stream is present within the forested wetlands delineated by flags 100 through 106 and flags 400 through 412, as modified above.

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 delineated and shown by you on-site and on site plans submitted with your application and as qualified in this letter. Should you wish to verify the edge of these additional wetlands, an additional application will be required.

This Program did not undertake an inspection of other areas of the subject property to determine the presence of any additional freshwater wetlands.

This Program assumes that the edges of the 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.

This letter does not constitute an approval or permit for any proposed project on the subject property. Pursuant to Section § 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-RICR150-15-1, a permit is required from this Program prior to the commencement of any activity which impacts or alters freshwater wetlands.

In accordance with 250-RICR-150-15-1.8(C)(8), this verification of the delineated edge of freshwater wetlands is valid for a limited period of four (4) years from the date of issue.

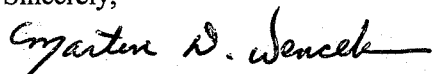
You are hereby advised that on July 10, 2015, significant revisions to the RI Freshwater Wetlands Act (R.I. Gen. Laws. § 2-1-18 *et. seq.*) were signed into law. These revisions modify, among other things, the "jurisdictional areas" recognized by the State of Rhode Island. The Department is currently in the process of amending the Rules. If you are contemplating a project on your property, and submit the application prior to the promulgation of the revised Rules, you can expect the wetlands jurisdictional areas to correspond as described in this verification letter.

Any application submitted after promulgation of the Rules will be expected to conform to the then existing and duly promulgated Rules. While these changes will not affect the location of flagged wetland edges as verified in this letter, they may affect how activities located in adjacent jurisdictional upland areas will be regulated. You are advised, in the meantime, to monitor the rulemaking process, which will include opportunities for public input and comment.

Please be advised that during site inspection exposed disturbed soils were seen in various places near wetlands, including on the existing dirt/cobble rock road located just northeast of the powerline (approximately 100 feet northeast of wetland edge flag 412) and on a nearby slope. Therefore, you must ensure that all best management practices for erosion and sediment controls are used and maintained in effective operating condition during any cutting of vegetation, and all exposed soil and other fills are permanently stabilized at the earliest possible date in accordance with 250-RICR-150-15-1.6(A)(5)(c).

Please contact Daniel M. Kowal (401-222-4700, ext. 7416) of this Office should you have any questions regarding this letter.

Sincerely,



Martin D. Wencek, Permitting Supervisor
Freshwater Wetlands Program
Office of Water Resources

MDW/DMK/dmk

cc: Norbert A. Therien, P.L.S., National Surveyors-Developers, Inc.
Joseph McCue, Mason & Associates, Inc.