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

August 5, 2022

Daniel & Susan Sleboda
171 Whipple Road
Smithfield, RI 02917

RE: Application No. 22-0229 in reference to the property located:

At 169 Whipple Road, approximately 1200 feet southwest from the intersection of Whipple Road and Sables Way, Assessor's Plat 42, lot 14, Smithfield, RI.

Dear Mr. & Mrs. Sleboda:

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your Request to verify the delineated edge of freshwater 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 June 17, 2022.

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, but are not limited to, at least the following types:

- Swamp (A & B-series)
- Pond
- Perimeter Wetland (that area of land within fifty feet (50') of the edge of any freshwater wetland consisting in part, or in whole, of a bog, marsh, swamp or pond)
- River (West River)
- 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)
- 2 Areas subject to storm flowage (ASSF) (an undepicted ASSF was located between flags A32 and A33). Please note that the ASSF depicted flows over the cart part between approximately Flags B14 and A15, its entirety has not been depicted.
- Floodplain

The DEM has completed an inspection and review of the wetland edge(s) delineated by you on-site. It is our determination that:

The wetland edges delineated on-site are accurate. These wetland edges have been shown on the site plan submitted with your application and are referenced as: A4 through A59 and B1 through B22.

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 on your property. The Department has verified only those flagged wetland edges delineated and shown by you on-site and on the site plans

submitted with your application and as qualified in this letter. Please note that the Department does not verify watercourses (ASSF or Riverbank Flags).
Please also note that the flood plain depicted on the site plans submitted for this Request To Verify has not been reviewed, nor verified under this application. Flood plain on the subject lot (AP 42/Lot 14) will be reviewed under the subsequently submitted proposed subdivision under cross-reference Application to Alter No. 22-0307.

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-RICR150-15-1, 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-150-15-1.8(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 for the purpose of freshwater wetlands protection. DEM has developed revised Freshwater Wetlands Rules that went into effect on July 1, 2022 (250-RICR-150-15-3).

Any application submitted after the effective date 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.

Please contact Sophie Clode of this Office telephone: (401-222-6820, ext. 2777419) should you have any questions regarding this letter.

Sincerely,

Nancy L Freeman

Nancy L. Freeman, Principal Environmental Scientist
Office of Water Resources
Freshwater Wetlands Program

NLF/SC/sc

c: Brandon Faneuf, President, Ecosystem Solutions, Inc.
Timothy Behan, PE, Commonwealth Engineers & Consultants, Inc.