



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

April 25, 2024

Rainforest Realty, LLC
Fei Pan
445 Douglas Pike
Smithfield, RI 02917

RE: Application No. 24-0037 in reference to the property located:

At 443 & 445 Douglas Pike, 650 feet northeast of Douglas Pike, 1300 feet east by southeast of the nearest intersection with Maureen Drive, Assessor's Plat 42, Lots 2 & 2A, Smithfield, RI.

Dear Mr. Pan:

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 February 28, 2024.

Per Rule 250-RICR-150-15-3.23, the **Statewide Buffer Zone Designation**, your property falls within:

- River Protection Region 2

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:

Freshwater Wetlands and associated Statewide Buffer Zone Designation:

- **Deciduous Forested Swamp: 75' Buffer Zone (100 and 200-Series)**
 - Extends to 100 feet where wetland types or subtypes are present within 50 feet inward of the delineated edge (e.g. Whipple Brook, vernal pool, and the shrub swamp)
- **River/Stream: 100' Buffer Zone**
 - Whipple Brook
 - Intermittent Stream flowing southeasterly from flag WF-201 through to flag WF-165 and beyond towards Whipple Brook.
- **Vernal Pool: 100' Buffer Zone**
 - A depressional wetland basin near at least flag WF-157 holding approximately one foot of water. Approximately 25 Wood Frog (*Lithobates sylvaticus*) egg masses have been observed in the center of the pool.

- **Shrub Swamp: 75' Buffer Zone**

- Along Douglas Pike in the southwest corner of the subject property. Whipple Brook runs through the Highbush Blueberry and Sweet Pepperbush shrub swamp before reaching the culvert.

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 the Rules, "adjacent to" means land area within the Buffer Zone. Undeveloped vegetated land is an area of land that does not consist of buildings, impervious surfaces, bare gravel, lawn, or landscaped areas.

Other Jurisdictional Areas:

- Contiguous Areas that extend out from 200-feet from the edge of a river or stream
- Contiguous Areas that extend out from 100-feet from the edge of all other freshwater wetlands

Floodplain:

- Associated with all rivers and streams
- FEMA mapped A Zone associated with Whipple Brook

Area Subject to Storm Flowage (ASSF)

- ASSF extending from the bituminous driveway southeasterly downslope to flag WF-115 (included on the submitted verification plan).
- ASSF extending from near the bituminous driveway southeasterly downslope to flag WF-117.

The DEM has completed an inspection and review of the wetland edges delineated by you on-site. These wetland edges have been shown on the site plan submitted and are referenced as Flag Numbers WF- 100 to WF-172 and WF-200 to WF-208. 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:

- Flags WF-200, WF-207, and WF-208 each need to be moved 35 feet to the northeast, to encompass additional swamp.
- Relocated flag WF-207 should be connected to main portion of swamp at flag WF-168 to combine the two separate swamps.
- Flag WF-206 should be connected to flag WF-165 along the intermittent stream channel (depicted as an ASSF) to combine the 100-series and 200-series swamps.
- Flag WF-155 should be directly connected to WF-158, omitting flags WF-156 and WF-157.
- Please move Flag WF-112, 25 feet to the north to accommodate additional swamp. Omit Flag WF-A111 and connect WF-110 to the relocated WF-112. Omit Flags WF-113 and WF-114. Connect relocated WF-112 to WF-115.

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 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.

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.

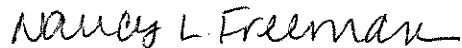
This Program assumes that the edges of freshwater wetlands, as flagged or marked on site, have been accurately surveyed and portrayed on site plans submitted in support of your application. This Program makes no guarantee or representation that such survey is accurate.

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 Ryan Corvese of this Office telephone: (401-537-4245) should you have any questions regarding this letter.

Sincerely,



Nancy L. Freeman, Environmental Scientist III
Office of Water Resources
Freshwater Wetlands Program
NLF/RKC/rkc

ec: Lyn Small, PE, Vice President, Northeast Engineers & Consultants Inc.
Joseph P. McCue, PWS, McCue Environmental LLC