



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

January 30, 2025

Steve & Michelle Jackson
31 Greenlake Drive
Smithfield, RI 02828

RE: Application No. **24-0245** in reference to the location below:

Approximately 50 feet west of Greenlake Drive (at 31 Greenlake Drive), Utility Pole No. 10, and approximately 120 feet south of its intersection with Ruff Stone Road, Assessor's Plat 5, Lot 69, Smithfield, RI.

Kindly be advised that the Department of Environmental Management's ("DEM") Freshwater Wetlands Program ("Program") has completed its review of your **Request to Determine the Presence of Jurisdictional Areas**. 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 October 18, 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 jurisdictional areas are present on and in close proximity to the subject property. These jurisdictional areas are regulated by this Department and include, but are not limited to, 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 one-hundred feet (100') from the edge of all other freshwater wetlands

Freshwater Wetlands and associated Statewide Buffer Zone Designation:

- Pond (Slacks Reservoir) and 50-foot Buffer Zone.
- Swamp and 25-foot Buffer Zone (Depression located within the eastern portion of the property).

A site inspection revealed that yard waste (consisting of at least leaves) is being discarded into the swamp. Please cease and desist from discarding any waste into this wetland and remove accumulated yard waste from this wetland down to the wetland's natural substrate using hand methods only. The removal of yard waste must be completed by April 15, 2025.

Failure to satisfy the above requirements within a timely and satisfactory manner will result in referral of this issue to DEM's Office of Compliance and Inspection for further enforcement action. You are required to notify this Program in writing upon commencement and again upon completion of the requirements outlined above.

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-RICR-150-15-3, a permit is required from this Program prior to the commencement of any activity which impacts or alters jurisdictional areas (unless exempt per Rule 250-RICR-150-15-3.6).

In accordance with 250-RICR-150-15-3.9.2(C), this determination of the presence of jurisdictional areas is valid for a limited period of five (5) years from the date of issue.

Please contact Rene Legault of this Office telephone: (401-537-4248) should you have any questions regarding this letter.

Sincerely,



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

MDW/RJL/rjl

ec: Jacob Neves, Smithfield Building Official
Katherine Morgan, DEM Office of Compliance & Inspection
Bruce Ahern, DEM Office of Compliance & Inspection