



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

January 14, 2025

Therese L. Holland
3948 Main Road
Tiverton, RI 02878

RE: Application No. **24-0291** in reference to the property located:

Approximately 300 feet west of Maple Avenue, at Utility Pole No. 7, and approximately 540 feet southwest of its intersection with Simmons Road, Assessor's Plat 30, Lot 25-1, Little Compton, RI.

Dear Ms. Holland:

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 November 26, 2024.

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.
- Contiguous areas that extend one-hundred feet (100') from the edge of all other freshwater wetlands

Freshwater Wetlands and associated Statewide Buffer Zone Designation include at least the following types:

- Swamp and 75-foot Buffer Zone plus 25-feet where vernal pool is within 50 feet of wetland edge.
- Vernal Pool and 100-foot Buffer Zone.

The DEM has completed an inspection and review of the wetland edge 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 flags A1-A36.

Please note that our inspection of the subject property has revealed the presence of other freshwater wetlands not specifically delineated by you. Specifically, a vernal pool was flagged onsite but not depicted on site plans. 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 or jurisdictional areas 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.

Please note that the Department, at this time, has determined that a vernal pool is present north of depicted flag A14. This area will receive a 100-foot Buffer Zone which must be depicted on future submissions. You may submit a Request to Determine the Presence of Jurisdiction Areas during early spring of any calendar year in which event the Department can reinspect the wetland area and confirm the presence of vernal pool species (i.e.: wood frog (*Lithobates sylvaticus*), spotted salamander (*Ambystoma maculatum*), marbled salamander (*Ambystoma opacum*) or fairy shrimp (*Eubbranchipus spp.*)). This application should be received by this Program in early March so that the site can be inspected during amphibian breeding season.

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 Lucianna Faraone Coccia of this Office telephone: (401-537-4225) should you have any questions regarding this letter.

Sincerely,



Andy Charpentier, Environmental Scientist III
Office of Water Resources
Freshwater Wetlands Program
AC/LFC/lfc

cc: William F. Smith, Civil Engineering Concepts Inc.
Brandon Faneuf, Ecosystem Solutions Inc.
Martin D. Wencek, RIDEM Wetlands Permitting Supervisor