



BASIC QUESTIONS AND ANSWERS REGARDING THE FRESHWATER WETLANDS GENERAL PERMIT

Question: What is a General Permit (GP)? Why is the GP language not included in the body of the Freshwater Wetlands Rules (250-RICR-150-15-3) Amended?

Answer: [250-RICR-150-15-3.10](#) of the Rules defines what a GP is and how it will be issued by the Department. GPs are developed for projects that involve similar land uses, substantially similar types and areas of alteration and impacts in a defined area.

The Department will identify categories of projects and activities that are more appropriately authorized under a GP than under individual Freshwater Wetlands Permits. This allows the Department to streamline the application requirements and develop standard permit Terms and Conditions for categories of projects or activities that have similar requirements and impacts.

Question: Will the Department inform me if my project qualifies as exempt once I file a GP application?

Answer: If the project is exempt there is no need to submit an application. Applicants should review the exemptions in [250-RICR-150-15-3.6](#) and review the related fact sheets on the [New FWW Rules Training and Guidance Materials Page](#).

If there is a question or the applicant needs written confirmation, the applicant can file a [Request for Regulatory Applicability](#) to verify that the project is exempt.

Question: How do I know if my project or activity is eligible for authorization under the General Permit?

Answer: Part I.A. of the GP specifically lists the four categories of projects and activities, and their specific requirements, that are eligible for authorization under the GP. An applicant should also review all standard Terms and Conditions listed in Part I.D. of the GP to ensure they can be met. Upon review of an Application for a Freshwater Wetlands General Permit, RIDEM will provide in writing either an

authorization to proceed under the GP or a determination that a project is ineligible under this GP.

Question: **What will I receive from RIDEM as my approval?**

Answer: Eligible projects and activities will receive a written authorization to proceed.

Question: **When can I start construction activities?**

Answer: [250-RICR-150-15-3.10\(A\)\(5\)](#) states *“An applicant may not proceed under a general permit until an application has been made to the Department and written confirmation has been received that a proposed project or activity is eligible for authorization under the general permit.”*

Prior to the start of construction on any project authorized by the GP, an applicant must complete and submit the [Start of Construction Form](#).

Question: **What will the review timeframe be?**

Answer: The Department has established a goal to issue authorizations under the GP within thirty (30) days of receipt of a complete application. However, the actual approval times will vary based on the volume and rate of applications submitted to the Department. Approval times may also be impacted if the Department must perform field work to verify the buffer and wetland edges. If an applicant first obtains a verification of wetland edges and applicable buffer zones (see [250-RICR-150-15-3.9.3](#)), this will facilitate a quicker review and a predictable outcome. For additional guidance on when it is recommended to have the freshwater wetland edges verified when applying for a GP, see the guidance document listed on the [New FWW Rules Training and Guidance Materials Page](#).

Question: **Will the GP need to be recorded in the land evidence records in the Town/City for which the authorization applies?**

Answer: No. Authorizations issued under the GP will not be required to be filed in Land Evidence Records.

Question: **Should stormwater materials always be submitted for projects involving drainage designs or substantive land changes? Are computations required? Do I need a stormwater professional?**

Answer: Part I.B. of the GP details the application requirements. In addition to the GP application form, the applicant must provide documentation to describe a project or activity in sufficient detail to clearly demonstrate how it will meet all project-specific requirements and all Terms and Conditions of the GP including but not limited to:

- a. Site plans (3 copies) meeting relevant Site Plan Requirements of [250-RICR-150-15-3.8.4](#); Use of a professional may be required for site plan preparation as further described in [250-RICR-150-15-3.8.7](#);
- b. A narrative description (2 copies) of the proposed project and activity;
and
- c. Any other relevant documentation (2 copies) such as floodplain documentation, copies of previous Wetland Determination or Edge Verification letters, or any other supporting documentation needed to demonstrate how all relevant requirements of the GP have been met.

Drainage designs and calculations are not required to be submitted for review.

Please see Part I.D. of the GP for standard Terms and Conditions applicable to all projects, especially Part I.D.6 and Part I.D.8.

Part I.A. of the GP identifies when a professional certification is required for each category of eligible projects or activities. For example, any project not otherwise exempt pursuant to [250-RICR-150-15-3.6](#) that involves new impervious areas, or disturbance of 10,000 sq. ft. or more of existing impervious area, except projects associated with existing developed single-family residences or duplexes, must be accompanied by a signed statement from a RI Registered Professional Engineer certifying that the project has been designed to meet all applicable Minimum Standards set forth in the [Stormwater Management, Design and Installation Rules \(“Stormwater Rules”\), 250-RICR-150-10-8](#).