



RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF WATER RESOURCES - Groundwater and Freshwater Wetlands Protection
FRESHWATER WETLANDS PROGRAM
235 Promenade Street, Providence, RI 02908
Telephone: 401-222-6820; Rhode Island Relay: 711
www.dem.ri.gov/wetlands

FOR RIDEM USE ONLY

Complete Application Received Date: _____

FWW File#: _____

FRESHWATER WETLANDS REQUEST FOR REGULATORY APPLICABILITY

INSTRUCTIONS: Use this form to request a determination as to whether a proposed project does or does not require a permit under the [Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, \[250-RICR-150-15-3 "Rules"\]](#) [Refer to §3.8 for other application types and general submission requirements.]

Submit this completed Request Form with fee and all documents required by § 3.9.4 to:

Permit Application Center (PAC), RIDEM, 235 Promenade Street, Providence, RI 02908

(Check or money order must be made payable to the Rhode Island General Treasurer.)

Note: Many projects or activities occurring outside of wetlands may directly or indirectly alter the character of wetlands. Applicants proposing development in undisturbed areas in or near wetlands should submit an [Application for Freshwater Wetlands Determination or Permit](#) to obtain a suitable determination in cases where applicability to the Rules is likely.

PAYMENT INFORMATION

Fee Payment Amount: **\$150.** Check #: _____ Check Issued By: _____

GENERAL INFORMATION and SUBMISSION CHECKLIST

Provide file numbers associated with this site:

Any previous Freshwater Wetlands application for this site? ☐ YES ☐ NO

If yes, provide File(s) #: _____

Note: Confirm by viewing permit information from the Wetlands Online Permit Search at: www.ri.gov/DEM/wetlands/

Any previous enforcement action for this site? ☐ YES ☐ NO

If yes, provide File(s) #: _____

RIDOT PTSID # (if applicable): _____

Select documents enclosed with this form. [Refer to §3.9.4 for a complete list of submission requirements.]

- ☐ Three (3) copies of plan illustrating the current and proposed conditions of the property and locations of wetlands.
- ☐ Two (2) copies of a written project description including purpose, size and area(s) on the property where project is proposed.
- ☐ Two (2) copies of a written description of how potential freshwater wetland impacts have been avoided to maximum extent possible.
- ☐ Photograph(s) of the current site conditions where work is proposed.
- ☐ Verified Freshwater Wetland Edge Decision (preferred, not required.)
- ☐ Supplemental Document(s) for Additional Applicant Information and Certification (required only for more than one Applicant.)

PROPERTY, SITE and PROJECT INFORMATION

Note: For sites located in more than one municipality, designate the city/town where property has an occupied building as the primary; otherwise the larger portion of land will determine the primary city/town. Include all plat(s) and lot(s) that are part of the site, regardless of ownership.

Project Name: _____ Project Type: _____

Primary City/Town: _____ Street Abutting Site, with Address # (if applicable): _____

Nearest Intersecting Street: _____ Distance (in feet) and Direction to Site from nearest street intersection: _____

Primary City/Town Tax Assessor's Plat(s) and Lot(s): _____ Nearest Utility Pole No.: _____

Secondary City/Town (if Applicable): _____ Secondary City/Town Tax Assessor's Plat(s) and Lot(s): _____

APPLICANT INFORMATION

Note: Requests for Regulatory Applicability being submitted for a project with more than one applicant may provide the [Supplemental Document: Additional Applicant Information and Certification](#) in addition to this form.

Applicant's Name (required): _____ Title: _____

The applicant must be the owner of the property or easement which is the subject of this application or must be the government agency or entity with power of condemnation over such property or easement.

Name of Representative (if Applicant is an Agency or Entity): _____

Email: _____ Phone: _____

Mailing Address: _____

City/Town: _____ State: _____ Zip Code: _____

APPLICANT CERTIFICATION

Select the Certification for Regulatory Applicability Determination to be issued by RIDEM (required):

- ☐ I hereby certify that I have requested and authorized the investigation, compilation, and submission of all the information, in whatever form, contained in this Application; that I have personally examined and am familiar with the information submitted herein; and that such information is true, accurate and complete to the best of my knowledge. I hereby authorize RIDEM personnel access to the property for purposes of observing conditions pertinent to this application and assessing compliance with any permit or determination resulting from this application, including any sampling, monitoring or surveying that may be deemed appropriate, consistent with [RIDEM's Administrative Inspection Guidelines \[250-RICR-20-00-3\]](#)

Note any special conditions for access:

Applicant's Signature: _____

Date of Signature: _____

PROFESSIONAL'S INFORMATION (if any)

Note : The prime professional (e.g. engineer, biologist, land surveyor, landscape architect, etc.) who participated in the submission and or preparation of this Request for Regulatory Applicability must sign below.

Professional's Name: _____

Title: _____

Email: _____

Phone: _____

Mailing Address: _____

City/Town: _____

State: _____

Zip Code: _____

PROFESSIONAL'S CERTIFICATION

Select the Certification for Regulatory Applicability Determination to be issued by RIDEM (required):

- ☐ I hereby certify that I have been authorized by the applicant to prepare documentation to be submitted in support of this Application; that such documentation is in accordance with the [Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act \[250-RICR-150-15-3 "Rules"\]](#); and that such documentation is true, accurate and complete to the best of my knowledge.

Note any special conditions for access:

Professional's Signature: _____

Date of Signature: _____

REGULATORY APPLICABILITY DETERMINATION DECISION [FOR RIDEM USE ONLY]

In accordance with the [Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act \[250-RICR-150-15-3.14.2 or "Rules"\]](#), DEM issues the following determination concerning your proposed project based on reliance on the above information and accompanying attachments to your application. Any change in your project, or the existence of property characteristics that differ from descriptions that were provided to the DEM, may invalidate this determination.

Freshwater Wetlands Application #: _____

- ☐ **Permit not required - you may proceed with your project**
- ☐ Freshwater Wetland Rules are not applicable to the project as proposed. [NOTAPPLICA]
 - ☐ Project is exempt as proposed and described. [EXEMPT]
 - ☐ Project is not exempt, but does not alter the character of wetlands.
- ☐ **Further application required - you may NOT proceed with your project.**
- ☐ Alteration of freshwater wetland is proposed. [PERMITREQ]
 - ☐ Unable to make an applicability based on information provided. [INDETERM]

☐ **Staff Comments:** _____

- ☐ For additional details, findings and instructions for further required actions, see enclosed letter dated: _____

Please contact the Freshwater Wetlands Program by email at DEM.FWW@dem.ri.gov or call (401) 222-6820, option #3, if you have questions regarding this decision.

Signature of DEM Official: _____

Decision Date: _____