

**RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF WATER RESOURCES / FRESHWATER WETLANDS PROGRAM**

235 Promenade Street, Providence, RI 02908  
Telephone: 401-222-6820, Rhode Island Relay 711

**REQUEST FOR REGULATORY APPLICABILITY FORM**

Please type or print

**PART A Purpose of Application:**

Use this application form only if you desire confirmation that your proposed project does not require a permit under the [Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act, 250-RICR-150-15-1](#) [see 250-RICR-150-15-1.5(B), 250-RICR-150-15-1.7(A)(1), 250-RICR-150-15-1.7(A)(2) and 250-RICR-150-15-1.8(D) for a description of application types, submittal requirements and application outcomes]. Please be informed that 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 use the General Application Form - Request for Preliminary Determination to obtain a suitable determination in cases where applicability of the Freshwater Wetlands Rules (250-RICR-150-15-1) is likely.

**AGENCY USE ONLY**

Application No:

Application Received:

**PART B Applicant Information:**

Applicant's Name [see 250-RICR-150-15-1.7(A)(2)]: \_\_\_\_\_

*Note: 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.*

Applicant's Mailing Address:

Street/Road

P.O. Box

City/Town

State

Zip Code

Telephone No.

Applicant's Email Address: \_\_\_\_\_

**Location of Property subject to this Application** (if different from mailing address):

City/Town

Street Abutting Site Street address number (if applicable)

Nearest street intersection and its distance and direction from site

Nearest utility pole number(s): \_\_\_\_\_ Direction to site from abutting street: N \_\_\_\_\_ S \_\_\_\_\_ E \_\_\_\_\_ W \_\_\_\_\_

Tax Assessor's Plat(s) and Lot No.(s): \_\_\_\_\_

Recorded Plat (s) and Lots No.(s) (if no Tax Assessor Plat and Lots available): \_\_\_\_\_

**PART C General Information and Checklist:**

- Any previous application for this site? Yes \_\_\_\_\_ No \_\_\_\_\_ Provide Application No(s) \_\_\_\_\_
- Any previous enforcement action for this site? Yes \_\_\_\_\_ No \_\_\_\_\_ Provide File No(s) \_\_\_\_\_
- Fee Enclosed - \$150.00 made payable to the General Treasurer of Rhode Island Check No. \_\_\_\_\_
- Attach 3 copies of plan illustrating the current and proposed conditions of the property and location of wetlands.
- Attach written project description including purpose, size, and area(s) on the property where project is proposed.
- Attach photograph(s) of the current site conditions where work is proposed.

**PART D Professional's Certification** (if any):

*Note: The prime professional (e.g. engineer, biologist, landscape architect, etc.) who participated in the submission and/or preparation of this Application and supporting must sign below.*

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*; and that such documentation is true, accurate and complete to the best of my knowledge.

Professional's Name (*print*): \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_ d/b/a: \_\_\_\_\_

Professional's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Professional's Email Address: \_\_\_\_\_ Tel. \_\_\_\_\_

**PART E Applicant's Certification/Authorization**

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, consistent with the RIDEM Administrative Inspection Guidelines. (See DEM website - Office of Compliance and Inspection for copy). Note any instructions or special concerns for access here:

Applicant's Signature: \_\_\_\_\_ Title (if applicable): \_\_\_\_\_

Print Name Signed Above: \_\_\_\_\_ Date: \_\_\_\_\_

**DO NOT WRITE BELOW THIS LINE**

**Rhode Island Department of Environmental Management Determination**

To Applicant:

In accordance with 250-RICR-150-15-1.8(D), DEM issues the following determination concerning your proposed project based on reliance on the above information and accompanying attachments to your application. Be advised that 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:

- Permit not required – you may proceed with your project.
  - Freshwater Wetland Rules are not applicable to the project as proposed.
  - Project is exempt as proposed and described.
- Further application required - you may **NOT** proceed with your project.
  - Alteration of freshwater wetland is proposed.
  - Unable to make an applicability determination based on information provided.

Staff Comment: \_\_\_\_\_

\_\_\_\_\_

**DEM authorized staff** \_\_\_\_\_ **Date:** \_\_\_\_\_