



RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF WATER RESOURCES - Groundwater and Freshwater Wetlands Protection
FRESHWATER WETLANDS PROGRAM

235 Promenade Street, Providence, Rhode Island 02908

Telephone: 401-222-6820; Rhode Island Relay 711

www.dem.ri.gov/wetlands

INSTRUCTIONS FOR COMPLETING A FRESHWATER WETLANDS APPLICATION

Purpose: Use the [Application for a Freshwater Wetlands Determination or Permit form](#) to request a new Freshwater Wetlands determination or permit, a significant alteration of wetlands, or modification to an existing Freshwater Wetlands permit. This document is designed to provide guidance and instructions to assist application preparers and is intended only as a resource. Complete the form electronically (by entering information within each shaded area) then print, provide valid original signatures, include required supplemental documents, and submit application and fee (payable to RI General Treasurer) to:

Permit Application Center (PAC)
Rhode Island Department of Environmental Management
235 Promenade Street, Room 260
Providence, RI 02908-5767

APPLICATION SUBMITTAL REQUIREMENTS - The following is a summary of basic submittal requirements when applying to the Freshwater Wetlands Program (see § 3.11.2 of the [Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act - 250-RICR-150-15-3](#)):

- Completed [Application for a Freshwater Wetlands Determination or Permit form](#) (see §§ 3.8.2 and 3.8.3 of the Rules)
- The appropriate fee (see § 3.8.9 of the Rules for the Fee Schedule)
- Completed site plans, drawn to scale, that clearly depict all required information, and, as applicable, depicts the freshwater wetlands edges, associated buffers and buffer zones, floodplains, areas subject to flooding and areas subject to storm flowage that are on the property (see §§ 3.8.4 and 3.8.5 of the Rules)
- Project Narrative (when applicable) - written overall description of the proposed project, including
 - Scope - project name, type, size, purpose, and location
 - Description of all applicable jurisdictional areas
 - Site history and a description of the areas evaluated, including nearby roadways and adjacent land uses
 - Description of the documented occurrence of [rare native plants](#), [rare native animals](#), or [rare freshwater wetland types](#) as specified on lists maintained by RIDEM
 - Clearly state how the proposed project has satisfied the standards specified in [§ 3.7.1 of the Rules](#)
- For comprehensive application submittal requirements across each of the application types, see [Required Enclosures for Freshwater Wetlands Applications](#)

PART A - APPLICATION TYPE - On the application form, select the box that most closely matches your situation. [Full descriptions of the application types are available here.](#)

- Request to Determine the Presence of Jurisdictional Area - Select this option if you're seeking to determine if your property contains jurisdictional area relative to freshwater wetlands ([§ 3.9.2](#))
- Request to Verify Wetland Edges - Select this option if you're seeking to verify the flagged edges of wetlands on the property ([§ 3.9.3](#))
- New Freshwater Wetlands Permit - Select New Freshwater Wetlands Permit if you are seeking DEM approval of a project within the jurisdictional area and all standards are met. If all standards are not met, also select "with variance" and see additional fee and submission requirements.
 - With Variance - Select this option if your proposed project does not meet all of the standards specified in [§ 3.7.1 of the Rules](#). In addition, you must provide a narrative description documenting how the proposed project will satisfy the variance criteria specified in [§ 3.7.3](#).
 - With Joint On-Site Wastewater Management System (OWTS) (single-family lot only) application - Select this option if you are seeking to jointly apply for an OWTS permit. **Note: This application can only be used for single-family lots. In addition, this application cannot be used for an OWTS variance or repair application, an application in CRMC jurisdiction, Freshwater Wetland Permit with Variance, or a proposed significant alteration of freshwater wetlands.** Joint Freshwater Wetlands and OWTS applications require submission of both this application form and the OWTS Construction Permit application (multi-part form) (see [Required Enclosures for Freshwater Wetlands Applications](#)).
- Significant Alteration - Select this application type if your proposed project will, or is likely to, result in a significant alteration of freshwater wetlands, buffer, or floodplain (see [§ 3.12 of the Rules](#))
- Permit Modification - Select this application type if you are requesting approval to a minor modification of a previously permitted project (see [§ 3.14.3 of the Rules](#)). Provide the Permit Number that you are seeking to modify.

FEE INFORMATION - [§ 3.8.9 of the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act](#) provides tables to help determine the fee category based on the application type and project type. In addition, RIDEM has created a [Freshwater Wetlands Fee Assistant](#) to help applicants determine project type and fee amount. Within Table 3 (§ 3.8.9[B]), "Projects Associated with Existing Non-Single Family, not miscellaneous in § 3.8.9(C) of this Part" and "Construction of New Non-Single Family, not miscellaneous in § 3.8.9(C) of this Part" include (but are not limited to) apartments, condominiums, offices, schools, churches, and commercial lots.

JOINT FRESHWATER WETLANDS AND ON-SITE WASTEWATER TREATMENT SYSTEM (OWTS) PERMIT - SPECIAL INSTRUCTIONS (for additional information see [Required Enclosures for Freshwater Wetlands Applications](#)): If you are seeking to request a Joint Permit for development of a single-family lot involving a proposed on-site wastewater treatment system (OWTS) and alteration of freshwater wetlands, complete this form along with an OWTS Construction Permit application (multi-part form). Submit this completed form and the OWTS Construction Permit, along with the required plans, detail sheets, and documentation.

PART B - APPLICANT INFORMATION AND CERTIFICATION/AUTHORIZATION - Provide all required applicant contact information. **Note: The applicant must be the owner of the property or easement which is the subject of this application or must be a governmental agency or entity with the power of condemnation over such property or easement.** In cases where the owner is an organization, provide the name and title of the individual signing on behalf of the organization (see § 3.8.3). In cases with multiple properties with multiple owners, use this section for the "primary owner" (the owner of the property on which the majority of wetland alterations are proposed) and use the [Supplemental Document: Additional Applicant Information and Certification](#) for the contact information for all other owners. Sign the Certification/Authorization of Applicant to complete this section.

- The printed name and signature for the Applicant must be the same individual.
- Additional applicants can use the [Supplemental Document: Additional Applicant Information and Certification](#) to provide contact information and valid signatures.

PART C - PROPERTY LOCATION SUBJECT TO THIS APPLICATION: Complete each field to provide information on the property. If your property is located in more than one municipality, please provide the secondary city/town and Assessor's Plat/Lot Numbers in the appropriate locations. If the property has an occupied building, then the portion containing the occupied building should be considered the primary city/town. Otherwise, the larger portion of land should determine the primary city/town. You should include all plat(s) and lot(s) that are included in the project in this application form, regardless of ownership. If applicable, additional owners will include their plat(s) and lot(s) when they complete the [Supplemental Document: Additional Applicant Information and Certification](#). If you know of previous Freshwater Wetland Determinations/Permits or Enforcement Actions at the property, provide those file numbers in the respective areas.

PART D - PROJECT INFORMATION: First, provide a Project Name that is specific to this project. Then, select the appropriate project type from the pick list and enter the project size and units.

Use the [Freshwater Wetlands River Buffer Regions Map](#) to determine which region your project is located within and check the appropriate box. Next, answer each of the "no/yes" questions regarding your project. Based on your responses, additional applications and/or supporting documentation that may be required are indicated in *italics*. The DEM Interactive GIS Map can be a helpful resource to find information regarding the river buffer zone regions, natural heritage areas, and drinking water supply reservoir watersheds (DWSRWs).

If your application includes major land development or a major subdivision project (as defined in [R.I. Gen. Laws § 45-23-32](#)), you must submit (along with the Application for a Freshwater Wetlands Determination or Permit) one of the following:

- Local Master Plan Approval; or
- Local conditional approval of a combined Master and Preliminary Plan; or
- A letter from an authorized municipal official (the Administrative Officer) certifying compliance with local low impact development site planning and design requirements as contained within the local zoning ordinance, land development and subdivision Regulations, or other pertinent Regulations.

Important: If your project will involve impacts to freshwater wetlands that are also considered to be "[Waters of the United States](#)," you must also seek a permit from the U.S. Army Corps of Engineers (USACE). Information on these General Permits, and how to obtain approval from USACE [can be found here](#).

PART E - SITE WORK AFFIDAVIT: Review the information in the Site Work Affidavit section. If you are a site work professional working on this project, in Part F check the box "By checking this box, I attest that I have reviewed and certify the Site Work Affidavit in Part E" and provide the date when you last inspected the site.

PART F - CERTIFICATION OF PROFESSIONAL(S): Note: Any professional (e.g. engineer, biologist, landscape architect, professional land surveyor, etc.) who participated in the submission and/or preparation of this Application and supporting documentation must sign this application.