



# Wetland Rules Workshop Focus: Exemptions, Infill Standard, Variances and Municipal Coordination

Groundwater & Freshwater Wetlands Protection

RIDEM Office of Water Resources

March 30, 2022





# Presentation Outline

- New and Revised Exemptions
- Infill Standard
- Variances (Part II)
- Municipal Coordination
- Next Steps & Questions





# Exempt Activities (§ 3.6)

3.6	Exempt Activities .....	25
3.6.1	General Conditions for Exempt Activities .....	25
3.6.2	Limited Cutting of Vegetation .....	27
3.6.3	Limited Maintenance and Repair Activities .....	30
3.6.4	Demolition of Buildings or Accessory Structures .....	33
3.6.5	Single-Family Residences and Accessory Structures .....	34
3.6.6	Non-Residential Buildings or Multifamily Residences and Accessory Structures .....	35
3.6.7	Emergency Environmental Protection .....	35
3.6.8	Site Remediation .....	36
3.6.9	Utility Emergencies .....	36
3.6.10	New Utility Lines .....	37
3.6.11	Agricultural Practices By Any Property Owner Other Than a Farmer .....	37
3.6.12	Normal Farming and Ranching Activities .....	38



# Exempt Activities (§ 3.6)

3.6.13	Conservation Activities .....	38
3.6.14	Monitoring and Research Activities .....	39
3.6.15	Temporary Educational, Recreational and Cultural Structures .....	39
3.6.16	Moorings and Anchorage for Single Boats .....	40
3.6.17	Fire Fighting .....	40
3.6.18	Restoration Planting Projects .....	40
3.6.19	High Hazard and Significant Hazard Dams .....	41
3.6.20	Low Hazard Dams .....	41
3.6.21	Crossing or Relocating an Area Subject to Storm Flowage .....	41
3.6.22	Restoration of Freshwater Wetlands Resulting from Unauthorized Alterations .....	42
3.6.23	Control of Invasive Plants .....	42
3.6.24	Pedestrian Trails .....	43

# § 3.6.1 General Conditions for Exempt Activities



5. Exempt activities shall be undertaken and performed in a manner that prevents the introduction or spread of invasive species, and all vehicles and equipment used in freshwater wetlands, including rivers, streams and ponds, shall be routinely inspected and cleaned of all invasive plant material;
- e6. Following the limited activity, all equipment used in installation or maintenance activities shall be removed from any freshwater wetland and any created access paths must be restored and allowed to naturally revegetate; and
- f7. All freshwater wetland functions and values must be protected to the maximum extent possible so as to prevent pollutants, ~~sediment,~~ direct discharge of stormwater runoff, or any material foreign to a freshwater wetland or hazardous to life, from entering any freshwater wetland, buffer or floodplain so as to be protective of aquatic life and not result in long-term reductions in stream flow or increased flooding. Hydrodemolition of concrete structures within or adjacent to freshwater wetlands is not authorized for any exempt activity in this Rule.

Additions  
shown in **BLUE!**  
Removals  
shown in **RED!**



## § 3.6.2 Limited Cutting of Vegetation

**New  
Exemption!**

3.6.2(A) Limited cutting of vegetation within a jurisdictional area is allowed in accordance with § 3.6.1 of this Part only when:

1. The cutting or maintenance of vegetation is within existing or approved lawn or landscaped areas, consistent with any limit of disturbance specified in a permit or a consent agreement where applicable;

This means that if you have an area that you have been maintaining that is now within the expanded jurisdictional area, you can continue to maintain it moving forward without a permit.



## § 3.6.2 Limited Cutting of Vegetation

**New  
Exemption!**

- § 3.6.2(A)(5)(b) Forest Management for **Event-Specific Emergencies**
- New exemption added for cutting in response to event-specific emergencies such as a **wind or ice storm, wildfire, or pest outbreak**, within certain conditions. See rule for details.

Spongy Moth





## § 3.6.2(A) Limited Cutting of Vegetation

**New  
Exemptions!**

12. The cutting of trees or shrubs within a floodplain that is located outside of all freshwater wetlands and their contiguous one hundred (100) foot or two hundred (200) foot jurisdictional area; or
13. The cutting is for continued routine maintenance of a Department-approved landfill or site remediation cap.



## § 3.6.2 Limited Cutting of Vegetation



### Modification!

- § 3.6.2(A)(5)(a): Selective cutting for **non-emergency** forest operations:
  - Updated to allow use of approved USDA NRCS Forest Management Plan or Rhode Island Forest Stewardship Program.
  - Clarified equipment crossings of **watercourses** are limited to ASSF or rivers/streams less than 10 feet wide. No limits on other wetland types.
  - Expanded allowable crossing methods besides corduroy log roads as authorized by DEM Forestry.



## § 3.6.2 Limited Cutting of Vegetation

**Modification!**

- § 3.6.2(A)(9): Allows for cutting of **Common Reed (*Phragmites australis*)** within 15 feet of existing or approved docks; boat ramps; beaches; or swimming areas (Previously only allowed for removal of floating or submergent plants).
- Exemption for removal of invasive species was relocated from the “Limited Cutting of Vegetation” exemption to a separate exemption for "Control of Invasive Plants" under the new rules (§3.6.23).

# § 3.6.3(A) Limited Maintenance and Repair Activities



**New  
Exemptions!**

20. Repaving or undertaking normal maintenance of existing parking lots where any pavement removal exposing erodible soils is less than ten thousand (10,000) square feet in area; or
21. Repair, replacement or installation of gates, boulders, logs or other physical barriers intended to limit unauthorized vehicular access to existing or approved driveways or access roads, provided that the following conditions are met:
  - a. Such barriers extend along or beyond the edge of the access road no farther than necessary to limit vehicular access; and
  - b. No structural or material barriers are placed in freshwater wetlands.



## § 3.6.3 Limited Maintenance and Repair Activities

### Modification!

- Modified bridge repair exemption to allow **repair of culverts** and clarify limits on exempted repairs.
- §3.6.3(A)(8): “Repair to any bridge or culvert including repair of cracks and spalling; sealing of joints; repointing of masonry; replacement of decking with no replacement of other structural members or increase in the deck width; repairs to or replacement of signage, railings, or lighting; and painting provided that:”\_...see rules for additional conditions and limitations.



## §3.6.5 & 3.6.6 Single-Family and Multifamily Residences, Non-residential Buildings, and Accessory Structures

**New  
Exemption!**

- Installation of outlets for French drains, subdrains, or sump pumps is permissible within a jurisdictional area provided that the discharge outlets are located outside of any freshwater wetlands or buffer.
- Clarified that rain gardens, infiltration structures for roof drains, and other stormwater management practices are considered accessory structures (except as limited within sections 3.6.5 and 3.6.6.). See rules for details.

## §3.6.10 New Utility Lines



- Added **installation of new pipes** to the exemption (within conditions).
- 2 New Exemptions (§3.6.10(B) and (C)):

**New Exemptions!**

B. Installation, in accordance with § 2.6.1 of this Part, of new or replacement utility lines to an existing structure where the pipe or conduit crosses any jurisdictional area, including area subject to storm flowage, that is not freshwater wetland or buffer, is permissible provided that the preconstruction contours are restored immediately upon installation.

C. Installation, in accordance with § 2.6.1 of this Part, of overhead poles or cable lines that are conveyed on singular poles, including the installation of the pole(s), is permissible within a jurisdictional area that is not freshwater wetland or buffer, provided that:

1. The lines do not cross over or through any area of freshwater wetland or buffer; and
2. The preconstruction contours are restored immediately upon installation.



# §3.6.11 Agricultural Practices by Any Property Owner Other Than a Farmer

Modification!

B. Expansion of gardens, pastures, and fields within ~~regulated wetlands a~~ jurisdictional area ~~is prohibited without written authorization except as provided under § 1.6(L) of this Part~~ is exempt, in accordance with § 3.6.1 of this part, provided that:

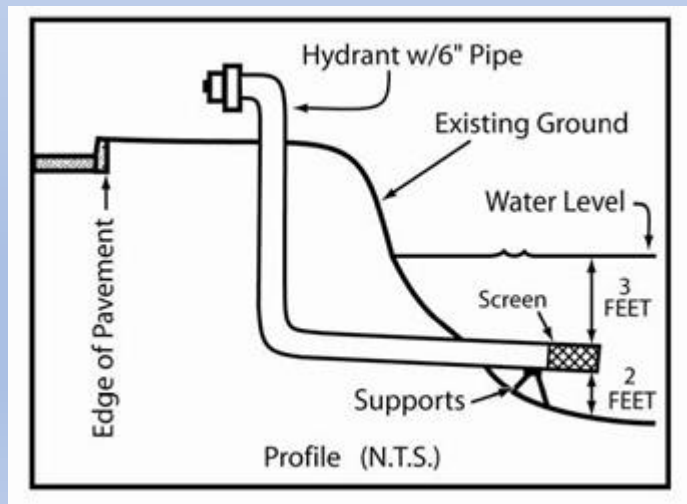
1. No freshwater wetlands are altered; and
2. All activity is located outside of any designated buffer zone (see § 3.23 of this Part) and does not cause filling of any floodplains, areas subject to flooding or areas subject to storm flowage.



**New  
Exemption!**

## §3.6.17 Fire Fighting

B. The installation of dry hydrants in ponds for fire-fighting purposes only is permissible in accordance with § 3.6.1 of this Part, provided that there is no cutting or clearing of woody vegetation and the intake pipe is at least one (1) foot above the pond bottom.







## §3.6.18 Restoration Planting Projects

h8. ~~No soil disturbance is allowed from May 15 through September 15 to safeguard potential turtle nesting areas.~~ Except in areas that are currently paved or compacted gravel, protective practices are implemented to safeguard potential turtle nesting areas, including minimizing soil disturbance from May 15 through September 15.

- Examples of Protective Practices:

- Mark out a turtle nest if you find one and avoid it.
- If you know where turtles usually nest, avoid those areas.
- If you see turtles, monitor where they go and avoid those areas.
- If you accidentally come across a nest, rebury it and leave it alone.





# §3.6.21 Crossing or Relocating an Area Subject to Storm Flowage



## 3.6.21 Crossing or Relocating an Area Subject to Storm Flowage

- A. Crossing or relocating an area subject to storm flowage that is not within a freshwater wetland, buffer or floodplain is permissible in accordance with § 3.6.1 of this Part, provided that the activities:
1. Do not change the flow capacity of the area subject to storm flowage;
  2. Do not create a new discharge point; and
  3. Do not change the flood storage capacity.



## §3.6.23 Control of Invasive Plants

**Modification!**

- See Rules for details- Allows for limited cutting and clearing of invasive plants provided that:
  - Obtain Aquatic nuisance plant permit from DEM Division of Agriculture for application of pesticides/herbicides ([Contact: Howard Cook, howard.cook@dem.ri.gov](mailto:howard.cook@dem.ri.gov)).
  - Obtain DEM WQ/WR Team authorization for hand-pulling water chestnut plants.
  - Obtain DEM WQ/WR Team authorization for cutting of invasive plants within freshwater wetlands or buffers where necessary to facilitate native plants ([Contact: Carol Murphy, carol.murphy@dem.ri.gov](mailto:carol.murphy@dem.ri.gov))
  - May need to hire professional for plant identification, control methods, schedule, and site drawing.
  - Soil excavation of plant roots or rhizomes is not exempt.

**New  
Exemption!**

## §3.6.24 Pedestrian Trails



- See Rules for details on exemption
- Allows for establishment of new trails within a jurisdictional area but must stay out of freshwater wetlands and buffer zones.
- Trail and associated LOD can be no wider than 4 feet.
- Grade changes cannot exceed 4 inches.
- No impervious area increase.
- No alteration of surface or groundwater flow.



# Questions on Exemptions?



# Infill Lot Standard: What is an Infill Lot?

Infill Lots must meet **all four** of the following criteria:

- (1) Has frontage on an existing road;
- (2) Has adjacent lots on both sides that are developed;
- (3) Is less than or equal to one (1) acre in size; and
- (4) Is undeveloped vegetated land.



# Infill Lot Buffer Standard

- If project can be designed to meet normal Buffer Standard, and Setback Standard **it must.**
- if normal Standards cannot be met, the following applies:
  - Dwelling cannot be placed any closer than the adjacent building which is furthest from wetland edge
  - Project to be designed to avoid alteration to remaining buffer, and in no case shall remaining buffer be less than
    - 15 feet for lots <10,000 sq. ft. in area
    - 25 feet for lots 10,000 sq. ft. to <20,000 sq. ft.
    - 50 feet for lots 20,000 sq. ft. up to an acre (43,560 sq. ft.)

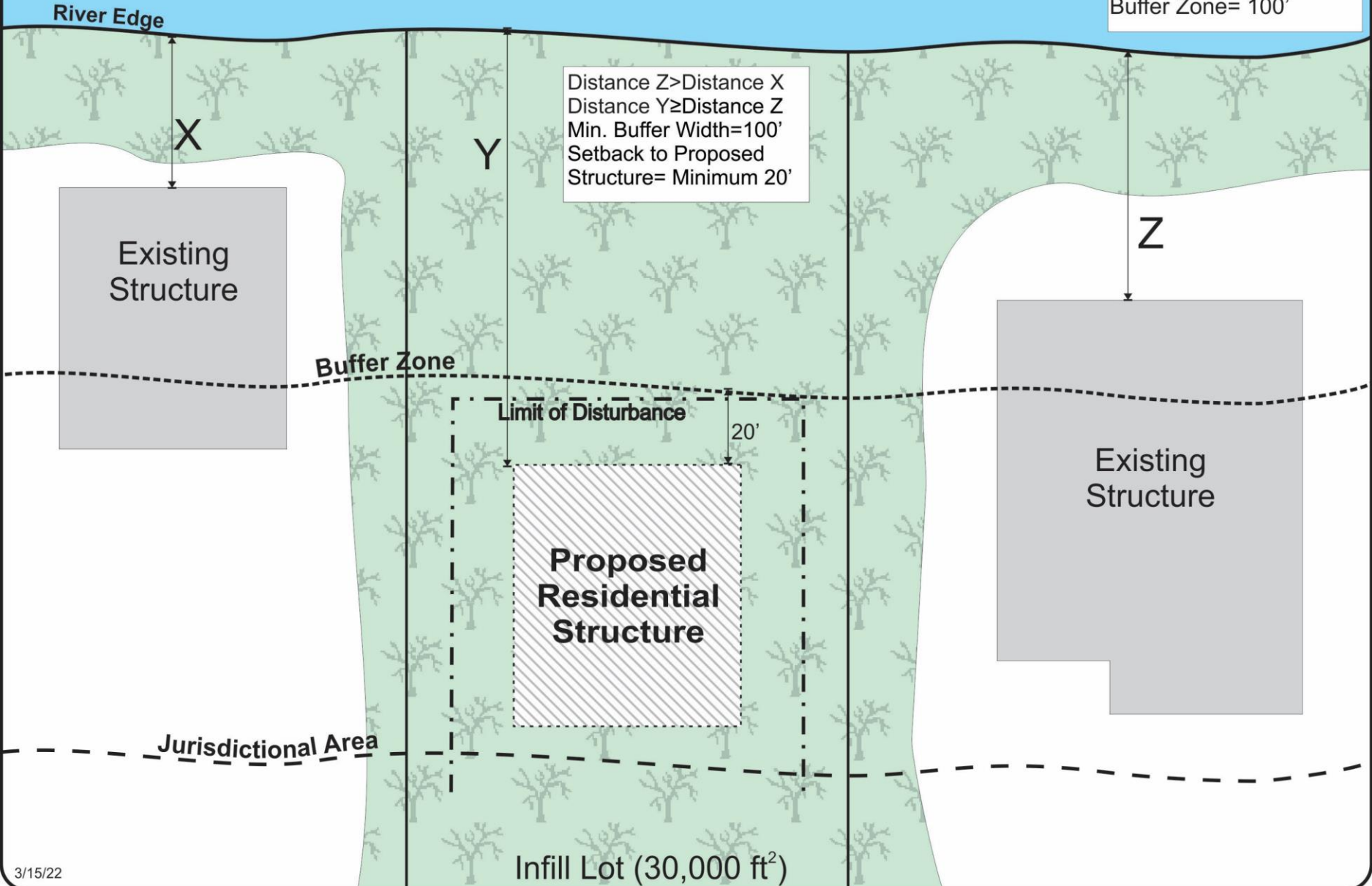
In all instances, setback will be buffer plus 15 feet.



# Infill Lot Example: Buffer Standard Met

(For Individual Residential Lots of Record)

Jurisdictional Area= 200'  
Buffer Zone= 100'



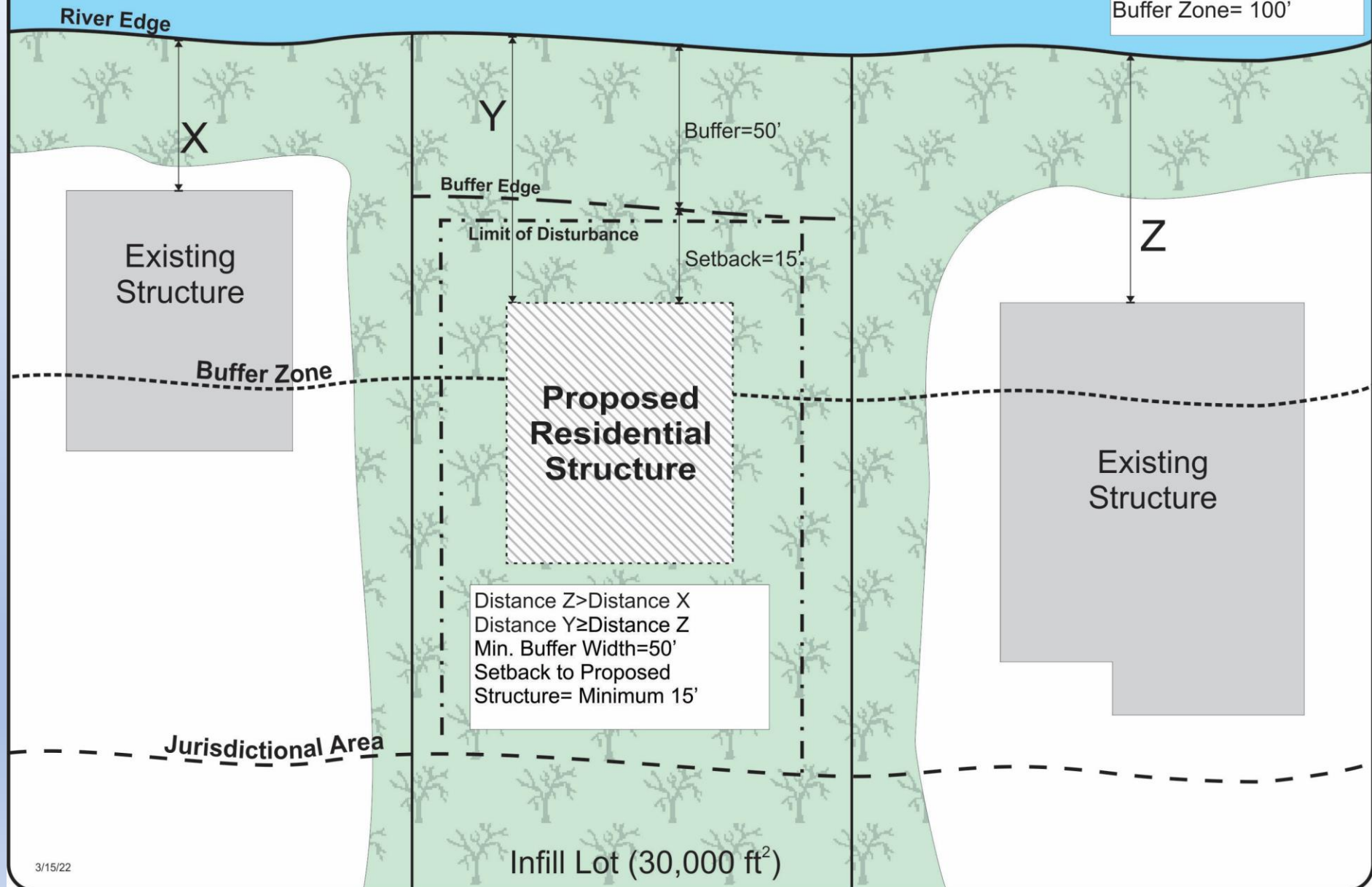




# Infill Lot Example: Infill Standard Met

(For Individual Residential Lots of Record)

Jurisdictional Area= 200'  
Buffer Zone= 100'

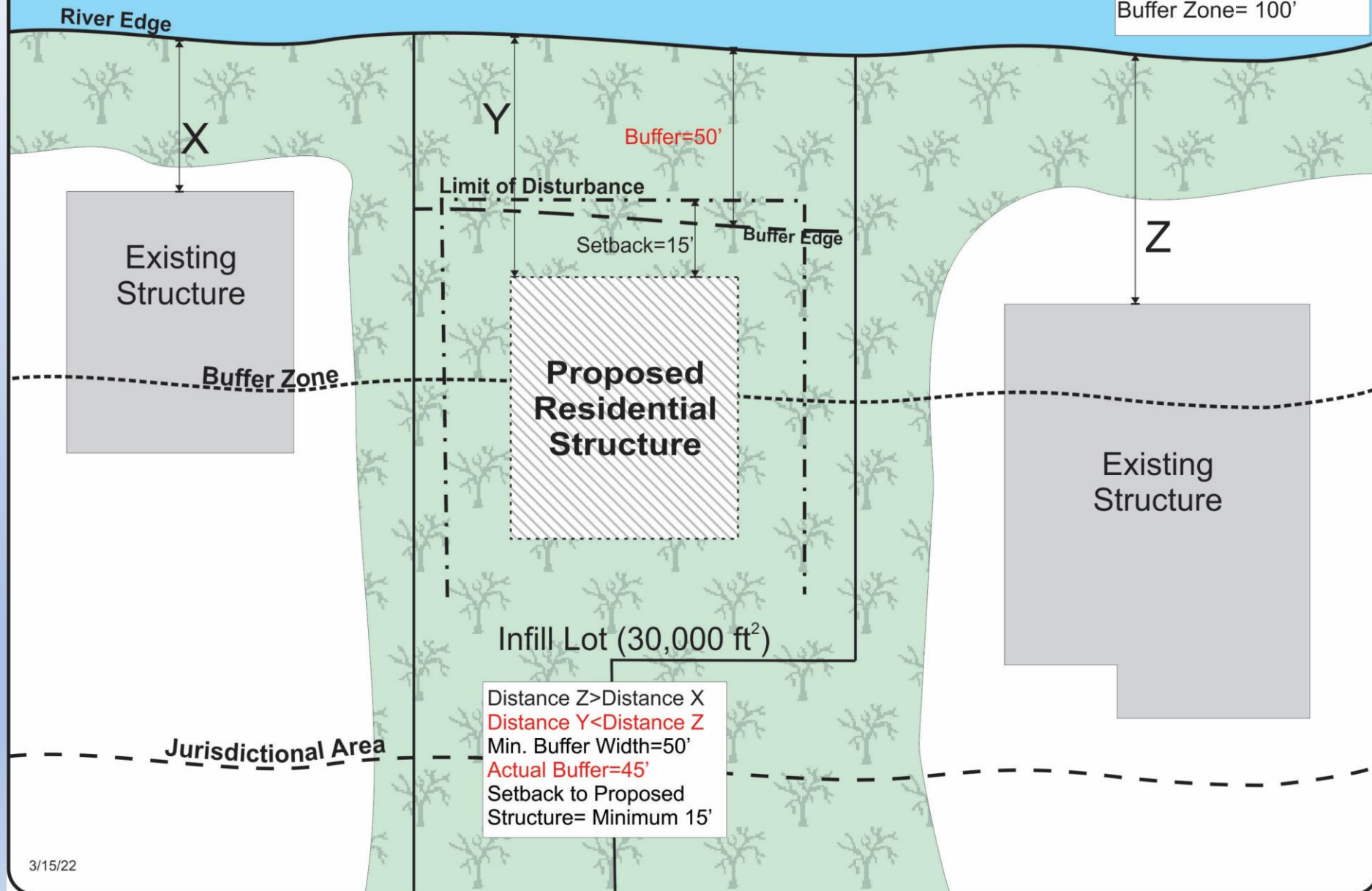




# Infill Lot Example: Variance Request

(For Individual Residential Lots of Record)

Jurisdictional Area= 200'  
Buffer Zone= 100'



Distance Z > Distance X  
Distance Y < Distance Z  
Min. Buffer Width = 50'  
Actual Buffer = 45'  
Setback to Proposed Structure = Minimum 15'

# Questions on Infill Lots?





# Variations (Part II)

- What do the 6 variance requirements mean and how are they satisfied?
- Consistency with CRMC Process

**See the February 28 workshop materials for Variations (Part 1).**  
(<http://www.dem.ri.gov/newwetlandrules>)



# Six Variance Requirements (§ 3.7.3)

(A)(2) Impact Avoidance & Minimization

(A)(3) All review criteria must be satisfied

(A)(4) Standards cannot be met due to site conditions

(A)(5) Relief requested is the minimum needed for reasonable use of the property

(A)(6) Variance request is not due to prior action of the applicant

(A)(7) Meeting the standard would cause undue hardship

**Provide a narrative detailing how you meet the variance requirements (there is no form).**



## 3.7.3(A)(2) Impact Avoidance & Minimization

- Avoidance and Minimization **content** has not changed from previous rules; what has changed is **when** A&M must be submitted ([See February 28 workshop materials](#)).
- Do not just repeat back the statement in your answer; provide some explanation specific to your project.

### Example of what NOT to do:

§ 3.7.3(A)(2)(b)(1): Whether the proposed project is necessary at the proposed scale or whether the scale of the alteration could be reduced and still achieve the project purpose;

**Answer:** The proposed project is necessary at the proposed scale and cannot be reduced and still achieve the project purpose.



## 3.7.3(A)(2) Impact Avoidance & Minimization

**Example of what to do: (Provide a Project-Specific Description):**

**§ 3.7.3(A)(2)(b)(1):** Whether the proposed project is necessary at the proposed scale or whether the scale of the alteration could be reduced and still achieve the project purpose;

**Answer:** The proposed project is necessary at the proposed scale and cannot be reduced and still achieve the project purpose. **Refer to alternative 1, under which a reduced project scale was considered. The building size has been designed to be the smallest possible while still meeting the needs of the project. The project originally proposed a larger parking area that extended to the south side of the property. The parking area was reduced and moved to exclusively be located on the west side of the property in an effort to reduce impact and alteration to buffer and wetlands.**



### 3.7.3(A)(3) All Review Criteria Must Be Satisfied

- You must demonstrate how you will meet the Review Criteria.
- No change from previous rules.
- See Review Criteria in § 3.7.2.







## 3.7.3(A)(4) Standards cannot be met due to site conditions

- Examples:
  - You cannot meet the setback standard due to lot size.
  - Your driveway must cross a wetland to access your house.
  - The presence of shallow ledge limits placement of a structure or septic system.



## 3.7.3(A)(5) Relief requested is the minimum needed for reasonable use of the property



- Key words are **Minimum** and **Reasonable**. You must demonstrate that you have taken all reasonable steps to minimize impact.
- For example:
  - A request for a variance to encroach into buffer zone for the addition of a 3-car garage on a 4,500 square foot house is not necessarily reasonable nor minimal.
  - A request for a variance to build a 5-bedroom house, a 2-car garage, an OWTS and an in-ground pool on a lot with contiguous wetlands on 3 sides is not necessarily reasonable nor minimal.



### 3.7.3(A)(6) Variance request is not due to prior action of the applicant or the applicant's predecessors in title.

- **Example**

- A request is made in 2024 for a variance in order to put a 2-car garage on the property in question, which **requires encroachment into buffer**. The variance is granted. In 2026 the applicant submits another variance request for an addition onto the garage, **requiring further encroachment into the buffer**. The need for the second variance request is a result of prior action of the owner (putting a 2-car garage within the buffer) and therefore may not be granted.



### 3.7.3(A)(6) Variance request is not due to prior action of the applicant or the applicant's predecessors in title.

- **Example**

- A lot is subdivided by the prior owner such that a lot is created that is not buildable without requiring a variance due to the location of the wetland/buffer. The lot could have been divided in such a way to avoid this issue. The new owner submits a variance request to eliminate the existing buffer in order to build a house. **The variance is unlikely to be granted due to prior action of the applicant's predecessors in title.**



## 3.7.3(A)(7) Meeting the standard would cause undue hardship.

- The burden is on the applicant to prove undue hardship.
- Hardship is not the same as inconvenience.
- Qualifying Example:
  - Buffer and setback standards encompass the entire property, **making the property unbuildable without some relief**. However, relief must be minimum and reasonable.
- Non-qualifying Example:
  - A variance is requested to eliminate buffer in order to build a 5,000 square foot house with a 3-car garage and an in-ground pool. The owner states that having a smaller house and no pool would be a hardship due to the money spent on the lot and the need to fit the style of the neighborhood. **These are not considered hardships.**



# Variance Criteria for Public & Governmental Bodies (§ 3.7.3(B))

- (B)(1)(a) Impact Avoidance and Minimization
- (B)(1)(b) All review criteria must be satisfied
- (B)(1)(c) Standards cannot be met due to site conditions
- (B)(1)(d) The project serves a necessary public purpose that provides benefits to the public.

**Examples of Public & Governmental Bodies include Towns/Cities and their related departments, and State Agencies.**



## 3.7.3(B)(1)(d) The project serves a necessary public purpose that provides benefits to the public.

- Qualifying Examples:
  - A City requests a variance to place fill in a wetland in order to put in new boat ramp for public use in an area with limited access to the water.
  - The Town requests a variance to complete necessary infrastructure installations.
- Non-Qualifying Example:
  - A Town proposes a new or expanded facility for operations that do not enhance or provide any public benefit.





# Local Zoning Ramifications (§3.7.3(D))

- If the applicant cannot meet standards (particularly the buffer or setback standards) due to municipal zoning setback requirements, but could meet them if a variance were granted, **the applicant is required to attempt to get a variance from the municipality before applying to RIDEM.**
- This requirement will still be satisfied if only **partial relief** is granted (or if no relief is granted at all) - **as long as the attempt to obtain relief is documented.** Whether such partial relief (or no relief) is sufficient to receive project approval depends on whether other variance requirements and review criteria are met.





# Alternative Configuration of Vernal Pool Buffer Zone

3.7.3(C) Where an applicant is unable to meet the buffer standard associated with a vernal pool, the applicant may propose an alternative buffer zone configuration that is protective of the functions and values of the associated vernal pool. This alternative configuration will be reviewed on a case-by-case basis by the Department through the variance process.





# Questions on Variances?





# Municipal Coordination

- Applicability of Rules During the Transition
- Phase-Out of Municipal Requirements
- Municipal Notification Process
- Pre-application meetings
- Petition Process





# Which Rules Apply When

What happens as of July 1, 2022? See Rule 3.19

- What if I have already filed an application with DEM ?  
Freshwater Wetland applications accepted for filing prior to 7/1/2022 will be governed by the rules in effect at the time (DEM Part 1 Rules).
- What if I filed an application before 7/1/2022 and I need to make changes to it to address DEM comments after July 1?  
The application would still be processed under the Part 1 rules. The new rules would not apply unless the changes resulted in a determination that a new application is required.
- What if I am planning on filing a new application soon?  
If you are prepared to file a complete application before 7/1/2022, then follow the Part 1 Rules. All new Freshwater Wetland permit applications **filed on or after 7/1/2022** need to follow the new Part 3 rules with one exception.



# Master Plan Exception to New Effective Date

- Projects that obtained Master Plan Approval from a municipality on or before 7/1/2022 may elect to follow the Part 1 Rules provided a complete Freshwater Wetlands Application is submitted to DEM on or before **August 30, 2022**.
- This 60-day additional period is provided to facilitate the transition for those projects nearing Master Plan Approval.





# Relationship to Issued Building Permits

As part of the transition, projects can proceed without obtaining a freshwater permit under the new rules when:

- Local building permit was issued **before 7/1/2022** and;
- The project location is within the expanded jurisdictional area ("JA") that did not previously require a Freshwater Wetlands Permit under Part 1 Rules.

This situation applies to the additional land area that will be newly regulated under the new Part 3 Freshwater Wetland Rules per the law.



# Phase Out of Municipal Ordinances

**After 7/1/2022**, municipalities are no longer authorized to adopt or apply local zoning-related ordinance requirements for wetlands buffers/setbacks or OWTS setbacks to new applications filed with the City or Town.

Local approvals issued and applications filed prior to 7/1/2022 are not affected – meaning the local requirements are still enforceable.

Municipalities have **12 months** during which to amend their ordinances by rescinding local requirements to be consistent with the revised state law.



# Municipal Notifications

- State law requires DEM and CRMC to notify municipal officials of the filing of new freshwater wetland applications.
- The Agencies will ask municipalities to select **two contacts** to receive the notifications.
- With planned investments in new data systems, the Agencies will be automating the notification process as much as possible.
- DEM routinely uploads information on applications and makes it available via the website (see next slide).
- Formal notification process for Applications for a Significant Alteration has not changed





# Freshwater Wetlands Permit Search

- Search for permits and permit status at <https://www.ri.gov/DEM/wetlands/>
- Contains info for all applications submitted after April 1994 to present and is updated daily.

DEM Wetland Application Search

297 applications found matching your search criteria.

1 2 3 4 5 6 7 8 9 10 [NEXT >](#)

Application #	City/Town	Location	Details	
<a href="#">03-0065</a>	Providence	Providence Worsted Mills property at 166 Valley Street (350 feet west of Valley Street and its intersection with Tippecanoe Street and Helme Street Also south -southwest by approximately 500 feet the south and of Cutler Street, Assessor's Plat 35, Lots 282, 301 and 393, Providence, RI	<b>Owner / Organization:</b> 166 Valley Street, LLC <b>Project:</b> Rising Sun Mills	<a href="#">VIEW</a>
<a href="#">06-0265</a>	Providence	Valley Street Approximately 475 feet west of Valley Street, approximately 725 feet south of the intersection of Valley Street and Amherst St., Assessor's Plat 62, Lot 393, Providence, RI	<b>Owner / Organization:</b> 166 Valley Street, LLC <b>Project:</b> Woon. River Fish Passage Restoration	<a href="#">VIEW</a>
<a href="#">03-0150</a>	Providence	Valley Street Approximately 420 feet west of Valley Street, by Utility Pole No. 19, and approximately 460 feet west of the intersection of Valley Street and Helme Street, Assessor's Plat 62, Lot 393, Providence, RI.	<b>Owner / Organization:</b> 166 Valley Street, LLC <b>Project:</b> Rising Sun Mills	<a href="#">VIEW</a>
<a href="#">04-0180</a>	Providence	Valley Street approximately 420 feet west of Valley Street, Utility Pole No. 19, and approximately 460 feet west of the intersection of Valley Street and Helme Street, Assessor's Plat 62, Lot 393, Providence, RI.	<b>Owner / Organization:</b> 166 Valley Street, LLC <b>Project:</b> Rising /Sun Mills	<a href="#">VIEW</a>
<a href="#">05-0555</a>	Providence	Charles Street Approximately 120 feet west of Charles Street opposite Utility Pole No. 109 and approximately 350 feet north of the intersection of Silver Spring Street and Charles Street, Assessor's Plat 76, Lots 504, & 505, Providence, RI	<b>Owner / Organization:</b> 329 Development, LLC	<a href="#">VIEW</a>
<a href="#">03-0052</a>	Providence	Charles Street Approximately 150 feet west of Charles Street (Route 246), by Utility Pole Nos. 109 through 115, approximately 480 feet north-northwest of the intersection of Charles Street and Silver Spring Street, (existing 450 Charles Street) Assessors Plat 76, portion of Lot 504, Providence, RI.	<b>Owner / Organization:</b> 329 Development, LLC	<a href="#">VIEW</a>
<a href="#">19-0280</a>	Providence	Sheridan Street Approximately 300 feet south of King Street and approximately 250 feet southwest of its intersection with Sheridan Street, Assessor's Plat 96, Lot 331, near Utility Pole 4, Providence, RI	<b>Owner / Organization:</b> 60 King Street Inc.	<a href="#">VIEW</a>
<a href="#">05-0368</a>	Providence	Valley Street 60 Valley Street, Approximately 100 feet west of Valley Street, approximately 170 feet south of Delaine Street, Assessor's Plat 35, Lot 372, Providence, RI.	<b>Owner / Organization:</b> 60 Valley St., LLC <b>Project:</b> The Plant	<a href="#">VIEW</a>

**Search criteria**

Application #

Project name:

Owner/Organization name

Location/Street

City/Town

Assessor's Plat/Map:

Application status:

Applied in last 30 days:

Out to public notice:



# Pre-Application Meetings

- DEM encourages pre-application meetings
  - Provides coordination for large projects that involve more than one permit
  - For applicants that are not familiar with the DEM permitting process
  - For applicants with questions about their project – avoidance and minimization, stormwater management, site remediation, etc.
  - Coordination of municipal and state requirements – town officials should be invited

Pre-application meetings at DEM are scheduled through the Office of Customer and Technical Assistance, Permitting Application Center (PAC). Contact Ron Gagnon at (401)-222-4700 ext 2777500 or Joe Antonio ext 2774410

<http://www.dem.ri.gov/programs/customertech/preapp-meeting.php>



# Petition Process for Buffer Zones

- Rules provide a municipal petition process that allows for the municipality to seek an increase in the width of a designated buffer zone.
- Requires a municipal resolution as part of the process.
- Must apply to a category of wetland resource (not a specific site).
- If DEM concurs with the petition, rule-making would be required to implement the change.
- Any resulting change in buffer zone is not retroactively applicable to prior agency decisions.



# Questions?

<http://www.dem.ri.gov/newwetlandrules>

Please see the chat for a link to submit a question on the Rules and a link to a short survey for feedback on this presentation.

Photo Credit: Shawna Smith and Nancy Freeman, RIDEM  
QUESTIONS? Visit [dem.ri.gov/newwetlandrules](http://www.dem.ri.gov/newwetlandrules)