DEM Rules 3.02 and 3.03 help to clarify who will review projects that are on or straddle the DEM/CRMC jurisdictional boundary, where that boundary is located, and who is responsible for valid permits in these areas.

Rule 3.02 – Agency Jurisdiction
Freshwater wetlands in the vicinity of the coast fall under the jurisdiction of the CRMC.

After January 1, 2002, this includes the renewal, transfer, modification, and enforcement of permits originally issued by DEM.

DEM retains permit authority over:
A.) Farming-related activities;
B.) Determinations and permits completed by DEM prior to August 18, 1999 (these remain valid for the specified period);
C.) Any permits that are the subject of an outstanding order or action;
D.) Permits pertaining to a legal case against DEM;
E.) Enforcement actions initiated by DEM prior to August 18, 1999; and
F.) Projects that lie on or straddle the jurisdictional boundary per Rule 3.03.

Rule 3.03 – Projects on the Boundary
Rules for applications for projects that are on the jurisdictional boundary or that straddle the boundary are described as follows:

- **Rule 3.03 A (1)**
  If the project is on the boundary and within other CRMC jurisdictions...

  ![Diagram showing project on boundary and within CRMC jurisdictions]

  …then CRMC will review the project.

- **Rule 3.03 A (2)**
  If the project is on the boundary and is entirely outside CRMC other jurisdictions...

  ![Diagram showing project on boundary and entirely outside CRMC jurisdictions]

  …then DEM will review the project.

- **Rule 3.03 B (1)**
  If the project is on both sides of the boundary and all freshwater wetlands are on the seaward side of the boundary...

  ![Diagram showing project on both sides of boundary and freshwater wetlands on seaward side]

  …then CRMC will review the project.

- **Rule 3.03 B (2)**
  If the project is on both sides of the boundary and all freshwater wetlands are on the landward side of the boundary...

  ![Diagram showing project on both sides of boundary and freshwater wetlands on landward side]

  …then Dem will review the project.

- **Rule 3.03 B (3a)**
  If a project is on both sides of the boundary, wetlands are on both sides, the project is non-linear and the project is partially or entirely within other CRMC jurisdictions...

  ![Diagram showing project on both sides of boundary with wetlands on both sides and non-linear]

  …then CRMC will review the project.

This brochure is a summary only. Please refer to DEM and CRMC Rules and Regulations for complete information.
Rule 3.03 B (3b)
If the project is on both sides of the boundary, wetlands are on both sides, and the project is entirely outside other CRMC jurisdictions...

...then DEM will review the project.

Rule 3.03 B (4)
If the project is a long linear project on both sides of the boundary, and the project is partially or entirely within other CRMC jurisdictional areas...

...then DEM and CRMC will determine the reviewing agency on a case-by-case basis.

Rule 3.03 C
The agency that issues a permit for a project on the line or on both sides of line
- renews,
- transfers,
- modifies, and
- enforces the permit

Maps that illustrate the boundary are available for viewing at:
- Department of Environmental Management
  Office of Technical and Customer Assistance
  235 Promenade St.
  Providence, RI 02908
  Hours: Mon. – Fri. 8:30 – 4:00
  Phone: 401-222-6822

- Coastal Resources Management Council
  Stedman Government Center
  4808 Tower Hill Rd.
  Wakefield, RI 02879
  Hours: Mon. – Fri. 8:30 – 4:00
  Phone: 401-783-3370

- Applicable coastal city and town halls

- On the web at:
  www.dem.ri.gov/maps/wetjuris.htm; and
  www.crmc.ri.gov/maps/index.html