



How to Apply for a FRESHWATER WETLAND (FWW) Permit

IMPORTANT: COMPLETED APPLICATIONS MUST NOW BE SUBMITTED DIRECTLY TO EACH INVOLVED AGENCY.

Things to Consider First / Project Planning

- **Wetland Delineation** - The regulated wetland boundary must be delineated (flagged) on site. Please contact the DEC Wildlife office in Ray Brook at (518) 897-1291 or Warrensburg at (518) 623-1240 or (518) 623-1241 to request or confirm a wetland boundary delineation.
- **Alternatives** - Before preparing your application, determine whether there are alternative locations, designs or layouts that would achieve your objectives and avoid the wetland and its 100 foot adjacent area. A DEC FWW permit is not required if all disturbance is more than 100 feet from the wetland boundary. If alternatives are not possible, please explain.
- **Project Design** - Submit the project design that will achieve your purpose and cause the least amount of impact to the regulated wetland and adjacent area. Explain how your proposal avoids or minimizes wetland impacts to the greatest extent possible.
- **Basis for Permit Issuance** - The decision whether or not to grant a permit is based upon the standards contained in the FWW Permit Requirements Regulations, 6 NYCRR Part 663.

Completing Your Application - All forms, supplemental materials and details listed in numbers 1 through 8, including application fee, are required. If checked, items in number 9 are also required.

1. Joint Application for Permit - See back of application for instructions. Be sure to:

- On # 6 **Landowner Authorization** The landowner should be the applicant. If an agent prepares the application, the landowner must also sign the application, or provide a signed letter authorizing the agent to act on his/her behalf.
- On # 7 **Project Narrative** Use a separate sheet of paper to adequately respond. Please discuss:
 - Purpose of the project
 - Alternatives considered to avoid wetland and adjacent areas
 - If no feasible alternatives exist, explain how your project minimizes wetland impacts
 - How the work will be done. Include methods, materials, work sequence
 - Erosion and silt control methods/materials to prevent water quality impacts.

2. Location Map (3 copies) Show the exact location of the project site by placing an X or arrow on a USGS topographic map, DOT planimetric map, or equivalent.

3. General Site Plan (3 copies) Show the overall site. **Include and label the following:**

- Property lines, wetland boundary, 100' buffer area, proposed project, existing structures.
- Permanent landmarks (e.g., existing roads, driveways, shoreline, streams, significant trees, etc.).
- North Arrow and Scale (or, if not drawn to scale, indicate all relevant distances and dimensions).

4. Project Plans (3 copies) Provide two drawings: 1) plan ('bird's eye') view **and** 2) cross section view. Use 8 ½ x 11 inch sheets, and show **before and after** conditions. **Include and label the following:**

- Existing conditions, as well as the proposed final conditions
- Extent/dimensions of all proposed structures: buildings, septic systems, driveways, roads, etc
- Extent and dimensions of all work areas: fill, excavation, grading, disturbance/clearing of vegetation, etc. Include volumes (cubic yards) of all excavation and/or fill areas.
- Wetland Boundary and 100' buffer area: include date the boundary was flagged, and by whom.

Over →

- Limit of disturbance (clearing, grading, cut, fill, lawn, etc), with erosion and sediment controls (continuous silt fence or straw bales) clearly marked along the entire limit of disturbance.
- North Arrow; Scale (1" = 50' or larger); Applicant's Name; Plan Preparer's Name; Date.

5. Color Photographs (3 copies) Recent, color photos, 2 to 3 views, labeled with view and date taken.

6. Short Environmental Assessment Form (EAF) - Complete Part I only. Be sure to:

On #6, summarize the entire project, not just that portion affecting this permit application.

On #10, list all other agencies requiring approvals, and indicate current status of those reviews.

7. Application Fee The NYS Legislature passed legislation amending Section 70-0117 of the Environmental Conservation Law (Uniform Procedures). Effective April 1, 2009, fees are required for Freshwater Wetland permit applications, as follows:

- Minor projects (go to <http://www.dec.ny.gov/permits/6275.html>) \$50
- Modification to existing permit \$50
- Single family dwelling and customary appurtenances \$50
- Multiple family dwellings and customary appurtenances \$100
- All Other projects \$200

Only checks or money orders will be accepted, made payable to the New York State Department of Environmental Conservation (NYSDEC). The cancelled check will be your receipt. Once an application is filed, there are no provisions for partial or full refund, regardless of project changes or permit decision.

8. Permission to Inspect Property

9. Additional Forms - If checked, please complete and return the following:

- Structural Archeological Assessment Form (SAAF) - Complete Part I only**
- Temporary Revocable Permit (TRP) Application -** see instructions on back of form. A TRP is required for the use of state-owned land, including land under water, managed by DEC.
- Dam Application Supplement D-1 -** completed and signed by a licensed Professional Engineer.
- Docks Application Supplement D-2 -** for docking or mooring facilities.

Other Important Information

Compensatory Mitigation: DEC may request that you provide replacement of lost wetland.

Time Frames For DEC Decisions (per Article 70 of the Environmental Conservation Law)

Determine Completeness of Application: on or before 15 calendar days after receipt of application.

Final Decision (if no hearing): Minor Projects - on or before 45 calendar days after 'complete' date.

Major Projects - on or before 90 calendar days after 'complete' date.

Other Permits That May Be Required Please contact all agencies (state, local, federal) that may have jurisdiction over your project, such as, but not limited to:

U.S. Army Corps of Engineers (COE) Upstate Regulatory Field Office (518) 266-6350. The COE regulates activities involving dredging, excavation, placement of fill, or construction of certain structures in waterways and wetlands of the United States.

Submitting Your Application - Mail or hand deliver to the appropriate DEC Region 5 office.

Clinton, Essex, Franklin, Hamilton Counties
 NYS Department of Environmental Conservation
 Division of Environmental Permits
 1115 Rt. 86, PO Box 296
 Ray Brook, NY 12977-0296
 518-897-1234

Fulton, Saratoga, Warren, Washington Counties
 NYS Department of Environmental Conservation
 Division of Environmental Permits
 232 Golf Course Road
 Warrensburg, NY 12885-0220
 518-623-1281

Questions?? Please contact the appropriate DEC Division of Environmental Permits by mail or phone, or at r5dep@gw.dec.state.ny.us. For more information, access DEC's website at www.dec.ny.gov.