



# DELAWARE ADOPT-A-WETLAND ADOPTION APPLICATION

Date of application \_\_\_\_\_

Name of Adopting Group (as you would like it to appear on your AAW sign)

\_\_\_\_\_

Name of Group Leader/Representative \_\_\_\_\_

Address of Group Leader \_\_\_\_\_

\_\_\_\_\_

Phone number (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Best time to call \_\_\_\_\_

E-mail \_\_\_\_\_

County where your wetland-to-be-adopted is located \_\_\_\_\_

GPS coordinates of site (if available): \_\_\_\_\_

Please describe (to the best of your ability) the exact location and approximate size of the wetland area you wish to adopt, relative to roadways and other landmarks. Please attach a road map and site map that clearly shows the wetland boundaries.

If you have an alternative adoption site in mind, please do the same for it, being sure to identify it as "alternative site" on the maps you attach.

Please check any of the following descriptors as they apply to your adoption site.

\_\_\_\_\_ Is the wetland a *swamp* (dominated by trees)?

\_\_\_\_\_ Is the wetland a *marsh* (dominated by grassy and other non-woody plants)?

\_\_\_\_\_ Is the wetland *vernal* (covered by water only part of the year, dry the rest)?

\_\_\_\_\_ Is it wetland *tidal* (connected to or part of a tidal stream or gut)?

\_\_\_\_\_ Is the wetland associated with another water body (stream, pond, bay)?

If so, indicate the type and the name:

Is the wetland susceptible to development pressures or heavy usage? Explain.

If known, indicate whether the wetland is on: private or public lands (circle one).  
Is there more than one property owner? List owner names and addresses below.  
Be sure to attach signed landowner permission form(s).

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Please check the activities your group would like to do as part of the AAW program (an Adopter's Guidebook, loan kits and annual workshop are available to assist you in undertaking these efforts).

- |  |  |
|--|--|
| <input type="checkbox"/> clean-ups               | <input type="checkbox"/> erecting nesting boxes for wildlife |
| <input type="checkbox"/> trail-work              | <input type="checkbox"/> water quality monitoring            |
| <input type="checkbox"/> plantings               | <input type="checkbox"/> invasive plant removal/replacement  |
| <input type="checkbox"/> plant surveys           | <input type="checkbox"/> reptile and amphibian monitoring    |
| <input type="checkbox"/> wildlife watching       | <input type="checkbox"/> invertebrate/fish monitoring        |
| <input type="checkbox"/> education               | <input type="checkbox"/> recreation (hiking, canoeing, etc.) |
| <input type="checkbox"/> other (please specify): |  |

Use this space for any other comments or questions you have that may be helpful to us in knowing how better to support your adoption efforts.

Please return completed application (with maps, landowner permission & release forms) to:  
**Adopt-a-Wetland Program, ARE Center, 4876 Hay Point Landing Road, Smyrna, DE 19977**  
(Direct inquiries to: Marlene Mervine, Gary Kreamer or Trina Cale-Rosario at 302-653-2882)



# DELAWARE ADOPT-A-WETLAND

## Letter Of Understanding For The Landowner

I, \_\_\_\_\_, in conjunction  
(landowner)

with the Delaware Adopt-A-Wetland Program, do hereby grant permission to

\_\_\_\_\_,  
(adopting persons or group)

to adopt a wetland on my property. This wetland is located at:

\_\_\_\_\_,  
and the adopting person(s) or group will be allowed to enter, traverse, occupy, and leave this wetland in a manner agreed to prior to this letter of understanding. The group's activities may include: cleaning up the area, environmental awareness and education components, along with water quality testing and monitoring. The landowner will be notified if an accident shall occur, or if habitat improvement measures are planned, which then should be agreed to. The landowner is protected under the Delaware Code 7, Chapter 59, that allows public recreational activity on private land, and limiting their liability toward persons thereon. (A copy of which is included in the Adopt-A-Wetland packet).

\_\_\_\_\_  
Landowner signature

\_\_\_\_\_  
date

\_\_\_\_\_  
Group Leader signature

\_\_\_\_\_  
date

\* This form must accompany the adoption application form and release form.

## CHAPTER 59. PUBLIC RECREATION ON PRIVATE LANDS

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 5902. Definitions.  
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Sec.

5905. Written waivers.  
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### § 5901. Purpose.

The purpose of this chapter is so to encourage owners of land to make land and water areas available to the public for recreational purposes by limiting their liability toward persons entering thereon for such purposes. (7 Del. C. 1953. § 5901: 55 Del. Laws. c. 449.)

### § 5902. Definitions.

As used in this chapter:

(1) "Land" means land, roads, water, watercourses, private ways and buildings, structures, and machinery or equipment when attached to the realty.

(2) "Owner" means the possessor or a fee interest, tenant, lessee, occupant or person in control of the premises.

(3) "Recreational purpose" includes, but is not limited to, any of the following or any combination thereof: Hunting, fishing, swimming, boating, camping, picnicking, hiking, pleasure driving, nature study, water skiing, winter sports, and viewing or enjoying historical, archaeological, scenic or scientific sites.

(4) "Charge" means the admission price or fee asked in return for invitation or permission to enter or go upon the land. (7 Del. C. 1953. § 5902: 55 Del. Laws. c. 449.)

### § 5903. Limitation on duty of owner.

Except as specifically recognized by, or provided in § 5906 of this title, an owner of land owes no duty of care to keep the premises safe for entry or use by others for recreational purposes, or so give any warning of a dangerous condition, use, structure or activity on such premises to persons entering for such purposes. (7 Del. C. 1953. § 5903: 55 Del. Laws. c. 449.)

### § 5904. Use of land without charge; limits of liability.

Except as specifically recognized by or provided in § 5906 of this title, an owner of land who either directly or indirectly invites or permits without charge any person to use such property for recreational purposes does not thereby:

- (1) Extend any assurance that the premises are safe for any purpose;

- (2) Confer upon such person the legal status of an invitee or licensee to whom a duty of care is owed;
- (3) Assume responsibility or incur liability, for any injury to person or property caused by an act of omission of such persons. (7 Del. C. 1953. § 5904: 55 Del. Laws. c. 449.)

### **§ 5905. Written waivers.**

Unless otherwise agreed in writing, § § 5903 and 5904 of this title shall be applicable to the duties and liability of an owner of land leased to the State, or any subdivision thereof, for recreational purposes. (7 Del. C. 1953. § 5905: 55 Del. Laws. c. 449.)

### **§ 5906. Limitations on exemption from liability.**

Nothing in this chapter limits in any way any liability which otherwise exists:

- (1) For willful or malicious failure to guard or warn against a dangerous condition, use, structure or activity;
- (2) For injury suffered in any case where the owner of land charges the person or persons who enter or go on the land for the recreational use thereof, except that in the case of land leased to the State or a subdivision thereof, any consideration received by the owner for such lease shall not be deemed a charge within the meaning of this section. (7 Del. C. 1953. § 5906: 55 Del. Laws. c. 449.)

### **§ 5907. Exemptions.**

Nothing in this chapter shall be construed to:

- (1) Create a duty of care, or ground of liability, for injury to persons or property;
- (2) Relieve any person using the land of another for recreational purposes from any obligation which he may have in the absence of this chapter to exercise care in his use of such land and in his activities thereon, or from the legal consequences of failure to employ such care. (7 Del. C. 1953. § 5907: 55 Del. Laws. c. 449.)