**WUV Design/Implementation Block Grant**

**Project Eligibility and Readiness Screening**

**This information will help streamline the environmental review and project readiness process for your proposed water quality improvement project. This form must be completed for each design/implementation block grant project and submitted with your full application for funding.**

**Please submit this document at the same time as your full application via email to Lyn Munno (lyn@watershedsunitedvt.org) and Christian Pelletier (christian@watershedsunitedvt.org). An application submission will not be complete without this document.**

**Step 1:** Conduct Eligibility Screen #1: Project Types and Standards for proposed project as outlined in the [CWIP Funding Policy](https://dec.vermont.gov/sites/dec/files/wsm/erp/docs/2021-02-04_FINAL_FY21_CWIPFundingPolicy_signed.pdf).

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| Please select your project type from the drop-down list to the right (from Appendix B of the CWIP Funding Policy, only the listed project types are eligible for funding under the Design/Implementation Block Grant)[[1]](#footnote-2) | Stormwater - Preliminary Engineering Design\* |
| Does your project type meet the applicable definitions and minimum standards as provided in Appendix B of the CWIP Funding Policy (pp 34-41)? (Answer must be YES to proceed) | Yes No |
| Will the project result in the standard milestones and deliverables defined by project type in Appendix C of this CWIP Funding Policy (pp 42-55)? (Answer must be YES to proceed) | Yes No |
| Is the project’s primary purpose to improve water quality by reducing nutrient and sediment pollution? (Answer must be YES to proceed) | Yes No |
| Is the project listed as an ineligible project type in the funding policy (pp 12-13)? (Answer must be NO to proceed) | Yes No |

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| **Table 1: Project Type Eligibility Screening** |

**Step 2:** Verify project presence in [Watershed Project Database](https://anrweb.vt.gov/DEC/cleanWaterDashboard). Each project must have a Watershed Project Database number. If the project is not yet in the Watershed Project Database, the recipient must collaborate with their local basin planner to propose the project, have the basin planner review, enter information into the database and assign a Watershed Project Database number to that project. Use the [Water Quality Project Screening Tool](https://anrweb.vt.gov/DEC/CleanWaterDashboard/ScreeningTool.aspx) to identify the appropriate Basin Planner for your project. Please allow your basin planner at least two weeks to review and add a new project to the Watershed Project Database.

Watershed Project Database ID number assigned: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Summary of Basin Planner input on the project** (please attach proof of correspondence):

**Step 3:** DEC Programmatic Review. The purpose of programmatic review is 1) to confirm the proposed project is supported and would be beneficial for water quality from the perspective of the relevant DEC program (based on project types) and 2) to confirm if any other design standards apply. Refer to Table 3 below for guidance on which programmatic staff to consult with. If your project is a blend of project types, please consult with all potentially applicable program representatives. Only those programs listed in Table 3 require consultation for this step. Applicants should confirm programmatic support prior to advancing to Step 4. Please allow program staff at least one week to review your proposed project and provide a response. DEC Programmatic Review should occur prior to every phase of the project (30% preliminary design, 100% final design, and implementation), even if the sub-applicant is awarded a grant for multiple phases of work.

1. Send DEC program contacts the watersheds project database number (if available), location and description of the project, and any other relevant information they request that will be utilized in their review.
2. Obtain written documentation of the results of their findings (email meets this requirement). Responses must include “approval to proceed with the project application”, OR “approval with conditions[[2]](#footnote-3) to proceed with the project application”, OR “Denied approval to proceed”
3. Provide summary of communications in Table 2 below and submit record of correspondence as part of your application.
4. Note, while this may include the same or similar staff, this is different from a preliminary review of permitting needs and natural resource impacts (Step 4). If the same staff member is consulted for input on both step 3 and step 4 the applicant can merge their records of correspondence.

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| **Table 2: Summary of Programmatic Staff Communications** | | |
| Program Staff contacted (name and relevant program) | Does the staff member support the project and believe it to be beneficial for water quality? | Yes  No  Required Conditions:  Other Comments: |
| Did the staff member mention specific design standards that should apply to the project? | Yes  No  Other Comments: |
| Program Staff contacted (name and relevant program) | Does the staff member support the project and believe it to be beneficial for water quality? | Yes  No  Required Conditions:  Other Comments: |
| Did the staff member mention specific design standards that should apply to the project? | Yes  No  Other Comments: |
| *Add rows as needed.* | | |

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| **Table 3: ANR Programmatic Staff by project type** | | |
| **Project Type** | **Contact Name** | **Contact[[3]](#footnote-4)** |
| Lake and Shoreland | Oliver Pierson | 802-490-6198, Oliver.pierson@vermont.gov |
| Floodplain/Stream | Regional Rivers Scientist | https://anrweb.vt.gov/DEC/cleanWaterDashboard/ScreeningTool.aspx |
| Wetland | Wetland District Ecologist | [Wetland Inquiry Form](https://forms.office.com/pages/responsepage.aspx?id=O5O0IK26PEOcAnDtzHVZxq7oICY5adhCkpotz4O-iFVUMEdIT1FHU1VZMDA4TFFJN1gxWFJKSERXUy4u) (https://tinyurl.com/zk4umr4m) |

**Step 4:** Permit Screening. Review your project for potential Natural Resource Conflicts and ANR permit needs (to be conducted in advance of each project phase- 30% preliminary design, 100% final design, implementation). Please walk through and answer all of the questions in the Table 4 Natural Resource Conflicts and ANR Permits Checklist and provide summaries of consultations where requested.

1. The [ANR Atlas Clean Water Initiative Program Grant Screening tool](https://dec.vermont.gov/sites/dec/files/wsm/erp/docs/GrantMaterials/NR%20Screening%20tool%20instructions-FY%2021.pdf) can help answer the yes/no questions in the following sections: Act 250, Lake or Shoreland, and Rivers. Follow the instructions on the link above to identify whether your project is located on an Act 250 parcel or is located in the jurisdictional zones to trigger a Lakeshore or Rivers Program permit. Note that the layer to activate in ANR Atlas is now named “Clean Water Initiative Program Grant Screening.”
2. This checklist is a high-level review of the most likely ANR permits to apply to your project. Sub-grantees selected for funding are expected to perform due diligence to ensure all applicable permits (including non-ANR state, local, and federal permits) are discovered and secured prior to implementation. The [ANR Permit Navigator](https://dec.vermont.gov/permitnavigator) and an Environmental Compliance Division Community Assistance Specialist can help confirm ANR permitting needs for any projects once selected for funding.
3. If instructed by the Table 4 checklist to connect with a specific program’s regulatory staff, please do the following:
   * Send them the watersheds project database number (if available), location and description of the project, and any other relevant information they request that will be utilized in their review.
   * Secure written documentation of the results of their findings (an email meets this requirement).
   * Provide summary of communications in the checklist form below.
4. The “conditioned” category is reserved for when the State technical staff indicate they may need a field visit or may need to see more completed designs prior to making a permit need determination.
5. If instructed by the Table 4 checklist, applicants must attempt to communicate with the relevant technical staff and provide them with at least two weeks to review the project and provide a response. If no response is received by the application due date, the applicant may indicate “unknown/pending” and submit proof of attempted correspondence made in a timely manner.
6. Note that it is ok to fund design projects where a permit need is “unknown/pending” or “conditioned,” but that sub-grant recipient will be expected to continue to engage with any applicable regulatory programs identified through this review to ensure a final determination of permit needs is confirmed prior to implementation. Implementation project proposals must have no “unknown/pending” or “conditioned” responses in the checklist below in order to be funded.

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| **Table 4: Natural Resource Conflicts and ANR Permits Checklist** | |
| **I. Act 250 Permits** | |
| **1. Have any Act 250 (Vermont’s Land Use and Development Control Law) Permits been issued in the project site’s parcel location?**  An Act 250 Permit is required for certain categories of development, such as subdivisions of 10 lots or more, commercial projects on more than one acre or ten acres (depending on whether the town has permanent zoning and subdivision regulations), and any development above the elevation of 2,500 feet. | **Yes No** |
| If ***yes***, please provide the permit number and list any water resource issues or natural resource issues found:  Permit Number:  Resource Issues:  If ***yes***, use the [Water Quality Project Screening Tool](https://anrweb.vt.gov/DEC/CleanWaterDashboard/ScreeningTool.aspx) to identify the appropriate regulatory contact for Act 250 consultation.  **Please provide summary of communications with appropriate Act 250 permitting staff and whether a permit amendment is needed**: | **Yes -** permit amendment needed  **No** - permit amendment not needed  **Conditioned** – permit amendment might be needed  **Unknown/Pending –** No response from ANR staff |
| **II. Lake and Shoreland** | |
| **1. Is the project site located within 250 feet of the mean water level (shoreline) of a lake or pond?** | **Yes No** |
| If ***yes***, you might need either a Shoreland Protection Act Permit or a Lake Encroachment Permit. Use the [Water Quality Project Screening Tool](https://anrweb.vt.gov/DEC/CleanWaterDashboard/ScreeningTool.aspx) to find the Lakes and Ponds Program contact for your project’s region.  **Please provide summary of communications with the Lakes and Ponds Program contact, and whether a permit is needed**: | **Yes -** permit needed  **No** - permit not needed  **Conditioned** – permit might be needed  **Unknown/Pending –** No response from ANR staff |
| **III. Rivers, River Corridors, and Flood Hazard Areas** | |
| **1. Is there any portion of the project site located within 100’ of a river corridor and/or mapped Federal Emergency Management Agency (FEMA) flood hazard area[[4]](#footnote-5)?** (e.g. a stormwater pond’s pipe draining into a river corridor area)? Any permanent excavation/filling or construction within a flood hazard area or river corridor may trigger regulatory requirements through municipal bylaws or through state authorities. | **Yes No** |
| If ***yes***, you will need to speak with a Floodplain Manager. Use the [Water Quality Project Screening Tool](https://anrweb.vt.gov/DEC/CleanWaterDashboard/ScreeningTool.aspx) to find the Floodplain Manager for your project’s region. **Please provide summary of communications with these staff, whether the project complies with the Performance Standards of the Flood Hazard Area and River Corridor Rule and whether a permit is needed**: | **Yes -** permit needed  **No** - permit not needed  **Conditioned** – permit might be needed  **Unknown/Pending –** No response from ANR staff |
| **2. Is any portion of the project within a perennial river or stream channel?** Stream Alteration Permits regulate all activities that take place within perennial river and stream channels. Examples of regulated activities include streambank stabilization, dam removal, road improvements that encroach on streams, and bridge/culvert construction or repair. | **Yes No** |
| If ***yes***, you will need to speak with a Stream Alteration Engineer. Use the [Water Quality Project Screening Tool](https://anrweb.vt.gov/DEC/CleanWaterDashboard/ScreeningTool.aspx) to find the Stream Alteration Engineer for your project’s region.  **Please provide summary of communications with these staff, whether the project complies with the Performance Standards of the Stream Alteration Rule and whether a permit is needed**: | **Yes -** permit needed  **No** - permit not needed  **Conditioned** – permit might be needed  **Unknown/Pending –** No response from ANR staff |
| **IV. Wetland** | |
| **1. Does the** [**Wetland Screening Tool**](https://anrmaps.vermont.gov/websites/wetlandScreening/)**[[5]](#footnote-6) provide a result of wetlands likely, very likely, or present?** | **Yes No** |
| **2. Does your project involve land that is in or near an area that has any of the following characteristics:**  o Water is present – ponds, streams, springs, seeps, water filled depressions, soggy ground under foot, trees with shallow roots or water marks?  o Wetland plants, such as cattails, ferns, sphagnum moss, willows, red maple, trees with roots growing along the ground surface, swollen trunk bases, or flat root bases when tipped over?  o Wetland Soils – soil is dark over gray, gray/blue/green? Is there presence of rusty/red/dark streaks? Soil smells like rotten eggs, feels greasy, mushy or wet? Water fills holes within a few minutes of digging? **(**See [Landowners Guide to Wetlands](http://dec.vermont.gov/sites/dec/files/wsm/wetlands/docs/wl_Am_I_in_a_Wetland_2014.pdf) for additional information on identifying wetlands onsite.) | **Yes**  **No**  **Not Sure** |
| If you answered ***yes*** or ***not sure*** to either of the above questions, you will need to contact your District Wetlands Ecologist using the [Wetland Inquiry Form](https://forms.office.com/pages/responsepage.aspx?id=O5O0IK26PEOcAnDtzHVZxq7oICY5adhCkpotz4O-iFVUMEdIT1FHU1VZMDA4TFFJN1gxWFJKSERXUy4u). The District Wetlands Ecologist can help determine the approximate locations of wetlands and whether you need to hire a Wetland Consultant to conduct a wetland delineation. Any activity within a Class I or II wetland or wetland buffer zone (minimum of 100 feet and 50 feet respectively) which is not exempt or considered an “allowed use” under the [Vermont Wetland Rules](http://dec.vermont.gov/sites/dec/files/documents/WSMD_VermontWetlandRules_2010_7_16.pdf) requires a permit. All permits must go through review and public notice process, which takes at minimum a month.  **Please provide summary of communications with these staff and whether a permit is needed:** | **Yes –** generalpermit needed  **Yes** – individual permit needed[[6]](#footnote-7)  **No -** permit not needed  **Conditioned** – permit might be needed  **Unknown/Pending –** No response from ANR staff |
| **V. Fish and Wildlife** | | |
| State law protects endangered and threatened species. No person may take or possess such species without a Threatened & Endangered Species Takings permit.   1. **Does your project involve cutting down trees larger than 5 inches in diameter in any of the following towns?** Addison, Arlington, Benson, Brandon, Bridport, Bristol, Charlotte, Cornwall, Danby, Dorset, Fair Haven, Ferrisburgh, Hinesburg, Manchester, Middlebury, Monkton, New Haven, Orwell, Panton, Pawlet, Pittsford, Rupert, Salisbury, Sandgate, Shoreham, Starksboro, St. George, Sudbury, Sunderland, Vergennes, Waltham, West Haven, Weybridge, Whiting | **Yes No** | |
| 1. **Is the project within 1 mile of a mapped[[7]](#footnote-8) Significant Natural Community or Rare, Threatened, or Endangered Species?** | **Yes No** | |
| If ***yes*** to either of the above questions, connect with the VT Fish and Wildlife department (everett.marshall@vermont.gov 802-371-7333) to discuss your project and any necessary permitting. **Please provide summary of communications with these staff and whether a permit is needed:** | **Yes** permit needed  **No** permit not needed  **Conditioned** – permit might be needed  **Unknown/Pending –** No response from ANR staff | |
| **VI. Stormwater** | | |
| 1. **Will the project disturb more than an acre of land during construction, add impervious surface, create new development or** [**otherwise require a Stormwater permit**](https://vermont.force.com/permitnavigator/s/dec-permits?viewAll=true#a0Bt0000004QgukEAC)**?** | **Yes No** | |
| If ***yes***, forward to the appropriate Stormwater specialist to ensure necessary permitting. Use the [Water Quality Project Screening Tool](https://anrweb.vt.gov/DEC/CleanWaterDashboard/ScreeningTool.aspx) to find the Stormwater specialist for your project’s region.  **Please provide summary of communications with these staff and whether a permit is needed**: | **Yes** permit needed  **No** permit not needed  **Conditioned** – permit might be needed  **Unknown/Pending –** No response from ANR staff | |
| **VII. Solid Waste** | | |
| **Will the project result in the transfer and/or disposal of waste (including construction and demolition waste, stumps, brush, untreated wood, concrete, masonry and mortar)?** | **Yes No** | |
| If yes, connect with the Waste Management & Prevention Division (dennis.fekert@vermont.gov 802-522-0195) to discuss your project and any necessary permitting. **Please provide summary of communications with these staff and whether a permit is needed**: | **Yes** permit needed  **No** permit not needed  **Conditioned** – permit might be needed  **Unknown/Pending –** No response from ANR staff | |

**Step 5:** Confirm proposed project meets all other Eligibility Screens in the Funding Policy (budget, recipient entity, landowner, leveraging, O&M). Circle below.

**Yes**

**No**

**Other (please explain):**

1. \* Stormwater projects on [listed 3-acre sites](https://dec.vermont.gov/watershed/stormwater/9050/3-acre-properties) within the Lake Champlain, Lake Memphremagog, and stormwater impaired watersheds are ineligible under this Design and Implementation Block Grant. Stormwater projects on possible/future 3-acre sites should only be pursued if considered high priority for the region in an existing plan, and, if pursued to achieve local stormwater management priorities, must meet the Three-Acre General Permit redevelopment standards to be eligible for CWIP funds. Sites (outside the watersheds listed above) with 3 acres or more of impervious surface on a single parcel/lot that are unpermitted or permitted under pre-2002 stormwater management standards are anticipated to be possible/future 3-acre sites. Impervious surface can be estimated using ANR Atlas tools. We encourage grantees to be conservative in their estimates and, when it doubt, overestimate total impervious surface acreage. No stormwater projects "unrelated to" 3-acre permit obtainment or compliance are eligible on these property types. This guidance applies to public schools, municipal properties, and private properties and there is no leverage requirement. [↑](#footnote-ref-2)
2. Example conditions might include requests to view final designs prior to project close out, or request to participate in stakeholder meetings, etc. [↑](#footnote-ref-3)
3. Please contact block grant holder if these contacts have changed or left their posts. [↑](#footnote-ref-4)
4. FEMA mapped Flood Hazard Areas are not available statewide on the ANR Natural Resources Atlas. For projects located in Grand Isle, Franklin, Lamoille, Addison, Essex, Orleans, Caledonia, and Orange Counties, maps are available via the FEMA Flood Map Service Center: <https://msc.fema.gov/portal/home>. ANR Floodplain Managers are available to provide technical assistance if needed. [↑](#footnote-ref-5)
5. To view the Wetland Screening Tool introduction video, see <https://youtu.be/6lv5en0AB1o> [↑](#footnote-ref-6)
6. Design phase projects that require an individual wetlands permit must have the permit in hand at the close of the final design phase. Implementation phase projects must submit the individual permit as part of their application to be eligible for funding. [↑](#footnote-ref-7)
7. Find both of these layers on the ANR Atlas under Atlas Layers/Fish and Wildlife. Use the Measurement tool to 1) Plot Coordinates for your project 2) select the coordinates from the left panel 3) select the Radius Tool 4) click on your project location 5) Indicate 1 mile distance 6) look for overlap with either of these mapped layers. [↑](#footnote-ref-8)