

Vermont Wetlands Program Site Visit Guidance

Site Visit Standards

Introduction:

District Wetland Ecologists are responsible for reviewing delineations, verifying wetland classification, and reviewing projects in the context of the wetland's function and value. **Review of delineations and other aspects may need to take place in the field during a site visit.** This guidance document is intended to provide information and protocol for effective and efficient site visits with State of Vermont District Wetland Ecologists (DWE) and consultants, engineers, or representatives. This document is specifically for the field review of wetland delineations and projects that may result in wetland or buffer impacts. It is expected that wetland delineations will follow the ACOE standards and be conducted during the growing season.

A. When is a Site Visit Required vs. Recommended?

Site visits are **required** for:

- Delineation review when there are proposed impacts that will necessitate an Individual Wetland Permit. An Individual Wetland Permit is not considered technically complete until a site visit has been conducted and the delineation reviewed by the Program.
- Violation wetland delineation assessment and plan approval.

Site visits are **recommended** when:

- You have completed a delineation in a difficult wetland situation. Common difficult wetland situations include: lands used for agriculture, logged areas, mosaics, lawns, areas affected by floods, and drought conditions. See Chapter 5 of the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region;
- You would like a review of a wetland delineation where the proposed development is within 65 feet of the wetland boundary; or,
- You or your client's project includes the need for sign-off on a delineation or classification for other permits. Sign-off is commonly needed for Land Use (Act 250) Permits or Certificates of Public Good (Section 248, CPG).

B. When is the Best Time to Schedule a Site Visit?

Vermont Growing Season Estimates		
County	Start	End
Town		
Grand Isle	April 16	November 3
South Hero		
Chittenden	April 20	October 26
Burlington		
Windham*	April 23 to	September
	May 5	27-October
		17
Franklin*	April 25 to	October 3-11
	May 6	
Addison	April 28	October 17
Cornwall		
Orleans	April 28	October 13
Newport		
Windsor	April 29	October 19
Springfield		
Rutland	May 1	October 16
Rutland		
Bennington	May 1	October 18
Bennington	1.6	0.1.1.15
Caledonia	May 2	October 17
Saint		
Johnsbury	Marr 2	October 17
Washington Montpelier	May 2	October 17
Orange	May 6	October 15
Thetford	iviay o	October 13
Lamoille	May 7	October 15
Morrisville	iviay /	October 13
Essex	May 11	October 13
Island Pond	1.100 11	

Site visits for delineation review need to occur during the **growing season**, so the DWE can examine the same criteria required for a wetland delineation – vegetation, soils and hydrology, following the standards required in Section 3 of the Vermont Wetland Rules. During the growing season, DWEs may be scheduling site visits out a month in advance due to the volume of requests. A site visit request in late September may not be able to be scheduled within the growing season. Waiting for a visit in the spring could impact your project's timeline, so plan accordingly.

- 1. For best results: DWE review of delineations should occur within the same year of the delineation. Vermont has had both drought and floods in recent years. Delaying your delineation review may result in needing to redelineate if site conditions contradict the delineation. This is a greater expense to you or your client. If there is a delay between the original delineation and a review with the DWE, we recommend you recheck the delineation prior to the site visit.
- 2. Request review when flags are still present. If there is a delay in review, flags should be rehung and numbered for the site visit. If the DWE does not know where the boundary is in the field, they may not be able to verify the delineation and request a second site visit at a

later date.

- 3. Request DWE review on managed sites when the vegetation is identifiable. This may mean you need to ask your client to delay mowing until review is completed. If the DWE cannot differentiate the vegetation in the wetland and upland because the vegetation has been cut, the DWE may not be able to verify the delineation.
- 4. Sync DWE field review with project planning. The most ideal visit is when there is both a delineation to review and some preliminary plans or at least a plan concept. This type of site visit allows the DWE and you or your consultant to verify the wetland, and to view

the proposed impacts on the ground. There are often adjustments that need to be made, either in the delineation or in the proposed plans based on those site visits. Alternately, having a delineation without some type of proposal may necessitate a return site visit to look at specific impacts. Investing too much time and money into a design without feedback from the DWE or verification of wetland boundaries may necessitate costly redesign if wetland boundaries change or if more avoidance and minimization is required. The DWE can review project alternatives and give a sense of whether a project is likely to be approved if there is a concept plan to discuss.

- 5. If there is a delay between the delineation and the project development, make sure your client is aware of the following:
 - a. Reviewing wetlands with DWE in different years or seasons from when the delineation took place may require the consultant to re-do the work if boundaries look substantially different. This is particularly true for late season or early season delineations, and for years with unusual weather patterns (droughts or floods).
 - b. Reviewing delineations without a project plan may require a second visit to view and discuss specific impacts. In these cases, project plans should be submitted to the DWE for initial review and feedback prior to submitting a permit.
- 6. Consider you or your client's timeline for receiving a permit. It takes between 60 and 90 days to receive an Individual Wetland Permit once a complete application is submitted to the Wetlands Program. Remember, the site visit is needed before the application can be processed. Site visits should be requested far enough in advance to have time to schedule the visit, fill out an application form, and wait for processing and public notice by the Agency. These timelines may be longer under the following circumstances:
 - a. Delays during the field season as office time is reduced
 - b. Applications that are deficient and incomplete, including not having an approved delineation
 - c. Projects that have not undergone sufficient avoidance and minimization
 - d. Projects that are large and complicated, that require compensation
 - e. Project that received public comments

Knowing these timelines can help your clients adjust expectations and help with timing overall development schedules.

C. Pre-Site Visit Process

1. **Site Visit Request:** To request a site visit, fill out the <u>DEC Wetland Inquiry Form.</u> Fill this form out thoroughly and use a separate form for each site visit request. These forms are used by the DWE to find where to meet you, to schedule enough time for the visit, to start project files, and to contact landowners directly when needed. **Incomplete forms** will not be processed. DWEs conduct multiple site visits per day and rely on the Inquiry

- Forms to block an appropriate amount of time for a given visit. Be sure to provide a reasonable time frame for the visit.
- 2. **Maps and Plans:** Send what is available for maps and site plans five days prior to the site visit. You should bring paper copies to the site visit. Maps should include the investigation area, and clearly show where the site is on the landscape. Maps should also include road names, property boundaries, and any helpful environmental mapping (hydric soils, streams etc). Any site plans that have been developed should show at least a sketch of the location of the wetlands. It is understood that many times the wetland will not be fully surveyed until the delineation is approved, but a sketch is helpful. If the wetland is on the site plans, have each point shown and numbered.
- 3. **Scope of Review:** At a minimum the DWE will review areas where impacts are proposed in relation to a project. In most cases, the DWE will also need to consider if there are opportunities for avoidance and minimization, which may extend beyond what was given as the limits of the project. Be very clear if there are limitations of where you have delineated or reviewed prior to the site visit. Identify your study area on your delineation map. Remember to look out at least 50-ft from the proposed limit of disturbance (LOD) or property boundaries to capture wetlands whose buffers may extend into the project area.
- 4. **Potential Compliance Issues**: Prior to having the DWE to a site visit, you should discuss potential violations with the landowner and look back at older aerial photos to see if there are compliance issues. Compliance issues may need to be addressed during or after the DWE site visit. It is better for everyone to know if there is a potential violation that needs to be addressed before the site visit. Let the DWE know if there is a compliance issue when requesting a site visit. Prior information about compliance issues allows the DWE to review maps in advance to assist in approving the delineation.
- 5. **Manage the site**: Let the landowner know that no work should take place prior to the site visit. This includes mowing, forestry activities, construction activities, or other activities that may affect the physical or vegetative characteristics of the site. If there are animals, have the landowner contain them for the visit. If there are other hazards, be sure to address them in the <u>DEC Wetland Inquiry Form.</u>

D. Site Visit Considerations and Expectations

1. **Wetland Flagging:** For delineation review, the wetland boundary should be flagged and numbered so the wetland boundary is apparent. You or your consultant should review and reflag older delineations if the flags are gone. There have been many occasions when GPS units have failed and an unflagged boundary could not be approved by the DWE during a scheduled site visit. At minimum the areas in or adjacent to a proposed project should be flagged for a visit.

- 2. **Delineation Forms:** The DWE may request delineation forms in problematic areas (those that meet Chapter 5 criteria in the delineation manual, or disturbed areas). Having these completed forms and the delineation manual at the site visit are useful for determining the boundary while in the field.
- 3. **Maps and Plans:** Bring what you have for maps and plans. Maps should include the scope of review, and clearly show where the site is on the landscape. Plans should at minimum have a sketch of the wetland. Plans with numbered flags, and topography are most helpful where boundaries have been picked up. Identify your study area on your delineation map.
- 4. **Boundary Adjustments:** It is most effective to move flags while onsite when there needs to be an adjustment of the wetland boundary during the review of the delineation. A new delineation and a second site visit may be required if the boundary is incorrect. Boundary disagreements may be elevated to the Wetlands Program Manager.
- 5. **Potential Compliance Issues**: If there are compliance issues on the site, be prepared to address them through restoration and/or after-the-fact permitting. Be prepared to present a timeline, estimate of area impacted, and a forensic delineation that estimates where the wetland was prior to the disturbance. Working with the landowner to present a solution to the DWE during the site visit will also help facilitate these types of projects.
- 6. Who should be there? Delineation site visits are often technical in nature, and are often most effective when conducted by the DWE and consultant together. The wetland scientist who delineated the wetland should be present for DWE review of delineations. Having the wetland scientist at the site visit allows them to explain their work if there are questions about the boundary. It is helpful to include the project engineer or manager at the site visit to discuss project limitations and requirements if there is a discussion about the project layout. It is often best to limit the number of individuals at the site visit. For all other potential parties, consider how critical it is to have them at the field visit. Other potential parties can stay at home when their information or questions can be supplied before or after the site visit. The landowner should be present if you expect the DWE to have compliance questions.
- 7. **Be Mindful of Time:** One hour site visits are typical. If you feel you need more than that, please indicate so in the <u>DEC Wetland Inquiry Form.</u> Prioritize areas that have proposed impacts. A well-organized site visit makes the best use of time and has all the elements listed above.
- 8. **Stay focused:** The main goal of field visits is to review the site, the delineation, and potentially the proposed impacts. If the DWE has time, they will also try to answer any technical or process questions, but these can also be addressed later. The DWE does their best to give you the information needed to move a project forward, but sometimes they do not have all the answers, and these questions are better answered by follow-up email.

E. Post-Site Visit Follow Up

The Wetlands Program strives to provide site visits in a timely manner in the short window available to review delineations and may not provide follow up in writing. To receive expeditious follow-up correspondence from the DWE, you should email them your own summary of the visit if you were present and request concurrence.

1. Request for delineation approval: If you would like written confirmation that a

Example Email:

Hi Shannon, Thank you for meeting with me and Tom Smith, the landowner, to review the delineation at 555 Swamp Road in Brandon. I have moved the three flags from the tree line out 10 feet into the field, as discussed. See the attached site plans with the revised delineation and driveway moved to the east. Please confirm that this will be suitable for a permit application.

delineation was approved during the site visit, email the DWE your request. The request should include a brief visit summary including the date the of the site visit, a wetland project number if the DWE has provided one, the project location, and a copy of the delineation (either field surveyed or GPS with survey grade accuracy).

2. Delineation adjustments:

If a portion of the delineation needed adjustment in the field, please send those changes in the email format above (E1). Note which areas were changed as a result of the site visit. In situations where large changes were needed, a second site visit may be required.

- 3. **Confirm next steps:** Email your DWE a summary of next steps needed for project planning, redesign, or restoration as discussed in the field and request confirmation. The DWE can confirm that information and provide you with information needed to move the project forward. Follow up emails help facilitate clear communication about where a project is heading and typically expedites the project review and approval.
- 4. **Request pre-application review:** It is in everyone's interest to receive preliminary review of a project before formal application submittal to ensure the project is heading in the right direction. This is especially true for the applicant since application fees cannot be returned. You can request feedback on the project's approvability after the site visit if it was not discussed in the field. Feedback is especially recommended for large or complex projects.

*Growing season date estimates based on 2003-2023 data from the WETS tables http://agacis.rcc-acis.org/, except for Frankin and Windham Counties which do not have data throughout the time period. Franklin County dates were collected in 2016 from 1971-2000 climate information. Windham county was developed with 1961-1990 Climate reports. http://www.wcc.nrcs.usda.gov/climate/wetlands.html