

NOTICE OF DEFERRAL OF PERMIT

LAWS/REGULATION INVOLVED: 27 V.S.A. 613 (Stormwater Discharge Permits During Transition); 10 V.S.A. 1264 (Stormwater Management)

PRETRANSITION STORMWATER DISCHARGE PERMIT NO: _____
(“Pretransition stormwater discharge permit: means any permit issued by the Secretary of Natural Resources pursuant to section 1264 of Title 10 on or before June 30, 2004 for a discharge of stormwater.”)

STREET ADDRESS AND DESCRIPTION OF PROPERTY SUBJECT TO PRETRANSITION STORMWATER DISCHARGE PERMIT:
(examples: unit of condominium complex, phase of condo development, single family residence in residential subdivision, commercial property)

NAME AND ADDRESS OF PROPERTY OWNER(S):

NAME OF IMPAIRED WATERSHED:

STATUS OF PRETRANSITION STORMWATER DISCHARGE PERMIT (CHECK AT LEAST ONE)

1. Permit Obtained: _____ Date of Permit Expiration: _____
2. Permit Never Obtained: _____
Approximate Acreage of “Impervious Surface” as defined in 10 V.S.A. 1264: _____

CONDITIONS OF DEFERRAL OF PERMIT:

1. 27 V.S.A. 613 provides that, notwithstanding any law to the contrary, no encumbrance on record title to real property or effect on marketability of title shall be created by the failure of the holder of the subject property covered by this Notice of Deferral of Permit to obtain, renew, or comply with the terms and conditions of a pretransition stormwater discharge permit for a conveyance or refinancing, provided that such holder: (1) provides a Notice of Deferral of Permit to the Secretary of the Agency of Natural Resources; and (2) records in the land records a notice on a form provided by the Secretary indicating that at the time of establishment of a general permit in the impaired watershed where the subject property is located, but not later than June 30, 2018, the mortgage (in the

case of a refinancing) or the grantee (in the case of a conveyance) shall be subject to all applicable requirements of the water quality remediation plan, TMDL, or watershed improvement permit established under Chapter 47 of Title 10.

2. The deferral of permit provided by 27 V.S.A. 613 shall no longer apply to the Subject property if, after July 1, 2004, the owner of the Subject property to be conveyed or refinanced engages, contracts to engage, or assists the engagement by others in expansion or redevelopment without first obtaining a stormwater discharge permit from the Agency of natural Resources pursuant to Title 10, Sections 1264 and 1264a.
3. The deferral of permit provided by 27 V.S.A. 613 shall no longer apply to the subject property on the date of the establishment of a general permit in the impaired watershed where the subject property is located, but no later than June 30, 2018 and upon notification by the Secretary of Natural Resources. At such time, the mortgagor (in the case of a refinancing) or the grantee (in the case of a conveyance) shall be subject to the general permit and all applicable requirements of the water quality remediation plan, TMDL, or watershed improvement permit established under Chapter 47 of Title 10.

SIGNATURE AND DATE:

Property Owner or Authorized Representative (e.g. condo association)

Print Name of Authorized Representative

Date

Please mail this form to:

**DEC – Watershed Management Division
1 National Life Drive
Main Building, 2nd Floor
Montpelier, VT 05620-3522**