Don't want to get a Permit? Consider the Following:

Maybe you don't need to impact those wetlands!

- In most cases, wetland permits are only required if your activity is proposed in the wetland or within 50 feet of the edge of the wetland.
- If purchasing land, make sure there is plenty of upland for your driveway, home, lawn and septic.
- If you are near wetlands, look at the following ways to avoid impacts to wetlands and buffer zones:
- Adjust the location and orientation of buildings so they are in uplands;
- Find out if there is more than one way to access the site; or,
- Scale back the size of your project.

Thinking of doing the project without a permit?

PERISH THE THOUGHT:

- Violations of environmental regulations are subject to fines of up to $42,500 for the initial violation, and $17,000 per day if the violation continues.
- As part of an enforcement action, all the work you did may have to be removed and the wetland restored.
- Ongoing enforcement may potentially undermine the marketability of property.
- The time and money spent on enforcement, for fines, restoration, and legal fees, exceeds the time and money spent to get the appropriate permits.

Need More Information? Have Other Questions?

State of Vermont:
Department of Environmental Conservation
Watershed Management Division
Wetlands Program
1 National Life Drive
Montpelier, VT 05620-3522
802-490-6100
http://dec.vermont.gov/watershed/wetlands

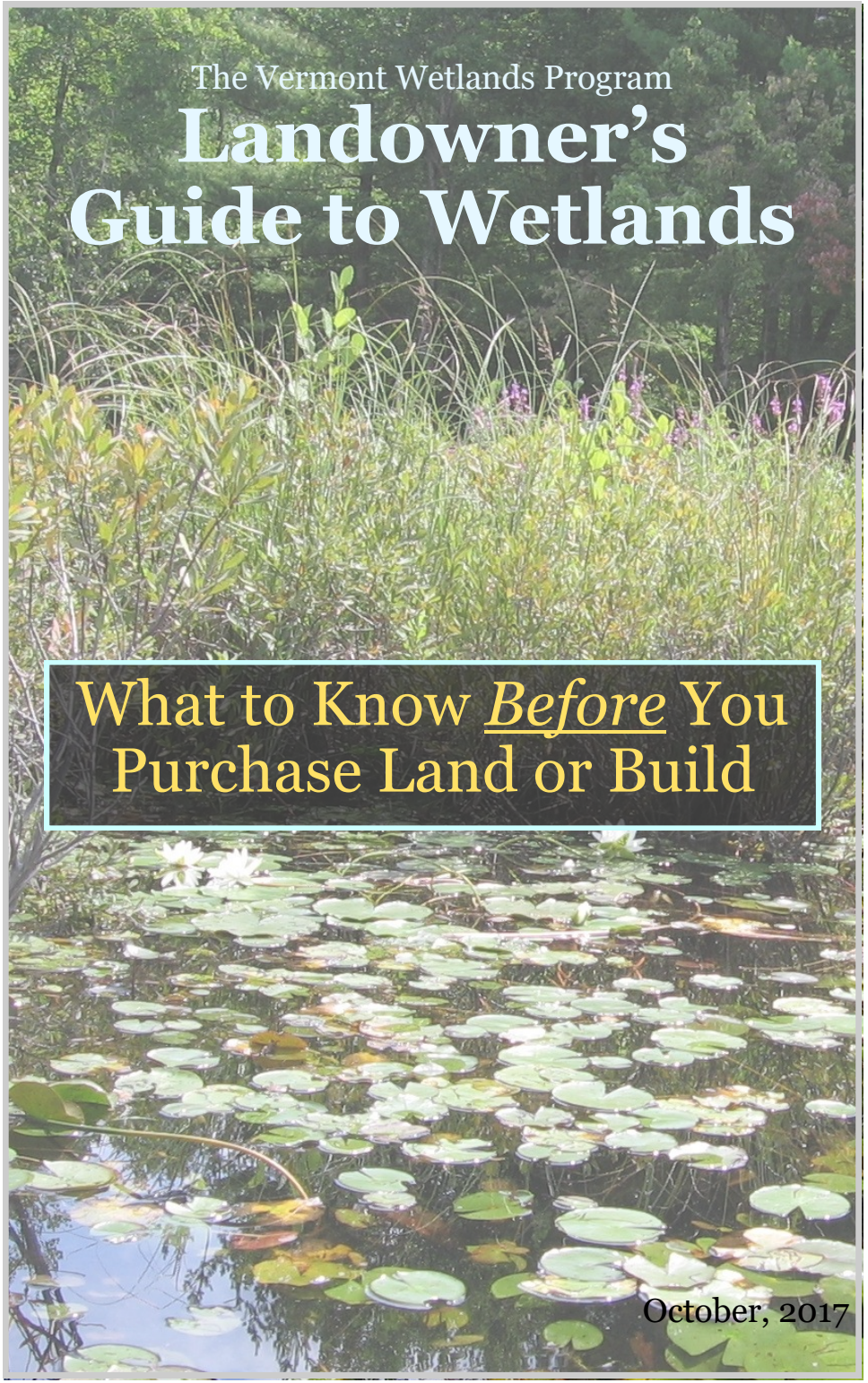
Vermont Wetland Inventory Map:
https://anrmaps.vermont.gov/websites/WetlandProjects/default.html

Federal:
U.S. Army Corps of Engineers
VT District Office
8 Carmichael Street Suite 205
Essex VT, 05425
802-872-2893
http://www.nae.usace.army.mil/

U.S. Environmental Protection Agency
Region 1, Wetlands Protection Section
JFK Federal Building
Boston, MA 02203
617-565-4421

Local:
Your town or city Zoning Official, Conservation Commission, or Planning Commission

VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WATERSHED MANAGEMENT DIVISION
WETLANDS PROGRAM



Vermont Wetland Information

Vermont has many types of wetlands, and some are not obvious at first glance. To help decide if your building project or potential land purchase involves a wetland, simply follow the steps below to assess the site in question.

Step 1: Review Maps

All wetlands depicted on the Vermont Significant Wetland Inventory Map s (VSWI), are under the jurisdiction of the Vermont Wetland Rules (VWR). However, wetlands not on the VSWI maps may also be subject to state, federal or local regulation. Other maps to check include National Wetland Inventory Map, USGS Topographic Maps, and town Natural Heritage and Wetland Maps. NRCS Soil maps show where hydric (aka wetland) soils are located. For those wetlands that are not on the VSWI maps, review the presumptions in Step 3 to see if the wetland is regulated by the State.

Step 2: Wetland Indicators*

Take this flyer with you and walk the property using the wetland indicators checklist on this pamphlet to identify evidence of wetland plants, soils, and hydrology. Bring a shovel & plant guides to help you determine if a wetland exists.

This checklist is a guide. Wetland professionals are required to delineate wetland boundaries in VT.

Step 3: Wetland Regulations

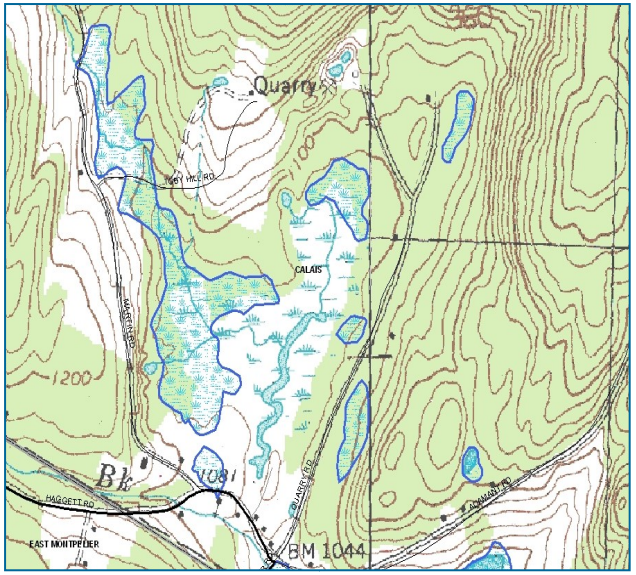
State wetland regulations require that wetlands provide significant function and value to Vermonters in order to be protected. Both the wetland and at least a 50-foot buffer zone are protected. The following wetlands are presumed to provide function and value, and so are subject to the Vermont Wetland Rules:

- Any wetland on the VSWI map
- Any wetland contiguous or connected to the VSWI mapped wetland (so look for VSWI wetlands in close proximity to your property)
- Any wetland that is the same type and size as what is on the VSWI maps (1/2 acre or larger)
- Wetlands over or under a half acre that:
  - Are adjacent to a stream, lake, pond, or river
  - Are vernal pools
  - Are special and unique wetlands like bogs or fens
  - Are headwaters above 2500' in elevation
  - Are adjacent to impaired waters

Not sure? Contact us.

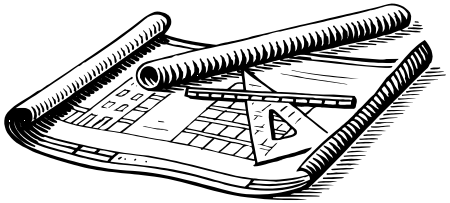
http://dec.vermont.gov/watershed/wetlands/contact

Wetlands Program Office: 802-490-6100



Vermont Wetland Maps can be viewed at:

https://anrmaps.vermont.gov/websites/WetlandProjects/default.html



Ask Yourself This:

- **Are there places you don't mow because it is too wet?**
- **Do you think to yourself, "That's a good place for a pond"?**
- **Are there places you wouldn't drive heavy equipment for fear of sinking?**
- **Do the trees tip over frequently in your woods?**
- **Is there an area that is wet only part of the year?**
- **Does the vegetation look different in a spot lower than the surrounding areas?**
- **Do you hear frogs in the spring from that wet area?**

If the answer is **YES** to any of these you may have a wetland!

Wetland Indicators Checklist

Check those that apply

Is water present?

- ☐ Are there ponds, streams, lakes, springs or seeps present?
- ☐ Are depressions present where water pools during wet periods in the growing season?
- ☐ Is the ground often soggy under foot?
- ☐ Do trees have shallow roots, water marks on the trunks, or forest debris deposited on their trunks?

Are wetland plants present?

- ☐ Are cattails, sedges, rushes, New England aster, sphagnum moss, skunk cabbage, dwarf raspberry, blueberry, or marsh marigold present?
- ☐ Are sensitive , ostrich, or cinnamon ferns present?
- ☐ Are willow, red maple, tamarack, white cedar, balsam fir, black spruce, alder, green or black ash trees or saplings present?
- ☐ Are meadowsweet, leatherleaf, steeplebush, arrow-wood, or wild raisin present?
- ☐ Do trees in the area have roots growing across the ground, swollen trunk bases, or flat root bases when wind thrown or tipped over?

Is your soil a wetland soil?

*** Dig a hole 20 inches down to answer the questions below**

- ☐ Is the soil dark brown, black, gray, gray-blue or gray-green, does it have rusty, red, or dark streaks?
- ☐ Does the soil smell like rotten eggs, feel greasy, mushy, or wet? Can you squeeze out water?
- ☐ Does water enter the hole after a few minutes?

It is likely you have a wetland If you checked any of the above, or answered yes to the "Ask Yourself This" questions.

What happens next?

In most cases, if you can stay 50 feet away or more from the edge of the wetland, you won't need to do anything. If you don't know where the edge of the wetland is, you may need to contact a wetland professional to determine the edge of that wetland. If there is no way to avoid doing work in the wetland or buffer zone, you may need a permit from the State and/or the Army Corps of Engineers.

http://dec.vermont.gov/watershed/wetlands/jurisdictional/permit-info