

## **APPENDIX A. CLEAN WATER INITIATIVE PROGRAM - PROJECT ELIGIBILITY SCREENING FORM**

This fillable PDF form is designed to assist with project review by systematically walking through all eligibility criteria. It should be completed for all projects seeking funding for 30% + design or implementation work. It may be applied to projects seeking funding for assessment or development if helpful for determining their alignment with eligibility criteria 2, 3, 6, and 8.

### **Step 1: Conduct Eligibility Criteria #1 Screening: Project Purpose**

<b>Table 1A: Project Purpose</b>	
From the drop-down list to the right, please select which of the four objectives of Vermont's Surface Water Management Strategy this project addresses. If multiple, please list below:	



a final design will have a different WPD-ID from a preliminary design even if for the same project). If the project, or the specific phase, is not yet in the Watershed Project Database, follow directions provided in the CWIP Funding Policy to secure a WPD-ID. Please see [CWIP Funding Policy](#) for more information on the WPD-ID.

Table 3A. WPD-ID	
Watershed Project Database ID number assigned	
Watershed Project Database Project Name	

#### Step 4: Conduct Eligibility Criteria #4 Screening: Natural Resource Impacts<sup>3</sup>

Agency of Natural Resources (ANR) permit screening for natural resource impacts includes 1) an initial desktop review to identify which ANR permitting programs should be contacted, 2) a review by the relevant ANR permitting staff, and 3) a response summary from the project proponent addressing any permitting staff concerns. <sup>4</sup>

- 1) **Table 4. Natural Resource Impacts** facilitates a high-level desktop review of the most likely ANR permits to apply to clean water projects. Project proponents should answer all the questions to identify likely permit needs. <sup>5</sup> Please note that “project site” may include both the active restoration location as well as any additional impact footprint related to staging, site access, or storage of waste or disposed materials.
- 2) If responses to the **Table 4. Natural Resource Impacts** desktop review trigger a permitting staff consultation, **Table 4** provides appropriate contact information.
  - a. Proponents should send the identified permitting staff the following:
    - i. The watersheds project database identification number (WPD-ID) (if available),
    - ii. Project location (GPS coordinates)
    - iii. Summary of proposed scope of work, and
    - iv. Any other relevant information they request that will be utilized in their review.
  - b. **Proponents should clarify they are seeking permitting staff input on potential permitting needs, permit-ability of proposed scope of work, and other design considerations but they are NOT seeking a formal permit determination.**
  - c. Project proponents must attempt to communicate with the permitting staff and provide them with at least thirty days to review the project and provide a

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<sup>3</sup> Easements and Riparian Buffer Plantings are excluded from this eligibility requirement/step.

<sup>4</sup> In cases where this screening may have already occurred in a prior project phase, project proponents may supply attachments or links to relevant permit needs assessment documents in place of completing Table 4.

<sup>5</sup> Entities 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](#) and an Environmental Compliance Division Community Assistance Specialist can help confirm ANR permitting needs for any projects once selected for funding.

response. Project proponents are encouraged to perform this screening during a project development phase as opposed to during a project solicitation round to allow for more time for feedback. Permitting feedback may be up to one year old.

- 3) Proponents should summarize permitting staff feedback and how the proposed scope of work will address this at the bottom of **Table 4**. Specifically, please include:
  - a. Which permits or permit amendment are needed or might be needed?<sup>6</sup>
  - b. What type might be needed? (e.g., a general or individual permit<sup>7</sup>)?
  - c. What concerns were voiced by permitting staff?
  - d. How will the proposed scope of work address these concerns?<sup>8</sup>

Table 4A: Natural Resource Impacts		
I. Act 250 Permits		
<b>1. Have any Act 250 (Vermont’s Land Use and Development Control Law) Permits been issued in the project site’s parcel location?<sup>9</sup></b>	<b>Yes</b>	<b>No</b>
If <b>yes</b> , please provide the permit number and list any water resource issues or natural resource issues found <sup>10</sup> :		
PermitNumber:		
ResourceIssues: _____		
If <b>yes</b> , use the <a href="#">Water Quality Project Screening Tool</a> to identify the appropriate regulatory contact for an Act 250 consultation.		
Regulatory Point of Contact Name/Position:		
II. Lake and Shoreland		
<b>1. Is the project site located within 250 feet of the mean water</b>	<b>Yes</b>	<b>No</b>

<sup>6</sup> Occasionally permit staff may indicate they need a field visit or to see more completed designs prior to making a permit need determination.

<sup>7</sup> 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 have the individual permit in hand to be eligible for funding.

<sup>8</sup> Examples could include planned design changes or inviting permitting staff to stakeholder meetings.

<sup>9</sup> 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. The [ANR Atlas Clean Water Initiative Program Grant Screening tool](#) can help answer this yes/no question. Follow the instructions on the link above to identify whether your project is located on an Act 250 parcel. Note that the layer to activate in ANR Atlas is now named “Clean Water Initiative Program Grant Screening.”

<sup>10</sup>Note that Act 250 permit amendments may require more extensive review of project impacts to natural resources including wildlife habitat, significant natural communities, and riparian zones. Please consult with the Act 250 District Coordinator regarding the nature and scope of that review and what bearing it may have on your project design.

<b>level (shoreline) of a lake or pond?</b> <sup>11</sup>		
<p>If <b>yes</b>, you might need either a Shoreland Protection Act Permit or a Lake Encroachment Permit. Use the <a href="#">Water Quality Project Screening Tool</a> to find the Lakes and Ponds Program contact for your project's region.</p> <p><b>Regulatory Point of Contact Name/Position:</b></p>		
<b>III. Rivers, River Corridors, and Flood Hazard Areas</b>		
<p><b>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<sup>12</sup>? (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.</b></p>	<b>Yes</b>	<b>No</b>
<p>If <b>yes</b>, you will need to speak with a <a href="#">Floodplain Manager</a>. Use the <a href="#">Water Quality Project Screening Tool</a> to find the Floodplain Manager for your project's region.</p> <p><b>Regulatory Point of Contact Name/Position:</b></p>		
<p><b>2. Is any portion of the project site within a perennial river or stream channel?</b></p> <p><sup>13</sup></p>	<b>Yes</b>	<b>No</b>
<p>If <b>yes</b>, you will need to speak with a <a href="#">Stream Alteration Engineer</a>. Use the <a href="#">Water Quality Project Screening Tool</a> to find the Stream Alteration Engineer for your project's region.</p> <p><b>Regulatory Point of Contact Name/Position:</b></p>		
<b>IV. Wetland</b>		

<sup>11</sup> The [ANR Atlas Clean Water Initiative Program Grant Screening tool](#) can help answer this yes/no question. Follow the instructions on the link above to identify whether your project is located in the jurisdictional zone to trigger a Lakeshore permit. Note that the layer to activate in ANR Atlas is now named "Clean Water Initiative Program Grant Screening."

<sup>12</sup> 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.

<sup>13</sup> 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. The [ANR Atlas Clean Water Initiative Program Grant Screening tool](#) can help answer this yes/no question. Follow the instructions on the link above to identify whether your project is located in the jurisdictional zone to trigger a Stream Alteration permit. Note that the layer to activate in ANR Atlas is now named "Clean Water Initiative Program Grant Screening."

<p><b>1. Does the <a href="#">Wetland Screening Tool</a><sup>14</sup> provide a result of wetlands likely, very likely, or present at the project site?</b></p>	<p style="text-align: center;"><b>Yes                  No</b></p>
<p><b>2. Does your project site involve land that is in or near an area that has <u>any</u> of the following characteristics:</b></p> <ul style="list-style-type: none"> <li>o Water is present – ponds, streams, springs, seeps, water filled depressions, soggy ground under foot, trees with shallow roots or water marks?</li> <li>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?</li> <li>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 <a href="#">Landowners Guide to Wetlands</a> for additional information on identifying wetlands onsite.)</li> </ul>	<p style="text-align: center;"><b>Yes</b></p> <p style="text-align: center;"><b>No</b></p> <p style="text-align: center;"><b>Not Sure</b></p>
<p>If you answered <b>yes</b> or <b>not sure</b> to <u>either</u> of the above questions, you will need to contact your <a href="#">District Wetlands Ecologist</a> using the <a href="#">Wetland Inquiry Form</a>. 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. Alternatively, if you answered <b>yes</b> or <b>not sure</b> to <u>either</u> of the above questions, you can simply budget for a Wetland Consultant in the proposed scope of work. 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 <a href="#">Vermont Wetland Rules</a> requires a permit. All permits must go through review and public notice process, which takes at minimum 6 weeks for a General Permit and 5 months for an Individual Permit.</p> <p><b>Regulatory Point of Contact Name/Position:</b></p>	
<p><b>1. Is your project a Wetland Restoration project type?</b></p>	<p style="text-align: center;"><b>Yes                  No</b></p>
<p>If you answered yes, under the <a href="#">Vermont Wetland Rules</a> you will need an “allowed use” determination from the DEC Wetlands Program. Contact your <a href="#">District Wetlands Ecologist</a> using the <a href="#">Wetland Inquiry Form</a>.</p> <p><b>Regulatory Point of Contact Name/Position:</b></p>	
<p><b>V. Fish and Wildlife</b></p>	
<p>State law protects endangered and threatened species. No person may take or possess such species without a Threatened &amp; Endangered Species Takings permit.</p> <p><b>1. Does your project involve cutting down trees larger than 5 inches in diameter in any of the following towns?</b> 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</p>	<p style="text-align: center;"><b>Yes                  No</b></p>

<sup>14</sup> To view the Wetland Screening Tool introduction video, see <https://youtu.be/6lv5en0AB1o>

<b>2. Is the project site within 1 mile of a mapped<sup>15</sup> Significant Natural Community or Rare, Threatened, or Endangered Species?</b>	<b>Yes</b>	<b>No</b>
<p>If <b>yes</b> 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.</p> <p><b>Regulatory Point of Contact Name/Position:</b></p>		
<b>VI. Stormwater</b>		
<b>1. Will the project disturb more than an acre of land during construction, add or redevelop impervious surface, create new development or <a href="#">otherwise require a Stormwater permit?</a></b>	<b>Yes</b>	<b>No</b>
<p>If <b>yes</b>, forward to the appropriate <a href="#">Stormwater specialist</a> to ensure necessary permitting. Use the <a href="#">Water Quality Project Screening Tool</a> to find the Stormwater specialist for your project's region.</p> <p><b>Regulatory Point of Contact Name/Position:</b></p>		
<b>VII. Solid Waste</b>		
<b>2. Will you be creating any debris (including construction and demolition waste, stumps, brush, untreated wood, concrete, masonry, and mortar) with your project that you intend to bury on site? <sup>16</sup></b>	<b>Yes</b>	<b>No</b>
<p>If yes, connect with the Waste Management &amp; Prevention Division (dennis.fekert@vermont.gov 802-522-0195) to discuss your project and any necessary permitting.</p> <p><b>Regulatory Point of Contact Name/Position:</b></p>		
<p>Provide below or attach a narrative summary of Table 4 findings. Please include:</p> <ol style="list-style-type: none"> <li>Which permits or permit amendment are needed or might be needed?</li> <li>What type might be needed? (e.g. a general or individual permit)?</li> <li>What concerns were voiced by permitting staff?</li> <li>How will the proposed scope of work address these concerns?</li> </ol>		
<b>Is the project, as proposed, reasonably considered permit-able by all applicable</b>	<b>Yes</b>	<b>No</b>

<sup>15</sup> 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.

<sup>16</sup> If your project will result in the transfer and disposal of debris (including construction and demolition waste, stumps, brush, untreated wood, concrete, masonry and mortar), you do not need a permit from this office as long as you hire a [licensed solid waste hauler](#) and bring the material to a certified facility.





<p>determine if it is a <a href="#">jurisdictional farm operation</a>, and any case that requires consultation with AAFM will occur via the <a href="#">farm determination</a> process. Please note this form must be submitted by the farm operation/landowner seeking the determination.</p>	<p><b>No</b><sup>18</sup> - There is no additional requirements related to agricultural review for these projects.</p>
<p><b>2. Is the proposed project an agricultural project?</b></p> <p>Examples of agricultural projects include but are not limited to Production Area Practices – (e.g. Waste Storage Facilities, Heavy Use Area, Diversion) Fence, Livestock Exclusion, Filter Strip, Cover Crop, Reduced Tillage, Manure Injection, Rotational Grazing. Please note this is not an exhaustive list of all agricultural practices.</p>	<p><b>Yes</b> - Agricultural Projects on jurisdictional farms are not an eligible project type. You can provide a referral to an applicable state or federal agricultural <a href="#">assistance program</a>, or a local organization.</p> <p><b>No</b>- The natural resource, innovative, or other project type will require an agricultural project review and approval from the Vermont Agency of Agriculture, Food and Markets (VAAF) to ensure a consistent approach on farms statewide that follows rules, regulations, and laws in place. Please follow Steps 1 &amp; 2 below.</p> <p><b>Step 1</b>- Please submit a detailed description of the project, project site, project details, landowner, farm operation, and any other relevant information to VAAF at <a href="mailto:AGR.WaterQuality@Vermont.gov">AGR.WaterQuality@Vermont.gov</a> .</p> <p><b>Step 2</b>- Once you complete this Agricultural Project Review, please allow 30 days for a response. Once that response has been received, please include a summary of the response in the next section.</p>
<p><b>Agricultural Project Review Status &amp; Summary:</b></p>	
<p><b>Check as Applicable</b></p>	<p><b>Status</b></p>
	<p>Submitted/ Pending</p>
	<p>Approved</p>
	<p>Denied</p>

<sup>18</sup> Note CWIP’s Agricultural Pollution Prevention project type eligibility is limited to land where owner or operator is not a jurisdictional farm (i.e., not required to meet the Required Agricultural Practices (RAPs)). As such, projects that meet the definition of the Agricultural Pollution Prevention project type in the [Appendix B. Project Types Table](#) are not subject to review by VAAF.

**Please include a summary of the response here:**

**Please note that it is expected that all projects with the status “submitted/pending” will be “approved” prior to a project approval for funding.**