



Section 401 Water Quality Certification Part 2. Certification Request (Application)

Please complete and submit Part 2 when requesting a Section 401 Water Quality Certification. Note: A pre-filing meeting must have been requested at least 30 days prior to submitting the application.

For DEC Staff Use Only

Date of Receipt: _____ File Number: _____

A. Pre-Filing Meeting Request

1. Project/Site Name:

2. Request Date:

3. Meeting Date:

B. Alternatives Analysis

Describe at least two practicable alternatives considered that would avoid and minimize degradation and why the proposed alternative impacts waters and wetlands of the State the least. An alternative is considered practicable if it is available and capable of being completed after taking into consideration cost, existing technology, and logistics in light of overall purposes of the proposed activity. Pursuant to Act 32 (2021), railroad projects; or State or municipal road or highway projects do not require an analysis of practicable alternatives.

C. Proposed Project Details

1. Geographic Description of Project Area

2. Scope of Work

Give a detailed description of the project, including phasing and a list of specific project components.

3. Total Project Acres _____ acres		4. Total Disturbed Area Associated with the Project _____ acres	
5. Slope of Project Area Provide the maximum slope percent. For linear projects, please provide the minimum and maximum slope percentage across the project area. _____ %	6. Soil K-Factor(s)	7. Hydrologic Soil Group(s)	

D. Watershed Description

1. Receiving Waters

Identify all surface waters that drain from the project, beginning with waters within the proposed project area and progressing downstream. If the waterbody does not have a formal name, a descriptive name should be provided (e.g., unnamed tributary of the Mad River). Include the [Waterbody ID](#), use classification (i.e., A(1), B(1), B(2), A(2); see the [Vermont Water Quality Standards Appendix F](#)), and [assessment status if impaired or altered](#), as applicable. If impaired, identify the pollutant or stressor(s) if pollutant is unknown and whether a TMDL has been completed.

2. Watershed Area Summary From project area to receiving waters.

Watershed(s)	Watershed Area (acres)	Disturbed Area (acres)	% Area Disturbed

3. Land Use/Land Cover Describe current land use/land cover in the watershed(s), including percent impervious surface, percent agriculture, and percent natural land cover.

E. Wetland Resources and Impacts

1. Wetland Resource Summary Summarize wetland features in the project area. For projects proposing impacts to multiple wetlands, complete and submit the [Vermont Individual Permit for Multiple Wetlands Excel Table](#) as an appendix. Include both Class II and Class III wetlands in the table.

2. Summary of Class II Wetland Functions and Values Summarize the wetland functions and values as describe in the Vermont Wetland Rules.

3. Total Proposed Impacts to Class II Wetlands

Proposed Wetland Impacts		Proposed Buffer Impacts	
Permanent (sq. ft.)	Temporary (sq. ft.)	Permanent (sq. ft.)	Temporary (sq. ft.)

4. Proposed Wetland Conversion List the square footage of wetlands converted from one type of wetland to another. Example would be conversion of forested wetland to shrub wetland for power line right of way clearing. Submit table if needed as an appendix.

5. Summary of Proposed Impacts to Wetland Functions and Values Describe how the proposed project will impact wetland functions and values, including fish habitat; wildlife habitat; and rare, threatened, and endangered species habitat. A full list of Wetland Functions and Values is in the [Vermont Wetland Rules](#).

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6. Total Proposed Impacts to Class III Wetlands

Proposed Wetland Impacts		Proposed Buffer Impacts	
Permanent (sq. ft.)	Temporary (sq. ft.)	Permanent (sq. ft.)	Temporary (sq. ft.)

7. Summary of Project Activities Resulting in Permanent Impacts

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8. Summary of Project Activities Resulting in Temporary Impacts

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9. Summary of Project Activities that are Allowed Uses

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10. Avoidance and Minimization

11. Proposed Mitigation

E. Stream Resources and Impacts

1. Summary of Perennial, Ephemeral, and Intermittent Streams in the Project Area

2. Summary of Geomorphic Condition Describe using phase I & phase II stream geomorphic stream assessment protocols. Geomorphic condition means the degree of departure, if any, from the dimensions, pattern, and profile associated with the naturally stable channel that results from the unique set of natural stream processes or dynamic equilibrium conditions of a stream or river segment. Geomorphic sensitivity means the potential of a river, given its inherent characteristics and present geomorphic conditions, to be subject to a high rate of fluvial erosion and other river channel adjustments, including erosion, deposit of sediment, and flooding.

3. Summary of Physical Condition Summarize the physical condition of the receiving waters on a parameter-by-parameter basis for those parameters that will be impacted by the project. This may include temperature regime, conductivity, pH, turbidity, suspended sediment, and substrate type. Document source of data, georeferenced to sampling location.

4. Summary of Chemical Condition Describe the current chemical condition of the receiving waters on a parameter-by-parameter basis, for those parameters that will be impacted by the project. This may include total phosphorus and nitrogen, biochemical or chemical oxygen demand, hardness, metals, *E. coli*, and other relevant data.

5. Summary of Biological Condition Describe the current biological condition of the receiving waters that may be impacted by the project. Include the biotic condition relative to the Vermont Water Quality Standards biocriteria, if applicable; wildlife; fishery resources; and the occurrence of rare, threatened, and endangered species.

6. Proposed Impacts to Stream Area Include a table as an appendix if needed.

Project Component	Permanent (sq. ft.)	Permanent (acres)	Temporary (sq. ft.)	Temporary (acres)	Total (sq. ft.)	Total (acres)

7. Summary of Project Activities Resulting in Permanent Impacts

8. Summary of Project Activities Resulting in Temporary Impacts

9. Summary of Impacts to Geomorphic Condition

10. Summary of Impacts to Physical Water Condition Describe anticipated changes to physical condition on a parameter-by-parameter basis resulting from the proposed project, including both temporary and permanent impacts. Document source of data, georeferenced to sampling location.

11. Summary of Impacts to Chemical Condition Describe anticipated changes to chemical condition on a parameter-by-parameter basis resulting from the proposed project, including both temporary and permanent impacts. Document source of data, georeferenced to sampling location.

12. Summary of Impacts to Biological Condition Describe anticipated changes to biological condition resulting from the proposed project, including both temporary and permanent impacts. Include impacts to the biotic condition relative to the Vermont Water Quality Standards biocriteria, if applicable; wildlife; fishery resources; and the occurrence of rare, threatened, and endangered species, if present. Document source of data, georeferenced to sampling location.

13. Avoidance and Minimization

F. Lake Resources and Impacts

1. Summary of Lakes and Ponds in the Project Area

2. Summary of Physical Condition Summarize the physical condition of the receiving waters on a parameter-by-parameter basis for those parameters that will be impacted by the project. This may include temperature regime, conductivity, pH, turbidity, suspended sediment. Document source of data, georeferenced to sampling location.

3. Summary of Chemical Condition Describe the current chemical condition of the receiving waters on a parameter-by-parameter basis, for those parameters that will be impacted by the project. This may include total phosphorus and nitrogen, biochemical or chemical oxygen demand, hardness, metals, *E. coli*, and other relevant data. Document source of data, georeferenced to sampling location.

4. Summary of Biological Condition Describe the current biological condition of the receiving waters that will be impacted by the project, including their status as a fishery, as well as the occurrence of rare, threatened, and endangered species. Document source of data, georeferenced to sampling location.

5. Proposed Impacts to Lake

Volume of fill added/removed (cubic yards)	Dimensions of proposed project	Distance beyond mean water level project will extend	Linear feet of shoreline impacted
Removed: _____ Added: _____			

6. Summary of Project Activities at, Below, or Beyond Mean Water Level that Result in Temporary Impacts.

7. Summary of Project Activities at, Below, or Beyond Mean Water Level that Result in Permanent Impacts.

8. Proposed Impacts to Lake Shoreland

New Impervious Surface		New Cleared Area	
New impervious area (sq. ft.)	Beginning distance to mean water level	New cleared area (sq. ft.)	Beginning distance to mean water level

9. Summary of Project Activities within 250 Feet of Mean Water Level that Result in Temporary Impacts.

10. Summary of Project Activities within 250 Feet of Mean Water Level that Result in Permanent Impacts.

11. Summary of Impacts to Physical Water Condition Describe anticipated changes to chemical condition on a parameter-by-parameter basis resulting from the proposed project, including both permanent and temporary impacts.

12. Summary of Impacts to Chemical Condition Describe anticipated changes to chemical condition on a parameter-by-parameter basis resulting from the proposed project, including both temporary and permanent impacts.

13. Summary of Impacts to Biological Condition Describe anticipated changes to biological condition resulting from the proposed project, including both temporary and permanent impacts. Include impacts to fishery resources, and rare, threatened, and endangered species, if present.

14. Avoidance and Minimization

G. Socioeconomic Impacts

Provide a comparison of existing and anticipated economic conditions and social services when the proposed project is fully implemented. Include a description of economic gains or losses attributable to the proposed activity; contribution to social services; prevention/remediation of environmental or public health threats; trade-offs between environmental media; the value of the water resources; and other relevant environmental, social, and economic impacts of the proposed activity.

H. Applicable State and Federal Authorizations

Include list of required permits. For more information, visit the [Permit Navigator](#).

Permit Name	Permit #	Application Date	Last Revised Date	Authorization Date

I. Supporting Documents Please list all supporting documents included with the Application.

Appendices	Document Title	Prepared By	Last Revised Date	Brief Description
Appendix A				
Appendix B				
Appendix C				
Appendix D				
Appendix E				
Appendix F				
Appendix G				
Appendix H				

J. Fee

Pursuant to 3 V.S.A. § 2822(j)(30), use the following formula to calculate the certification fee: 1% of project cost with a minimum of \$200.00 and a maximum of \$20,000.00.

Project Cost: \$ _____ Total Enclosed: \$ _____ Exempt

K. Signature

I certify under penalty of law that this document and all attachments were prepared at my request or under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person who manages the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I recognize that by signing this application, I am giving consent for the Commissioner of the Department, or a duly authorized representative, at reasonable times and upon presentation of credentials, to enter upon and inspect the subject property to verify information in and process the Section 401 application. The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.

Signature: _____ Date: _____

Print Name: _____

Phone: _____ Email: _____

Submit this form to: ANR.WSMD401@vermont.gov

Vermont Department of Environmental Conservation
 Watershed Management Division
 1 National Life Drive, Davis 3
 Montpelier, VT 05620-3522

Direct all correspondence or questions to ANR.WSMD401@vermont.gov.
 For more information, visit the Watershed Management Division's [Section 401 Water Quality Certification webpage](#).