



APPLICATION FOR INDIVIDUAL SECTION 401 WATER QUALITY CERTIFICATION

Vermont Water Pollution Control Permit Regulation 10 VSA. 1258(6) Section 13.11 (b)

For DEC Staff Use Only		
Date of Receipt: _____ Certification number: _____		
A. Pre-application Meeting: Have you had your meeting yet? The Department of Environmental Conservation strongly encourages applicants to schedule and attend a pre-application meeting with affected programs prior to submitting an application.		
Yes, the meeting was held on _____ with DEC staff _____		
If you need to schedule a meeting, please call 802-490-1115 or email ANR.WSMD401@vermont.gov .		
B. Applicant Contact Information		
1. Name: _____		
2. Mailing Address: _____		
3. Town: _____	4. State: _____	5. Zip: _____
6. Phone: _____	7. Email: _____	
C. Representative: Consultant, engineer, or other representative that is responsible for filling out this application, if other than the applicant.		
1. Name: _____		
2. Mailing Address: _____		
3. Town: _____	4. State: _____	5. Zip: _____
6. Phone: _____	7. Email: _____	
D. Landowner: If the applicant is not the landowner, please provide a list of all landowners owning property that is part of the project site		
1. Name: _____		
2. Mailing Address: _____		
3. Town: _____	4. State: _____	5. Zip: _____
6. Phone: _____	7. Email: _____	
E. 1. Resource Proposed for Alteration:		E. 2. Type(s) of Proposed Alteration(s):
Wetlands Stream / Rivers Lake / Pond / Reservoir Name of Resource(s) (Please use consistent ID#s throughout the application for identification of unnamed resources.) _____ _____ _____		Stream / River Crossing Utility Line or Linear Transportation Project Intake / Outfall Structure Stream or Wetland Restoration Wetland Fill / Excavation Dredging Launch Ramp Bank Stabilization Impoundment Other: _____

F. Project Details		
1. Project/Site Name:		
2. Address:	Please follow this link to the ANR Atlas Map	
3. Town/County:	4. Longitude:	5. Latitude:
6. Compass Directions & Road(s): Compass direction of the project in relation to the road(s) or nearest intersection. Name the road(s) that the project is located on		
7. Geographic Features: Identify any distinguishing geographic features near project location site		
8. Project Description Summary: Give a short narrative summary describing what the project is		
9. Project Description Details: Give a detailed narrative description of the project, including phasing and a list of specific project components		
10. Project Purpose:		
11. Project acres: _____	12. Site slope percent: (Please provide the maximum slope percent. For linear projects, please provide the minimum and maximum slope percentage across the project) _____ %	13. Total disturbed area associated with the project: _____

14. Physical description of project area:

15. Soil K-Factor(s):

16. Hydrologic Soil Group(s)

17. Receiving Waters: Identify all surface waters within the major basins (including streams/rivers, wetlands, and lakes) 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). (There are 17 major watershed basins defined by VTDEC in: <https://dec.vermont.gov/watershed/map/assessment>)

18. Watershed Area Summary from Project Area to Receiving Waters

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

G. Cumulative Impacts: For help identifying environmental features regarding your property use the VTANR Natural Resources Atlas: <https://dec.vermont.gov/maps>

1. Impervious surface: _____ surface % of property _____ sq. ft

2. Land Use: Describe current and prior uses of the project property, including activities such as logging and agriculture or other uses that may have impacted water quality.

3. Land Cover: Percent and type of change in land cover associated with the project relative to natural cover

If the Agency finds that additional information on the current condition of the receiving water(s) beyond what is available is needed to adequately assess potential impacts from the proposed activity, the applicant will be required to supply that information.

H. Resource Descriptions:

1. Wetland Resources

a. Type of wetland(s): Describe the wetland(s) in the project area including the total number of wetlands in the area, the square footage of each wetland, the number of Class II and III wetlands (according to the Vermont Wetland Rules). If more than two wetlands will be affected by the project, fill out Wetland Resource Table 2, Appendix II

b. Wetland Pre-Project Cumulative Impacts: Describe any known pre-project cumulative impacts to wetlands from land use, agriculture, forestry, development, etc.

c. Wetlands Impacted: Describe the proposed impacts to the wetlands and buffer area (include impacts from fill, clearing, temporary trenching, etc.)

d. Wetland Impact Table: Fill out the Wetland Impact Table, Appendix III

e. Converted Wetlands: 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.

2. Stream/River Resources:

a. Streams/Rivers Impacted: Describe the perennial streams impacted by the project.

b. Stream/River Impact table: Fill out the following table with perennial streams impacted by the project, Appendix IV

c. Summary of Physical Impacts to Streams/Rivers

Proposed Stream Area Impacts

Project Component	Permanent (s.f.)	Permanent (acres)	Temporary (s.f.)	Temporary (acres)	Total (s.f.)	Total (acres)

d. Stream/Rivers Pre-project Cumulative Impacts: Describe any known pre-project cumulative impacts to streams and rivers from land use and development, etc.

e. Impacts to the Geomorphic Condition and Geomorphic Sensitivity of the Stream: 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. Physical, Chemical, & Biological Conditions.

a. Physical Water Conditions: Summarize the physical conditions of the waters the project impacts or discharges into, including, temperature regime, conductivity, pH, turbidity, suspended sediment, and substrate type. Document source of data, geo-referenced to sampling location. If data are from the Bio-monitoring Sites Layer or the DEC Watershed Data Portal on the VTANR Atlas <https://dec.vermont.gov/maps>, please reference specific station identification numbers. Data are also available at <https://dec.vermont.gov/watershed/business-support/water-quality-certification-section-401>

b. Chemical Water Conditions: Summarize the chemical conditions of the waters the project impacts or discharges into, including, as available, total phosphorus and nitrogen, biochemical & chemical oxygen demand, hardness, metals, *E. coli*, and other data relevant to evaluation of the chemical condition of waters. If data are from the Bio-monitoring Sites Layer or the DEC Watershed Data Portal on the VTANR Atlas <https://dec.vermont.gov/maps> please reference specific station identification numbers. Data are also available at <https://dec.vermont.gov/watershed/business-support/water-quality-certification-section-401>

c. Biological Water Conditions: Summarize the biological water conditions of the waters the project impacts or discharges into. If data are available, summarize biological condition in relation to DEC biological assessment endpoints as described by <https://dec.vermont.gov/watershed/map/monitor/biomonitoring>. Document the occurrence or absence of aquatic rare, threatened, or endangered plant or animal species. If data are from the DEC Watershed Data Portal on the VTANR Atlas <https://dec.vermont.gov/maps>, please reference specific station identification numbers. Follow-up with the Fish & Wildlife Department's Natural Heritage Inventory (802-371-7333) if any such species are present.

4. Fish & Wildlife Resources

a. Fisheries Resource(s): Provide a description of the existing fish resources within the waters that the project impacts or discharges into.

Wildlife: For help identifying wildlife habitat, natural communities, and rare, threatened, or endangered species use the VTANR Natural Resources Atlas: <https://dec.vermont.gov/maps>

b. Habitat: Provide an assessment of wildlife habitat within the project area. This must include a description of the methods employed to identify, map, and assess the habitats. Include a map that depicts all the wildlife habitat resources of the area (e.g., deer wintering habitat, riparian habitat, floodplain forest natural communities, wetland types).

c. Natural Communities: Provide an assessment of significant natural communities within the project area. This must include a description of the methods employed to identify, map and assess the communities. Include a map that depicts the natural communities.

d. Rare, Threatened, and Endangered Species: Provide a description of the anticipated and other possible impacts of the proposed project on the foregoing wildlife resources and how those will be avoided or minimized.

e. Wildlife Affects & Minimization: Provide a description of the anticipated and other possible impacts of the proposed project on the foregoing wildlife resources and how those will be avoided or minimized.

I. Additional Permits and Supporting Documents: Supporting Documents (Appendix I). Please list any additional Supporting Documents and attach to application labeled Appendix I. This should include, but not be limited to Memorandum of Understanding (MOU)'s with the Vermont Agency of Natural Resources (if applicable), applicable state and federal permits and permit applications, federal 404 permit application including alternatives analysis and mitigation package, site maps and plans, vegetation management plans, easement information, etc. Complete on an attached sheet if more room is needed. In the brief description column include page numbers for each appendix for quick reference. ****Note, this section needs to be updated as supporting documents are updated.**

<u>Appendix</u>	<u>Document Title</u>	<u>Preparing Agent</u>	<u>Date of Last Revision</u>	<u>Brief Description</u>
Appendix IA				
Appendix IB				
Appendix IC				
Appendix ID				
Appendix IE				
Appendix IF				
Appendix IG				
Appendix IH				

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. Refund Policy

- If an application is modified, withdrawn or denied after technical review has commenced, all fees are retained.
- If an application is withdrawn prior to administrative review, all fees will be refunded.
- If an application is withdrawn after administrative review but prior to commencement of technical review, deemed administratively incomplete and returned to the applicant, or determined that a permit is not required; administrative fees are retained, and permit application review fees will be refunded.

By checking this box, the applicant certifies that they have read and understands the refund policy

L. Signature (Original Signature Required):

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.

Signature: _____ Date: _____

Print Name: _____

Signor Contact Phone: _____ Signor Contact email: _____

Follow the Transfer of State Funds instructions memo to submit the application fee, or Submit this form and application fee to:

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

Direct all correspondence or questions to 401 Certification at: ANR.WSMD401@vermont.gov.
For additional information visit: <https://dec.vermont.gov/watershed>