

Frequently Asked Questions from Title Attorneys

1. Is this permit valid/in compliance?

- a. Please refer to our [Environmental Research Tool \(ERT\)](#). This public facing access is connected to our Database so the information is up to date. The easiest way to search for a permit is typing the permit number into the “Permit Number” field. You can then click the “View” button next to the permit to bring up information such as Permit Expiration Date, Annual Operating Fee Due date, and Inspection Due Date. If all of these dates are in the future, the permit is valid and current with operating fees and reporting requirements.

Permit Expiration Date	02-14-2022
Annual Operating Fee Due Date	03-14-2017
Inspection Due Date	07-15-2017

TIP: you can also type just the first 4 digits of a permit number in to the “Project Number” Field or the “Permit Number” Field to bring up related permits.

VT DEC
Stormwater

Enter the search criteria below and click the [Search] button when done.

Project Number

Permit Number

Project Name

Permit Name

Permittee

Contact

[Search Tips](#)

You may filter by only issued permits by choosing “issued” under the “Permit Status.”

PIN

Permit Type

Project Town

Permit Status

2. I don't know the permit number. How can I find out if this property has a stormwater permit?

- a. There are a couple ways you can figure out what permit is associated with a particular property.
- i. First, you may refer to our [ERT](#) site. If you know the name of the development (ie. Dorset Farms, or Taft Corners) you may type that into the “Permit Name” search

field. Once you click “View” next to the permit, it will bring up a Map of the location of the center of the project.

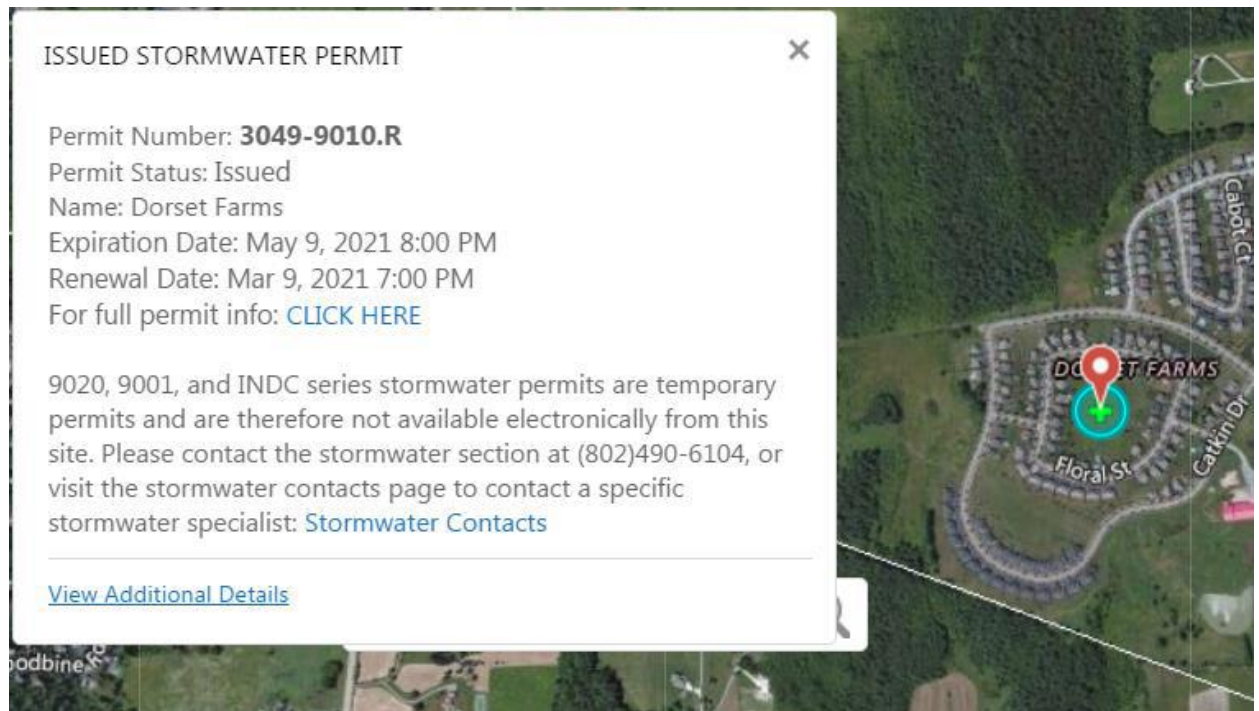
ii. If this doesn’t work, you may also search geographically on our [Natural Resources Atlas](#). Instructions to navigate the Atlas are [here](#).

3. How do I get a copy of a permit?

a. A copy of the permit authorization can be obtained from either the ERT site or the Atlas.


i. **Through the ERT:** After you find the permit you are looking for on the ERT site and click the “View” button, a [View Authorization](#) link should be displayed at the bottom of any issued permits. This will give you a chance to view or save a PDF version of the applicable permit. An embedded Natural Resource Atlas Map should also display at the bottom of the page that shows you the location of the center of the project. (This may take a couple extra seconds to populate.)

ii. **Through the Natural Resources Atlas:** After locating the permit and clicking on it a info box will appear on the left side of the map. Click on “For full permit info: CLICK HERE” to see a copy of the permit.



4. A lot of permits came up on my search. Which type of permits do I need to be concerned about?

- a. You can tell by the last 4 digits of the permit number what type of permit it is. “Operational” are the grouping of post-construction stormwater permits. These permits must be kept valid as long as the regulated impervious surface exists. The permit numbers will end in one of the following: **-9015, -9010, -INDS, -9030, or -9050**. Permits ending in -9050 have been authorized or are in review under General Permit 3-9050 that became effective December 1, 2020. All projects previously authorized as 9015 or 9010 permits, and some projects previously authorized as -INDS permits, can now be renewed as 3-9050 permits. If a permit ends in **-9020** or **-INDC**, this is a *construction* permit and it is necessary for the period during construction only, it is not necessary after construction is complete. A permit ending in **-9014** is an [MS4 \(Municipal Separate Storm Sewer System\) Permit](#). These permits are managed by a municipality with the goal of improving water quality within the municipal bounds (see question 5 for more info). Furthermore, some permits have suffixes after the last four digits mentioned above. A permit ending in **.R** is a **renewal** of the previously issued permit and a permit ending in **.A** means the original permit was **amended** and replaced. A permit whose status is “Issued” is usually the most recent permit. In the example below there have been 3 amendments to the original permit.

View	5064-INDS	5064	INDS	Finney Crossing	Williston	EJ07-0077	Application Terminated
View	5064-INDS.A	5064	INDS	Finney Crossing	Williston	EJ07-0077	Application Terminated
View	5064-INDS.A1	5064	INDS	Finney Crossing	Williston	EJ07-0077	Application Terminated
View	5064-INDS.A2	5064	INDS	Finney Crossing	Williston	EJ07-0077	Issued 

5. The permit I need starts with a 1-XXXX or 2-XXXX. It appears to be expired with no other recent permits. What kind of permit is this?

- a. A permit beginning with 2- means this permit was issued prior to the adoption of the 2002 Vermont Stormwater Management Manual as are almost all 1- permits. In most of the state, these should have been renewed and replaced by a **-9010** permit. Expired permits in [stormwater impaired watersheds](#) had not been required to be renewed until we had a new general permit in place for them to renew under. General Permit 3-9050 became effective on December 1, 2020, and **renewal of expired permits in stormwater impaired watersheds IS NOW REQUIRED UNDER GENERAL PERMIT 3-9050 (see Question 6)**.

- b. One way for these permits to be replaced is that they may be “taken over” by a municipality as part of its authorization under the MS4 General Permit, which means the city or town has incorporated and agreed to take responsibility for the permit. When this occurs, the previous operational stormwater permit is superseded and no longer necessary. A permit that has been taken over by an MS4 will have a status of “Replaced by XXXX-9014”. This permit will no longer show a location on the map. The following towns and entities have an MS4 permit: City of Burlington, Burlington Airport, Colchester, Essex Town, Essex Junction, Rutland Town, Shelburne, South Burlington, St. Albans City, St. Albans Town, University of Vermont, Williston, and Winooski.

For example, the old permit 2-0312 for “Butler Farms”, has been taken over by the City of South Burlington’s MS4 permit. It will come up if you type the exact permit number or search for “Butler Farms” under the permit name. The status of that permit is “Replaced By 7027-9014.A”.

Enter the search criteria below and click the [Search] button when done.

Project Number	<input type="text"/>	PIN	<input type="text"/>
Permit Number	<input type="text"/>	Permit Type	<input type="text" value="All"/>
Project Name	<input type="text"/>	Project Town	<input type="text"/>
Permit Name	<input type="text" value="Butler Farms"/>	Permit Status	<input type="text"/>
Permittee	<input type="text"/>		
Contact	<input type="text"/>		

[Search Tips](#)

Project Number	7027
Permit Number	2-0312.XXXX
Permit Name	Butler Farms
Permit Description	MS4 Permit
Project Town	South Burlington
Permit Category	Undefined
Permit Status	Replaced By 7027-9014.A
Permittee Name	Butler Farms Inc

In cases where the permit has not been taken over by the MS4, there may be an agreement between the municipality and the homeowner's association to take over the permit. Interested parties should contact the municipality to see if they have a plan to take over a particular permit.

TIP: To see all MS4 permits choose "9014" under the "Permit Type" Field. Once you know the MS4 permit number, type the first 4 digit number into the "Project Number" field. This will bring up all the permits that have been incorporated into that MS4 permit.

6. Is Renewal of an Expired Permit in a Stormwater-Impaired Watershed Required?

- a. **Yes.** If your search brings up an **expired permit in a stormwater-impaired watershed**, the landowner previously could file a notice of deferral with the municipality to prevent a defect in the title. The statutory authority to allow deferrals for this situation ended in March 2020. To renew an expired authorization or expired individual permit for a project in a stormwater-impaired water that is **NOT** subject to the requirements for "3-acre" sites in General Permit 3-9050, **an Initial NOI pursuant to Subpart 2.2.A.2 of General Permit 3-9050 must be submitted by no later than DECEMBER 1, 2021.** The Initial NOI can be submitted earlier than required if parties to a real estate transaction would like to prevent a title defect. Projects that **ARE** subject to the requirements for "3-acre" sites in General Permit 3-9050, where such project discharges to stormwater-impaired waters and has an expired permit, **are authorized to discharge as of December 1, 2020, provided the permittee submits a registration within 90 days of December 1, 2020 and a complete application for permit coverage by no later than December 1, 2021.** The registration form will be provided soon, with a link provided in this document.

~If you still have questions, you may contact the [Stormwater District Analyst](#) who covers the area in question. It is helpful if you have the permit number handy! ~