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

Table 1A: Project Purpose	
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:	

Step 2: Conduct Eligibility Criteria #2 Screening: Project Types and Standards

Table 2A: Project Types and Standards		
Please select the most representative project type from the drop-down list		
to the right. ^{1,2} If multiple BMPs are included in the project, please list		
below:		
Is the project type an eligible project type for the funding program you are	Yes	No
applying to as listed in column B of the CWIP Project Types Table?		
(Answer must be YES to proceed)		
Does the project meet the project type definitions and minimum standards	Yes	No
as provided in column C of the CWIP Project Types Table ?		
(Answer must be YES to proceed)		
Will the project result in the standard performance measures, milestones,	Yes	No
and deliverables as defined by project type in columns D-F of the CWIP		
Project Types Table?		
(Answer must be YES to proceed)		
Is the project listed as an ineligible project or activity in the CWIP Funding	Yes	No
Policy? If Yes, please explain below how project meets the allowable		
exceptions within the CWIP Funding Policy.		
(Answer must be NO to proceed, unless reasonable justification is		
provided above)		

Step 3: Conduct Eligibility Criteria #3 Screening: Watershed Projects Database

Verify project has been recorded in the <u>Watershed Project Database</u> (WPD). Each project must have a Watershed Project Database number specific to the proposed project phase (for example,

¹ Note that Road/Stormwater Gully project-types must not otherwise be considered intermittent or perennial streams by the DEC Rivers Program and therefore project proponent must show documentation of this determination in order to select this project type.

² One project may include multiple best management practices (BMPs) that cross "project types." For example, a single project may include both stormwater and lake shoreland BMPs. Proponents should use their best judgement in selecting the most representative project type for the purposes of eligibility screening and reporting.

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 Impacts³

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. ⁴

- 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. ⁵ 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. <u>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.</u>
 - 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

 $^{^{3}}$ Easements and Riparian Buffer Plantings are excluded from this eligibility requirement/step.

⁴ 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.

⁵ 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 <u>ANR Permit Navigator</u> 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? 6
 - b. What type might be needed? (e.g., a general or individual permit⁷)?
 - c. What concerns were voiced by permitting staff?
 - d. How will the proposed scope of work address these concerns?8

Table 4A: Natural Resource Impacts		
I. Act 250 Permits		
1. Have any Act 250 (Vermont's Land Use and Development Control Law) Permits been issued in the project site's parcel location?9	Yes	No
If yes, please provide the permit number and list any water resource	e issues or natural r	esource issues found10:
PermitNumber:		
Resourcelssues:		
If <i>yes</i> , use the <u>Water Quality Project Screening Tool</u> to identify the a 250 consultation.	appropriate regulato	ry contact for an Act
Regulatory Point of Contact Name/Position:		
II. Lake and Shoreland		
1. Is the project site located within 250 feet of the mean water	Yes	No

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

⁷ 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.

⁸ Examples could include planned design changes or inviting permitting staff to stakeholder meetings.

⁹ 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 <u>ANR Atlas Clean Water Initiative Program Grant Screening tool</u> 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."

¹⁰Note 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.

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If *yes*, you might need either a Shoreland Protection Act Permit or a Lake Encroachment Permit. Use the <u>Water Quality Project Screening Tool</u> to find the Lakes and Ponds Program contact for your project's region.

Regulatory Point of Contact Name/Position:

III. Rivers, River Corridors, and Flood Hazard Areas

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 area¹²? (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.

Yes No

If *yes*, you will need to speak with a <u>Floodplain Manager</u>. Use the <u>Water Quality Project Screening Tool</u> to find the Floodplain Manager for your project's region.

Regulatory Point of Contact Name/Position:

2. Is any portion of the project site within a perennial river or stream channel?

Yes

No

If *yes*, you will need to speak with a <u>Stream Alteration Engineer</u>. Use the <u>Water Quality Project Screening Tool</u> to find the Stream Alteration Engineer for your project's region.

Regulatory Point of Contact Name/Position:

IV. Wetland

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¹¹ The <u>ANR Atlas Clean Water Initiative Program Grant Screening tool</u> 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."

¹² 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.

¹³ 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 <u>ANR Atlas Clean Water Initiative Program Grant Screening tool</u> 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."

1. Doos the Wetland Careening Tool 14 provide a result of wetlands likely way		
1. Does the <u>Wetland Screening Tool</u> 14 provide a result of wetlands likely, very likely, or present at the project site?		No
likely, or present at the project site:		
2. Does your project site involve land that is in or near an area that has <u>any</u> of the		
following characteristics:	Yes	
o Water is present – ponds, streams, springs, seeps, water filled depressions,		
soggy ground under foot, trees with shallow roots or water marks?		
o Wetland plants, such as cattails, ferns, sphagnum moss, willows, red maple,	No	
trees with roots growing along the ground surface, swollen trunk bases, or flat		
root bases when tipped over?	Not Sure	
o Wetland Soils – soil is dark over gray, gray/blue/green? Is there presence of	Not Sule	
rusty/red/dark streaks? Soil smells like rotten eggs, feels greasy, mushy or wet?		
Water fills holes within a few minutes of digging? (See <u>Landowners Guide to</u>		
Wetlands for additional information on identifying wetlands onsite.)		
If you approved was an act sure to either of the above supptions you will provide a	ntoot vour Di	atriat Matlanda
If you answered <i>yes</i> or <i>not sure</i> to <u>either</u> of the above questions, you will need to co	•	
<u>Ecologist</u> using the <u>Wetland Inquiry Form</u> . The District Wetlands Ecologist can help locations of wetlands and whether you need to hire a Wetland Consultant to condu		
Alternatively, if you answered <i>yes</i> or <i>not sure</i> to <u>either</u> of the above questions, you		
Wetland Consultant in the proposed scope of work. Any activity within a Class I or II		
zone (minimum of 100 feet and 50 feet respectively) which is not exempt or considerable to the contract of the		
under the <u>Vermont Wetland Rules</u> requires a permit. All permits must go through re		
process, which takes at minimum 6 weeks for a General Permit and 5 months for a		
process, milen cares at miliman o moone for a general remine and o mentile for a	marviadar i	orring.
Regulatory Point of Contact Name/Position:		
,		
1. Is your project a Wetland Restoration project type?	Yes	No
	163	NO
If you answered yes, under the <u>Vermont Wetland Rules</u> you will need an "allowed u	ıse" determin	ation from the
DEC Wetlands Program. Contact your <u>District Wetlands Ecologist</u> using the <u>Wetland</u>		
DES Wedands Frograms Somast your <u>District Wedands Ecologist</u> doing the Wedand	ringany romi	•
Regulatory Point of Contact Name/Position:		
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V. Fish and Wildlife		
V. Fish and Wildlife		
V. Fish and Wildlife State law protects endangered and threatened species. No person may take or	Yes	No
V. Fish and Wildlife State law protects endangered and threatened species. No person may take or possess such species without a Threatened & Endangered Species Takings	Yes	No
V. Fish and Wildlife State law protects endangered and threatened species. No person may take or possess such species without a Threatened & Endangered Species Takings permit.	Yes	No
 V. Fish and Wildlife State law protects endangered and threatened species. No person may take or possess such species without a Threatened & Endangered Species Takings permit. Does your project involve cutting down trees larger than 5 inches in diameter 	Yes	No
 V. Fish and Wildlife State law protects endangered and threatened species. No person may take or possess such species without a Threatened & Endangered Species Takings permit. Does your project involve cutting down trees larger than 5 inches in diameter in any of the following towns? Addison, Arlington, Benson, Brandon, Bridport, 	Yes	No
 V. Fish and Wildlife State law protects endangered and threatened species. No person may take or possess such species without a Threatened & Endangered Species Takings permit. 1. Does your project involve cutting down trees larger than 5 inches in diameter in any of the following towns? Addison, Arlington, Benson, Brandon, Bridport, Bristol, Charlotte, Cornwall, Danby, Dorset, Fair Haven, Ferrisburgh, 	Yes	No
 V. Fish and Wildlife State law protects endangered and threatened species. No person may take or possess such species without a Threatened & Endangered Species Takings permit. 1. Does your project involve cutting down trees larger than 5 inches in diameter in any of the following towns? Addison, Arlington, Benson, Brandon, Bridport, Bristol, Charlotte, Cornwall, Danby, Dorset, Fair Haven, Ferrisburgh, Hinesburg, Manchester, Middlebury, Monkton, New Haven, Orwell, Panton, 	Yes	No
 V. Fish and Wildlife State law protects endangered and threatened species. No person may take or possess such species without a Threatened & Endangered Species Takings permit. 1. Does your project involve cutting down trees larger than 5 inches in diameter in any of the following towns? 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. 	Yes	No
 V. Fish and Wildlife State law protects endangered and threatened species. No person may take or possess such species without a Threatened & Endangered Species Takings permit. 1. Does your project involve cutting down trees larger than 5 inches in diameter in any of the following towns? Addison, Arlington, Benson, Brandon, Bridport, Bristol, Charlotte, Cornwall, Danby, Dorset, Fair Haven, Ferrisburgh, Hinesburg, Manchester, Middlebury, Monkton, New Haven, Orwell, Panton, 	Yes	No

¹⁴ To view the Wetland Screening Tool introduction video, see https://youtu.be/6lv5en0AB10

2. Is the project site within 1 mile of a mapped ¹⁵ Significant Natural Community or Rare, Threatened, or Endangered Species?	Yes	No
If yes to either of the above questions, connect with the VT Fish and Wildlife departm	nent	
(everett.marshall@vermont.gov 802-371-7333) to discuss your project and any nece		ting.
	, .	Ü
Regulatory Point of Contact Name/Position:		
VI. Stormwater		
1. Will the project disturb more than an acre of land during construction, add or		
redevelop impervious surface, create new development or otherwise require a	Yes	No
Stormwater permit?		
If yes, forward to the appropriate Stormwater specialist to ensure necessary permitti	ng. Use the	Nater Quality
Project Screening Tool to find the Stormwater specialist for your project's region.		roccor quiomey
to find the otominater openialist for your project o region.		
Regulatory Point of Contact Name/Position:		
Regulatory Form of Contact Name/ Fosition.		
AUL A PLIM (
VII. Solid Waste		
A William has an attent and debate Controlled a construction and demarks and	1	
2. Will you be creating any debris (including construction and demolition waste,	Yes	No
stumps, brush, untreated wood, concrete, masonry, and mortar) with your project		
that you intend to bury on site? 16		
If yes, connect with the Waste Management & Prevention Division (dennis.fekert@ve	ermont.gov 80)2-522-0195)
to discuss your project and any necessary permitting.		
Regulatory Point of Contact Name/Position:		
Provide below or attach a narrative summary of Table 4 findings. Please include:		
a. Which permits or permit amendment are needed or might be needed	1?	
b. What type might be needed? (e.g. a general or individual permit)?		
c. What concerns were voiced by permitting staff?		
d. How will the proposed scope of work address these concerns?		
le the project of proposed recomply considered remains the by all and the	I	
Is the project, as proposed, reasonably considered permit-able by all applicable	Yes	No
	1	-

¹⁵ 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.

¹⁶ 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 <u>licensed solid waste hauler</u> and bring the material to a certified facility.

ANR permitting programs?	
(Answer must be Yes to continue)	

Step 5: Conduct Eligibility Criteria #5-8 Screenings

Table 5A. Eligibility Criteria 5-8		
Landowner and Operation and Maintenance Responsible Party Support. Project identifies and demonstrates commitment from a qualified and willing operation and maintenance responsible party. Project demonstrates landowner support for the proposed project phase.	Yes	No
(Answer must be YES to proceed)		
Budget. Project budget includes ineligible expenses. (Answer must be NO to proceed)	Yes	No
Leveraging. Proposed leveraging meets required leveraging levels (if applicable), meets the definition of leveraging, and comes from eligible sources	Yes	No N/A
(Answer must be YES or N/A to proceed)		
Funding Program Specific Eligibility. Project meets additional funding program eligibility requirements*. Please list applicable funding program below:	Yes No	
(Answer must be YES to proceed) *If Water Quality Restoration Formula Grant, complete Step 6 below		

Step 6: Screening Projects on Agricultural Lands (Water Quality Restoration Formula Grants Only)

For Water Quality Restoration Formula Grant projects, please complete the following information as part of your Funding Program Specific Eligibility Screening (Criteria 8). Please note this must be completed for all projects located on agricultural lands regardless of project type. See CWIP Project Types Table for eligible project types.

Table 6A. Screening Projects on Agricultural Lan	ds
Is the proposed project located on a jurisdictional farm operation 17?	Yes - Proceed to next question below.
Complete a preliminary review to	

¹⁷ Jurisdictional farm operations are required to meet Vermont's Required Agricultural Practices (RAPs).

determine if it is a jurisdictional farm operation, and any case that requires consultation with AAFM will occur via the farm determination process. Please note this form must be submitted by the farm operation/landowner seeking the determination.

No¹⁸ - There is no additional requirements related to agricultural review for these projects.

2. Is the proposed project an agricultural project?

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.

Yes - Agricultural Projects on jurisdictional farms are not an eligible project type. You can provide a referral to an applicable state or federal agricultural <u>assistance program</u>, or a local organization.

No- 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

(VAAFM) to ensure a consistent approach on farms statewide that follows rules, regulations, and laws in place. Please follow Steps 1 & 2 below.

Step 1- Please submit a detailed description of the project, project site, project details, landowner, farm operation, and any other relevant information to VAAFM at AGR.WaterQuality@Vermont.gov .

Step 2- 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.

Agricultural Proje	ect Review Status & Summary:
Check as	Status
Applicable	
	Submitted/ Pending
	Approved
	Denied

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

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.