

TRANSMITTAL MEMO

TO: MISSISQUOI BASIN WATER QUALITY COUNCIL (BWQC)
FR: MISSISQUOI BASIN CLEAN WATER SERVICE PROVIDER (CWSP) STAFF
RE: MATERIALS FOR MEETING ON 11/1/23
DA: 10/25/23

=====

Greetings, Missisquoi BWQC members and others. The next meeting will take place on November 1. Please let me know if you have any questions regarding the agenda or the meeting.

1. Conflict of interest disclosures, if any

This is a new recurring agenda item that provides BWQC members and others opportunity to note possible conflicts of interest regarding agenda items. For example, members representing organizations with applications before the BWQC must recuse themselves from any votes. who submitted .

2. Seating of any new representatives or alternates

This is a standard agenda item that allows BWQC members to acknowledge new representatives or alternates. FNLC has asked to seat Bridget Butler as Alternate in place of Tom Briselden.

3. Funding Applications/Project Reviews

The CWSP for the Missisquoi Bay Basin announced a third call for project applications on September 13. Two applications were filed before the deadline on October 18. One application seeks funding (~\$45,000) for a Project Development project, and the other seeks funding (~\$110,000) for a Design project. CWSP staff have reviewed the applications and recommend each for funding. Sponsors of the applications have been invited to make brief presentations on November 1. Because only one application is being considered in each project category, the prioritization aspect of the agenda item will be minimal.

4. Policy on Budget Adjustments

Under Act 76, BWQCs are responsible for approving funds for projects and CWSP staff are responsible for overseeing subgrant and procurement processes once funds have been approved. Complications can arise when budgets approved by a BWQC require amendment. At least one Basin Water Quality Council has enacted guidelines that attempt to simplify the process of amending already-approved project budgets. Your CWSP staff feel such an approach deserves some discussion here. A draft proposal has been prepared for your consideration.

5. Training regarding Cultural Resource Assessment

Organizations that receive Clean Water funds agree to do many things in exchange for that financial assistance, including promise to perform due diligence to minimize any project impacts on cultural resources. Some organizations may find the requirements challenging. On November 1, CWSP staff will provide a brief introduction to the topic by highlighting the cultural resource section of the Funding Policy and reviewing the Vermont Division of Historic Preservation assessment form.

6. Updates and conclusion

This time will be available for discussion of future meeting topics and updates on: Finances, Conflict of Interest, and Adoption of existing projects . Additional details may be provided before the meeting. If you would like to mention any of your own please let us know.

Thanks to all who participate.

AGENDA

Missisquoi Basin Water Quality Council (BWQC)

Wednesday, November 1, 2023

11:00 AM-1:00 PM

Remote meeting via Zoom

(Zoom details below)

1. Welcome and Introductions
2. Meeting protocols
3. Conflict of interest declarations, if any
4. Review/adjust and approve agenda
5. Approval of Minutes
6. Public comment not related to items on agenda
7. Seating of any new reps or alternate(s) (if required)
8. Funding Application/Project Review
9. Policy on Budget Adjustments
10. Training regarding Cultural Resource Assessment
11. Updates and Conclusion – Finances / COI /Applications by NRPC / Adoption of existing projects

Join Zoom Meeting

<https://us02web.zoom.us/j/83143418116?pwd=WDdHQklhVkpHNmRiSUxsSjZpd0dOZz09>

Meeting ID: 831 4341 8116

Passcode: 237362

Dial by your location

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

Staffing provided by Northwest Regional Planning Commission (NRPC), the Basin 6 Clean Water Service Provider. NRPC's physical / mailing address is 75 Fairfield Street, St. Albans, Vermont 05482.

NRPC will ensure public meeting sites are accessible to all people or provide an opportunity to request accommodations. Requests for free interpretive or translation services, assistive devices, or other requested accommodations, should be made to Amy Adams, NRPC Title VI Coordinator, at 802-524-5958 or aadams@nrpcvt.com. NRPC will accommodate requests made no later than 3 business days prior to the meeting for which services are requested, and will strive to accommodate all other requests. This support is provided in accordance with provisions of the Americans with Disabilities Act (ADA) of 1990.

**Missisquoi Basin Water Quality Council (BWQC) Special Meeting
DRAFT MINUTES**

Wednesday, September 6th, 2023, 11-1 PM

Virtual Meeting/Held Via Zoom* (computer/smartphone/tablet etc.)

<https://youtu.be/Ng194hz0ukc?si=nj6-vZ2OJZ1X77Fs>

**A VIDEO RECORDING OF THE MEETING IS AVAILABLE THROUGH THE NRPC
YOUTUBE CHANNEL.**

**THE WRITTEN MINUTES ARE A SYNOPSIS OF THE DISCUSSION AT THE
MEETING. MOTIONS ARE AS STATED. MINUTES WILL BE SUBJECT TO
CORRECTION BY THE COUNCIL. CHANGES, IF ANY, WILL BE RECORDED IN
THE MINUTES OF THE NEXT MEETING OF THE COUNCIL**

Council Members: Lindsey Wight (Q), Kent Henderson (Q), Dan Seeley (Q), Allaire Diamond (Q), Sarah Damsell (Q), Jacques Couture, Lauren Weston (Q), Barry Lampke (Q) (Q=toward quorum), David Allerton

Staff: Dean Pierce, Maddie Yandow

Voting Members not present: Ted Sedell, Beth Torpey

Others Present: Jim Pease, July Medina-Triana

1. Welcome and Introduction

Lindsey Wight opened the meeting as BWQC Chair at 11:0am. Participants introduced themselves.

2. Meeting protocols

Meeting protocols were reviewed.

3. Conflict of Interests

There were no conflicts of interest to declare.

4. Review/adjust and approve agenda

Dean Pierce mentioned that Karen Bates requested she be allowed to make her presentation after 11:30. Lindsey Wight noted that the agenda can be adjusted as needed.

No additional adjustments were offered to the agenda. Lauren Weston moved to approve the agenda as presented, Kent Henderson seconded the motion. Motion carried.

5. Approval of Minutes

Sarah Downes moved to approve the minutes from the last meeting. Lauren Weston seconded the motion. Barry Lampke abstained. Motion carried.

6. Public comment not related to items on agenda

Dave Allerton noted difficulties keeping track of funding, knows CWSP is looking for projects, and asked for information about project eligibility. Dean Pierce responded there is a list of eligible project types, which he will send. The CWSP can't provide funding for regulatory projects, but projects on private property and private roads could be eligible. To be competitive for funding, project should offer relatively good phosphorus benefits.

7. Seating of any new reps or alternate(s) (if required)

There were no new alternates present for seating.

8. Solicitation Schedule

The next call for projects will be announced soon, with a deadline in October and review by the BWQC in November. Sharing a series of options, Dean Pierce sought the BWQC's input on the application solicitation schedule following the next announcement.

Dean mentioned that there would be three solicitations for applications per year. Dean also expressed the desire to publish a yearly schedule on the website so that people are aware of upcoming opportunities. He noted that July might not be an ideal month for one of the solicitations.

BWQC members provided feedback on the options:

- Lauren Weston, Lindsey Wight, and Allaire Diamond preferred Option 2 for the schedule.
- Lauren noted that a November start for construction projects for the next year would work well, with a subsequent application round in February. Early June would also be feasible.
- Lindsey mentioned that this timing would help avoid the busy season for applications.
- Allaire agreed with Lauren, but suggested considering December instead of November, stating that having contractors lined up before the end of the year could be beneficial.

It was agreed that they would proceed with Option 2 for the application solicitation schedule. Dean emphasized the importance of having a predictable and well-publicized schedule, both to aid planning and to encourage participation in the application processes. The team reached a consensus on going forward with Option 2 for the yearly application schedule.

9. Contracting requirements

Dean Pierce made a presentation on contracting requirements. He emphasized the importance of certain contracting procedures for annual reporting and compliance with DEC requirements. Key points include the following:

Procurement Oversight: The CWSP will oversee projects once the BWQC approves them. There is a need to distribute funds fairly and to avoid conflicts of interest.

Intergovernmental Agreements: When possible, preference should be given for joint purchasing between partners to save costs.

Record Keeping: It is critical to document the procurement process, including decision-making criteria for contractor selection, which often hinges on cost.

Contract Types: Partners are cautioned against contract types that may lead to high costs. Fixed-cost contracts are preferred.

Dispute Resolution: Procedures should in place for contractors to voice concerns about the process.

Competition and Transparency: Bidding should be competitive, transparent, and include full cost analysis. Ambiguity and conflicts of interest are to be avoided.

Vendor Selection: The goal is to choose vendors capable of maximizing value.

Conflict of Interest Language: Lauren Weston inquired about sharing NRPC's language on conflict of interest, and Lindsey Wight noted that improvements could be made based on what CWSP is using.

Inclusive Procurement: Prioritizing contracts with minority-owned small businesses aligns with DEC priorities.

Contract Termination: Clauses should be in place for contract cancellation.

Profit Negotiation: Separate conversations about contractor profits should be conducted.

- Allaire Diamond and Jim Pease inquired about profit and comparisons in bids, respectively.
- Dean clarified that there's no standalone protocol, but that profit could be considered separately from hourly rates.

Additional Notes by Dave Allerton: Hourly costs sometimes include a multiplication factor of fixed fees on top of indirect and other costs.

Unreasonable Demands: Proposals should not include unreasonable demands that may skew vendor selection.

Bias in Proposals: Those who might bid on proposals should not be involved in the development of the request for proposals.

Proposal Solicitation: At least three proposals should be solicited, with broad advertising unless using pre-qualified firms.

Clarity in Requests: Proposals should be easy to follow and understandable.

Evaluation Criteria: Project sponsors should make clear in advance who will be evaluating proposals and on what criteria, such as cost and familiarity.

Dean Pierce noted that he will provide further elaboration on procurement policies in a follow up. Later in the meeting he reiterated reporting requirements (particularly using templates that DEC provides). Projects funded by CWSP will need to adhere to the latest version of the reporting template. NRPC will also need to be listed on insurance. Partners will be kept updated on project progress and deliverables.

The importance of collaboration, sharing resources, and ensuring project designs are open and non-proprietary for effective phosphorus reduction was noted. Jim Pease emphasized caution in project

proposals, warning against using patented names or technologies. He highlighted instances of having to redesign projects due to proprietary constraints. Projects should be designed generically to avoid such issues. Dave Allerton supported Jim's point, suggesting that contractors could provide specific solutions post a generic design.

10. Karen Bates Presentation

Basin Planner Karen Bates made a presentation on clean water projects and various ways project opportunities might be identified. She started by noting that the objective is to come together to understand how the state evaluates projects for phosphorus (P) reduction.

Approach: The State of Vermont has adopted an "all-in" strategy, targeting every land use and wastewater treatment as areas for potential P reduction.

Criteria for Successful Projects: Projects should reduce pollution, be cost-effective, and feasible for implementation and maintenance.

Process: Steps in the process include Assessment, Planning, and Design. There is a need to prioritize projects that address P reduction. It is also important to ensure the right practice in the correct location, requiring landowner agreements and maintenance contracts.

Some developed lands subject to MRGP and three-acre regulations. The work of the CWSP and BWQC is aimed at identifying non-regulatory projects that are sustainable and maintainable. Different sectors have varying costs, with some becoming more expensive. Creativity is needed, especially for smaller towns.

SGAs might provide insights into the condition of main stems of rivers. Karen can share a list post-discussion with Dean Pierce/Maddie Yandow.

Various approaches were discussed for roads, forests, rivers, and lakes, including stormwater reduction, erosion control, and land management best practices.

Lindsey Wight requested the slide deck for sharing and emphasized the importance of including landowner scoring and shared a link to a website related to a project shown in the slides (www.umatrwildandscenic.org/bank-stabilization). Jacques Couture noted significant soil retention improvements using willow, saving thousands of pounds of soil annually. Jim Pease expressed curiosity about stream bank management.

11. Updates

Dean Pierce provided a series of updates.

Annual Check-in and Reporting: Dean mentioned the CWSP and BWQC have completed their first year, which means the CWSP has completed annual reporting. The CWSP also had its first annual check-in with the DEC technical project manager. He offered to share this information for those interested.

Project Status Table: Dean emphasized the importance of ongoing reporting and tracking to ensure the projects are on track and meet their respective goals. He also mentioned the utility of having a master sheet for all projects to facilitate better planning and execution.

Dean shared a spreadsheet indicating the status of various projects. He mentioned that some team members believe it would be beneficial to have a master sheet that encompasses all the projects. This would help in identifying new opportunities and tracking project status. It could also service as a type of capital improvement program, which could also include the cost of operations and maintenance (O&M). If expanded it could also serve as a future project list.

Upcoming Deadlines: Dean noted that comments regarding Guidance Chapter 5 are due on Friday. Guidance Chapter 9, which is about making adequate progress and addressing unmet targets, is also available for review.

12. Conclusion

Allaire Diamond moved to adjourn the meeting. Sarah seconded the motion. Motion carried. The meeting was adjourned at 12:33pm.

PROJECT REVIEW

MEMORANDUM

TO: MISSISQUOI BASIN WATER QUALITY COUNCIL
FR: CWSP STAFF
RE: PROJECT PRIORITIZATION
DA: OCTOBER 25, 2023

As noted in the transmittal memo, the CWSP for the Missisquoi Bay Basin announced a third call for project applications on September 13. Two applications were filed before the deadline on October 18. One application seeks funding for a Project Development project (~\$45,000), and the other seeks funding for a Design project (~\$110,000).

The sponsor of the Project Development application is Northwest RPC, while the sponsor of the Design application is Franklin County Natural Resources Conservation District. Application materials are attached.

CWSP staff have reviewed the applications and recommend each for funding. The NRPC application **scored 27 out of a possible 32 points using the Project Prioritization scoring rubric**. The FCNRCD application scored 87 out of a possible 100 points (which is a somewhat pointless score because the emphasis of the scoring system is to rank projects more than assign them scores). Perhaps more meaningfully, the FCNRCD project represents in excess of 47 KG of P reduction annually, and the cost of P reduction per Kilogram may be preliminarily estimated at around \$14,900 per Kilogram.

Sponsors of the applications have been invited to make brief presentations on November 1. In light of the single response in each project cat, the prioritization aspect of the agenda item will be minimal.

NRPC application

Project Development	
	Yes
	Maddie Yandow
	Northwest Regional Planning Commission
	myandow@nrpcvt.com
	+1 (802) 524-5958
	11616
	This project hopes to utilize the Functioning Floodplain Initiative Tool to identify potential water quality projects in Missisquoi Basin. This work will be done in collaboration with the Missisquoi River Basin Association. NRPC would focus on the municipalities of Highgate, Swanton, Fairfield, Franklin, Sheldon, Enosburg, Montgomery, and Bakersfield. MRBA would focus on Jay, Troy, North Troy, Newport Town, Westfield, Lowell, Richford, Montgomery, and Berkshire. This work will not include projects for riparian plantings for the towns in Franklin County as another organization is currently working on this endeavor.
	0
	0
	Assessment ID or Development
	45267.75
	45,267.75
	to be determined in project development phase
	0
	#INVALID OPERATION
	Yes
	Yes
	Yes
	Yes
	No (project is for ID/Development, so not required)
	No (Project is for ID/Assessment or Development)
	10/18/23 11:28 AM
	Yes
	Yes
	If 10 projects are developed = 0.22. If 14 projects are developed = 0.31. We are aiming to develop between 10 and 14 projects
	Yes
	Yes
	Yes
	Yes
	4
	0
	0
	45267.75
	to be determined in project development phase
	\$0.00
	No

Basic Eligibility
Applicant Name
Applicant Organization
Applicant Email
Applicant telephone
Project ID from WPD

Description of Project
Project Latitude
Project Longitude
Project Phase
Annual P Reduction KG
Any one time P reduction KG
Total Cost of Proposed Phase
Amount of Funding Requested (Proposed Phase)
Non DEC Funding as part of Total Project Costs (a)

Total Project Costs (All Phases)
KG/\$ Current Phase
KG/\$ Overall
Design Life
Adjusted Design Life
Estimated Annual O&M cost total
Estimated Annual O&M Cost per KG
Conformance with Tactical Basin Plan TBP
Number of Co-benefit Areas
DEC Screening Form Uploaded
Map of Project Area Uploaded
Project Budget Uploaded
Project Schedule Uploaded
Landowner Support uploaded
Phosphorus Calculator Tool uploaded
Created
Calc Performance Measures
Calc Milestones
Calc Deliverables
Calc Phase
ID/Development app pollution criterion
ID/Development app cost effectiveness 1
ID/Development app cost effectiveness 2
ID/Development app design life criterion
ID/Development app O&M criterion
ID/Development app TBP criterion
ID/Development app cobenefits criterion
ID/Development app cobenefits number
Design/Imp Costs Requested

Design-Imp Costs Total
ID/Assess Costs Requested
ID/Assess Costs Total
Annual KG target Official
Annual KG target Startup
Matching Funds Available
Using_As_Match

Application Scoring

\$45,267.75

Criteria area identified in Rule: **Criterion for evaluation of early stage apps (except where clarified below, the first number is points if yes, second if no)** Round 3 Apps

		ID # 11616
Pollution reduction	Does the application help advance a previously studied project that lacks adequate resource assessment--thus clearing a path for future P reduction? (6 or 2)	6
Cost effectiveness of reduction	Does the application propose to assess cost effectiveness of the potential project(s) resulting from the investigation? (3 or 1)	3
	Is the work proposed cost effective--e.g, how many projects might result per \$10,000 spent? (7 or 4 or 1 depending on number)	4
Design life	Does the application propose to assess the design life of the potential project(s) resulting from the investigation? (2 or 1)	2
Cost of operation and maintenance of the project	Does the application propose to assess possible O&M costs of the potential project(s) resulting from the investigation? (2 or 1)	2
Conformance with the basin plan	Does the application implement an element of the basin plan? (6 or 2)	6
Cobenefits	Does the application specifically address a cobenefit area--is addressing the cobenefit an explicit objective? (6, 5, 4, 3, 2, 1, or 0 depending on areas addressed)	4

10 to 14 project for 45K; 2.2 to 3.1 for 10k

3200 to 4500 per project



75 Fairfield Street • St. Albans, VT 05478 • (802) 524-5958 • Fax (802) 527-2948

Via Email

October 18, 2023

Dean Pierce, Senior Regional Planner
Northwest Regional Planning Commission
75 Fairfield Street
St. Albans, VT 05478

RE: Application

Greetings, Dean:

Attached please find NRPC's application responding to the Missisquoi Basin Clean Water Service Provider's 3rd *Call For Applications For Clean Water Projects*. Our application, prepared in collaboration with the Missisquoi River Basin Association, seeks financial support for project development work using the Functioning Floodplain Initiative tool to identify projects within the Missisquoi Basin. NRPC would focus on the municipalities of Highgate, Swanton, Fairfield, Franklin, Sheldon, Enosburg, Montgomery, and Bakersfield. MRBA would focus on Jay, Troy, North Troy, Newport Town, Westfield, Lowell, Richford, Montgomery and Berkshire. NRPC and MRBA will work together to identify projects in each of their project areas and collaborate on landowner outreach. Our work will focus on identifying projects that have cost effective phosphorus reductions such as stormwater projects but are aware that other project types may be identified such as stream projects where the goal is to help the stream move toward equilibrium. We will prioritize projects throughout the basin, aiming to have a list of ten to fourteen projects.

We are also aware of other work in the basin utilizing this tool to determine where riparian buffer plantings could be impactful. These project sites may have other potential projects identified using the FFI tool that we would like to work on through this project. We propose working collaboratively with Franklin County Natural Resources Conservation District to share lists of potential projects.

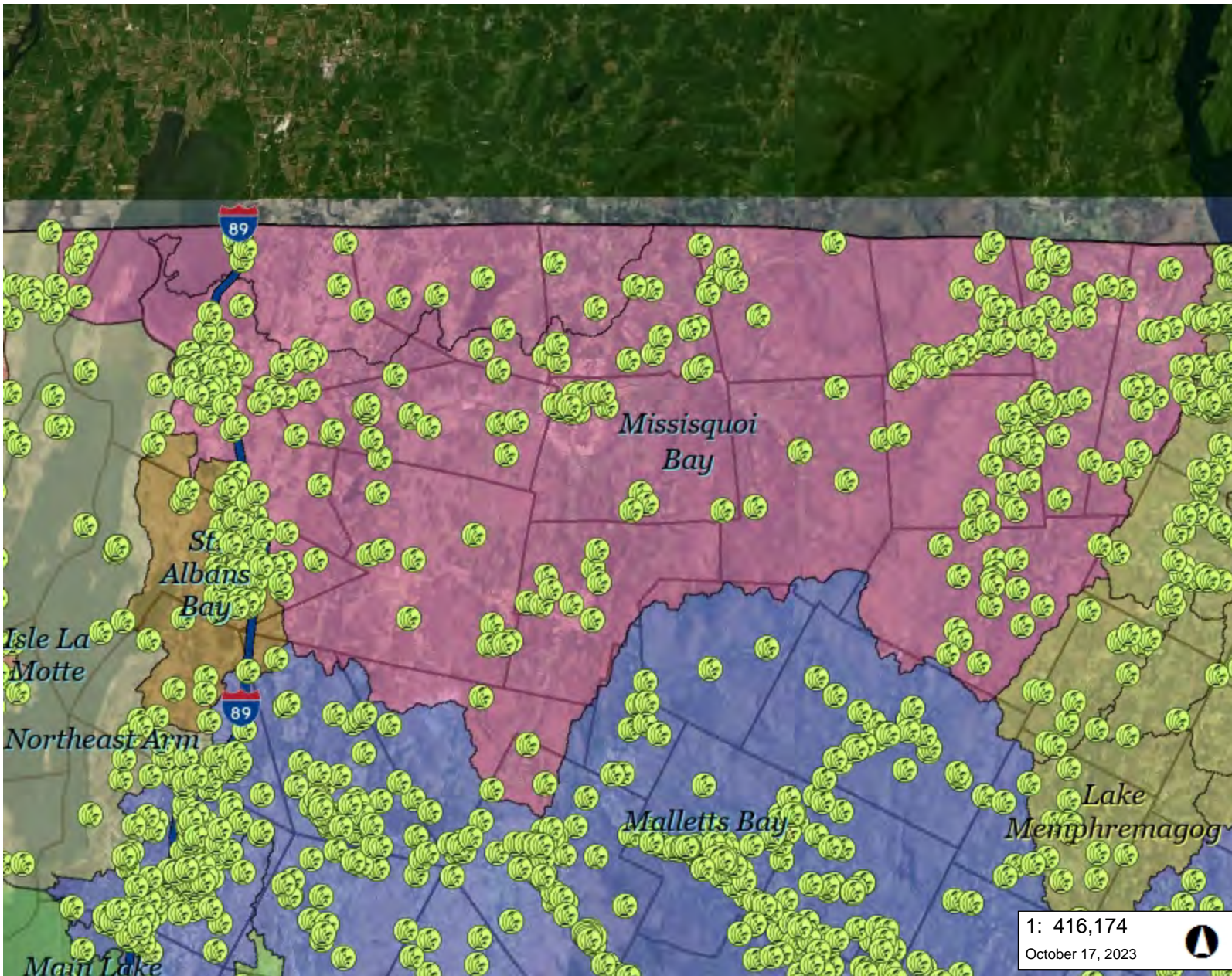
We believe the application is complete. Nonetheless, do please let us know if you have any questions.

Sincerely,

Maddie Yandow
Project Manager

Grand Isle • Highgate • Isle La Motte • Montgomery • North Hero • Richford • St. Albans C • St. Albans T • Sheldon • South Hero • Swanton T • Swanton V

Task	MRBA		NRPC		Total Staff Hours	Total Cost
	Staff Hours	Total (\$70/hr average, includes hourly, frindge and indirect)	Staff Hours	Total (\$71.25/hr average, includes hourly, frindge and indirect)		
Task 1: Desktop Data Collection	40	\$2,800.00	40	\$2,850.00	80	\$5,650.00
Task 2: FFI Tool Trainings/Workgroup meetings	60	\$4,200.00	30	\$2,137.50	90	\$6,337.50
Task 3: Preliminary Mapping	28	\$1,960.00	35	\$2,493.75	63	\$4,453.75
Task 4: Preliminary Prioritization	32	\$2,240.00	32	\$2,280.00	64	\$4,520.00
Task 5: Landowner Outreach	16	\$1,120.00	16	\$1,140.00	32	\$2,260.00
Task 6: Site Visits to Prioritized Landowners	40	\$2,800.00	40	\$2,850.00	80	\$5,650.00
Task 7: Consultation with DEC	12	\$840.00	12	\$855.00	24	\$1,695.00
Task 8: Regulatory Reviews/Project Screening Forms	12	\$840.00	12	\$855.00	24	\$1,695.00
Task 9: Finalize Prioritization	12	\$840.00	12	\$855.00	24	\$1,695.00
Task 10: Assess the cost effectiveness of potential projects resulting from this work using DEC P Reducation Calculators and costs from previously completed projects	20	\$1,400.00	20	\$1,425.00	40	\$2,825.00
Task 11: Assess the design life of potential projects	8	\$560.00	8	\$570.00	16	\$1,130.00
Task 12: Assess the Operation and Maintenance costs for these projects based on past experiences	8	\$560.00	8	\$570.00	16	\$1,130.00
Task 13: Regulatory Reviews/Project Screening Forms	12	\$840.00	12	\$855.00	24	\$1,695.00
Task 14: Prepare for Funding Applications	8	\$560.00	20	\$1,425.00	28	\$1,985.00
Task 15: Admin and Reporting	12	\$840.00	12	\$855.00	24	\$1,695.00
Total Hours	320		309		629	
Total Labor Cost		\$22,400.00		\$22,016.25		\$44,416.25
Mileage	610 miles	\$ 399.55	690 miles	\$ 451.95		\$ 851.50
Grand Total		\$22,799.55		\$22,468.20		\$45,267.75



1: 416,174
October 17, 2023

LEGEND

- ACT250 Permits
- Roads**
 - Interstate
 - US Highway; 1
 - State Highway
 - Town Highway (Class 1)
 - Town Highway (Class 2,3)
 - Town Highway (Class 4)
 - State Forest Trail
 - National Forest Trail
 - Legal Trail
 - Private Road/Driveway
 - Proposed Roads
- Lake Segment Basins**
 - Lake Memphremagog
 - Burlington Bay
 - Isle La Motte
 - Main Lake
 - Malletts Bay
 - Missisquoi Bay
 - Northeast Arm
 - Otter Creek
 - Port Henry
 - Shelburne Bay
 - South Lake A
 - South Lake B
 - St. Albans Bay

NOTES

Map created using ANR's Natural Resources Atlas. Work will be done throughout the Missisquoi River Basin in Franklin and some Orleans County towns.



WGS_1984_Web_Mercator_Auxiliary_Sphere
© Vermont Agency of Natural Resources
1" = 34681 Ft. 1cm = 4162 Meters
THIS MAP IS NOT TO BE USED FOR NAVIGATION

DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

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:	

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. **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

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 [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?⁶
 - b. What type might be needed? (e.g., a general or individual permit?)⁷
 - 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 This is project development work. A proposed task includes regulatory reviews and project screening once project sites are identified.		
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 issues or natural resource issues found ¹⁰ : PermitNumber: _____ ResourceIssues: _____		
If yes , use the Water Quality Project Screening Tool to identify the appropriate regulatory contact for an Act 250 consultation. 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 [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.”

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.

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

¹¹ 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."

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 [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>1. Does the Wetland Screening Tool¹⁴ provide a result of wetlands likely, very likely, or present at the project site?</p>	<p style="text-align: center;">Yes No</p>
<p>2. Does your project site involve land that is in or near an area that has <u>any</u> of the following characteristics:</p> <ul style="list-style-type: none"> 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, trees with roots growing along the ground surface, swollen trunk bases, or flat root bases when tipped over? 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 Landowners Guide to Wetlands for additional information on identifying wetlands onsite.) 	<p style="text-align: center;">Yes</p> <p style="text-align: center;">No</p> <p style="text-align: center;">Not Sure</p>
<p>If you answered yes or not sure to <u>either</u> of the above questions, you will need to contact your District Wetlands Ecologist using the Wetland Inquiry Form. 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 yes or not sure 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 Vermont Wetland Rules 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>Regulatory Point of Contact Name/Position:</p>	
<p>1. Is your project a Wetland Restoration project type?</p>	<p style="text-align: center;">Yes No</p>
<p>If you answered yes, under the Vermont Wetland Rules you will need an “allowed use” determination from the DEC Wetlands Program. Contact your District Wetlands Ecologist using the Wetland Inquiry Form.</p> <p>Regulatory Point of Contact Name/Position:</p>	
<p>V. Fish and Wildlife</p>	
<p>State law protects endangered and threatened species. No person may take or possess such species without a Threatened & Endangered Species Takings permit.</p> <p>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. George, Sudbury, Sunderland, Vergennes, Waltham, West Haven, Weybridge, Whiting</p>	<p style="text-align: center;">Yes No</p>

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

2. Is the project site within 1 mile of a mapped¹⁵ Significant Natural Community or Rare, Threatened, or Endangered Species?	Yes	No
<p>If yes 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>Regulatory Point of Contact Name/Position:</p>		
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 Stormwater permit?	Yes	No
<p>If yes, forward to the appropriate Stormwater specialist to ensure necessary permitting. Use the Water Quality Project Screening Tool to find the Stormwater specialist for your project's region.</p> <p>Regulatory Point of Contact Name/Position:</p>		
VII. Solid Waste		
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? ¹⁶	Yes	No
<p>If yes, connect with the Waste Management & Prevention Division (dennis.fekert@vermont.gov 802-522-0195) to discuss your project and any necessary permitting.</p> <p>Regulatory Point of Contact Name/Position:</p>		
<p>Provide below or attach a narrative summary of Table 4 findings. Please include:</p> <ol style="list-style-type: none"> Which permits or permit amendment are needed or might be needed? What type might be needed? (e.g. a general or individual permit)? What concerns were voiced by permitting staff? How will the proposed scope of work address these concerns? 		
Is the project, as proposed, reasonably considered permit-able by all applicable	Yes	No

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 [licensed solid waste hauler](#) 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

This is project development work. A proposed task includes assessing the operation and maintenance costs and landowner outreach

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. (Answer must be YES to proceed)	Yes	No
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 (Answer must be YES or N/A to proceed)	Yes	No N/A
Funding Program Specific Eligibility. Project meets additional funding program eligibility requirements*. Please list applicable funding program below: (Answer must be YES to proceed) *If Water Quality Restoration Formula Grant, complete Step 6 below	Yes	No

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 Lands	
1. Is the proposed project located on a jurisdictional farm operation ¹⁷ ? Complete a preliminary review to	Yes - Proceed to next question below.

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

<p>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.</p>	<p>No¹⁸ - There is no additional requirements related to agricultural review for these projects.</p>
<p>2. Is the proposed project an agricultural project?</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>Yes - Agricultural Projects on jurisdictional farms are not an eligible project type. You can provide a referral to an applicable state or federal agricultural assistance program, or a local organization.</p>
	<p>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 (VAAFAM) to ensure a consistent approach on farms statewide that follows rules, regulations, and laws in place. Please follow Steps 1 & 2 below.</p> <p>Step 1- Please submit a detailed description of the project, project site, project details, landowner, farm operation, and any other relevant information to VAAFAM at AGR.WaterQuality@Vermont.gov .</p> <p>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.</p>
<p>Agricultural Project Review Status & Summary:</p>	
<p>Check as Applicable</p>	<p>Status</p>
	<p>Submitted/ Pending</p>
	<p>Approved</p>
	<p>Denied</p>

¹⁸ 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 VAAFAM.

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.

FCNRCD Application

Dam Removal – Final Engineering Design	
Yes	
Lauren Weston	
Franklin County NRCD	
lauren@franklincountynrcd.org	
+1 (802) 528-4176	
	11607
Performing Final Design and permitting for removal of the Trout Brook Reservoir Dam in Berkshire, VT owned by the Village of Enosburg Falls.	
	44.93743
	-72.78176
	Final Design
	47.1
	5232
	109588
	\$109,588.00
	\$0.00
	very rough estimate 700,000 (will depend on need to alter any water supply infrastructure)
	0.000429792
	#INVALID OPERATION
	Perpetual
	Assisting with native plant establishment following removal - cost unknown
	10
	3
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	10/18/23 12:58 PM
	109588
	very rough estimate 700,000 (will depend on need to alter any water supply infrastructure)
	0
	0

TypeList
Basic Eligibility
Applicant Name
Applicant Organization
Applicant Email
Applicant telephone
Project ID from WPD

Description of Project
Project Latitude
Project Longitude
Project Phase
Annual P Reduction KG
Any one time P reduction KG
Total Cost of Proposed Phase
Amount of Funding Requested (Proposed Phase)
Non DEC Funding as part of Total Project Costs (a

Total Project Costs (All Phases)
KG/\$ Current Phase
KG/\$ Overall
Design Life
Adjusted Design Life
Estimated Annual O&M cost total
Estimated Annual O&M Cost per KG
Conformance with Tactical Basin Plan TBP
Number of Co-benefit Areas
DEC Screening Form Uploaded
Map of Project Area Uploaded
Project Budget Uploaded
Project Schedule Uploaded
Landowner Support uploaded
Phosphorus Calculator Tool uploaded
Created
Calc Performance Measures
Calc Milestones
Calc Deliverables
Calc Phase
ID/Development app pollution criterion
ID/Development app cost effectiveness 1

ID/Development app cost effectiveness 2
ID/Development app design life criterion
ID/Development app O&M criterion
ID/Development app TBP criterion
ID/Development app cobenefits criterion
ID/Development app cobenefits number
Design/Imp Costs Requested

Design-Imp Costs Total
ID/Assess Costs Requested
ID/Assess Costs Total
Annual KG target Official
Annual KG target Startup
Matching Funds Available
Using_As_Match

Trout Brook Reservoir Dam Removal Final Design

Task 1: Hire Consultants

January – March 2024

It is expected that three consultants will be needed for this project, including an engineering firm, an ecological consultant with expertise in mussels, and an historical and archaeological consultant. FCNRCD will prepare requests for proposals for each scope of work, solicit proposals following CWSP guidelines, select consultants, and execute contracts with the consultants. Cost estimates for this proposed project budget are based off estimates from consultants likely to bid on this project if selected for funding.

Task 2: Data Collection

March – August 2024

There will be a project kickoff meeting to discuss data collection needs and adjust any timelines as needed. The engineering consultant will perform the following data collection: wetland delineation near the downstream culvert, perform additional topographic survey work by the dam and water supply pipelines, perform soil investigations around the downstream culvert, and complete a project CAD basemap.

The ecological consultant with expertise in mussels will perform a mussel survey. This work is necessary because the rare creek heelsplitter mussel is known to occur in the reach of the Missisquoi River that Trout Brook flows into and during field collection in 2023, scientists from SLR observed an empty mussel shell along the banks of the brook downstream of the dam and a couple of live mussels in the silty/sandy substrate at the upper end of the reservoir. Mussel identification was not performed, thus the species is not known. The ecological consultant will identify the mussel species and determine any requirements for conservation and protection that may be needed for inclusion in the final design plans.

The historical/archaeological consultant will complete an Archaeological Resources Assessment (ARA), as well as assess the dam for potential inclusion in the State Register of Historic Places. FCNRCD has previously submitted this project for preliminary review to the Vermont Division of Historic Preservation (VDHP) which determined that the potential project area will likely be archaeologically sensitive and requires an ARA. Additionally, given the dam's association with the Village of Enosburg Falls, much of which is listed in the State Register of Historic Places, an architectural historian would likely be needed to assess its potential inclusion in the State Register. Expected tasks include background research, field work, report writing, mapping, and production.

Task 3: Preliminary Design

August – November 2024

The engineering consultant will design the downstream culvert replacement, water line (protection or lowering) and preliminary dam removal and restoration plans. They will also complete an initial engineer's opinion of probable cost and a summary memorandum.

Task 4: Renderings and Stakeholder Input

November 2024 – January 2025

The engineering consultant will prepare renderings of the preliminary design plans to be shared with stakeholders to provide input and feedback prior to moving to design completion. As this is a project with a number of stakeholders, we will involve them in at least 1 public meeting to ensure continued support for the project through future implementation.

Task 5: Final Design

January – March 2025

The engineering consultant will take the input from stakeholders and permit agencies and incorporate that into the final design. They will also refine costs and update the summary memorandum. FCNRCD will host a pre-permit site meeting, similar to a meeting held in September 2023 with relevant regulatory staff from various state and federal agencies who provided input on design considerations and permit requirements. The final plans will be edited and completed for permit application submission.

Task 6: Permitting and Final Reporting

August 2024 – August 2025

The engineering consultant will apply for permits required for this project. Regulator feedback has already begun and will continue throughout the design stages. It is anticipated that the following permits will be required based on the site conditions and expected size of the project: USACE, VTDEC Dam Safety, VTDEC Stream Alteration, VTDEC Wetlands, VTDEC Public Water System Construction Permit, VTDEC Construction General Permit, Town Zoning / NFIP / Source Water Protection. Based on feedback from regulators during this process, any additional final design plan edits will be made.

This stage will also include a draft 10 year O&M plan and documentation of project support from the landowner. We will solicit DEC programmatic staff comments on design. We will complete a signed VDHP Project Review Form. There will also be a Final Design Report (Summary Memorandum), media announcement, Final Performance Report or Project Closeout Form, and New Project Form per CWIP funding requirements.



LEGEND

- Stream Crossings**
 - Fully Passable (Green circle)
 - Reduced Passage (Grey circle)
 - Impassable except for Adult Trout (Yellow circle)
 - Impassable (Red circle)
 - Bridge/Arch (Fully Passable) (White circle)
- Parcels (standardized)** (Red outline)
- Stream**
 - Stream (Blue line)
 - Intermittent Stream (Light blue dashed line)
- Roads**
 - Interstate (Thick blue line)
 - US Highway; 1 (Thick red line)
 - State Highway (Thick green line)
 - Town Highway (Class 1) (Thin grey line)
 - Town Highway (Class 2,3) (Thin grey line)
 - Town Highway (Class 4) (Thin grey line)
 - State Forest Trail (Dotted grey line)
 - National Forest Trail (Dotted grey line)
 - Legal Trail (Thin purple line)
 - Private Road/Driveway (Thin grey line)
 - Proposed Roads (Thin red line)
- Town Boundary** (Red outline)

1: 13,005
October 18, 2023

661.0 0 330.00 661.0 Meters
 WGS_1984_Web_Mercator_Auxiliary_Sphere 1" = 1084 Ft. 1cm = 130 Meters
 © Vermont Agency of Natural Resources THIS MAP IS NOT TO BE USED FOR NAVIGATION

NOTES

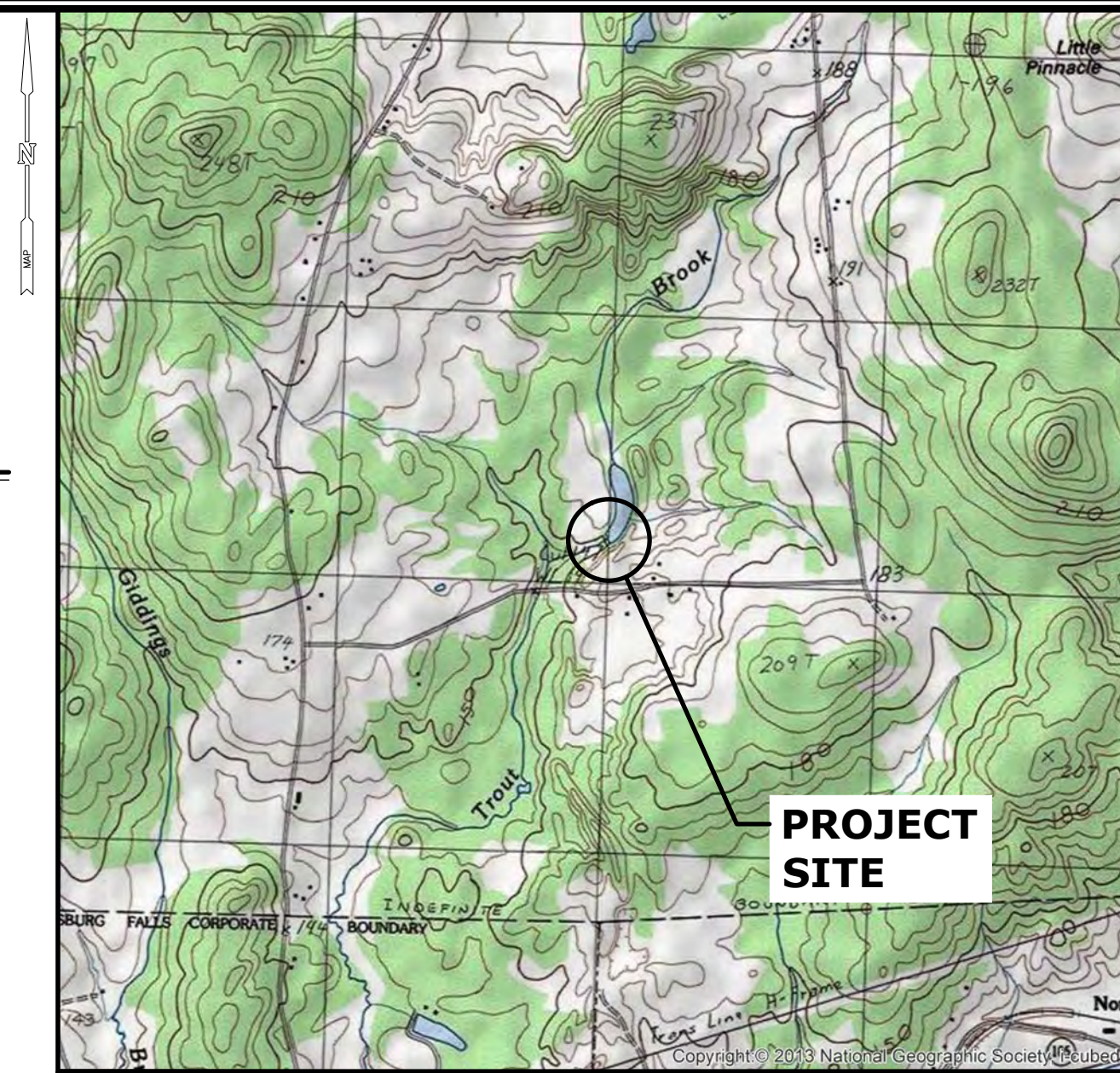
Map created using ANR's Natural Resources Atlas

DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

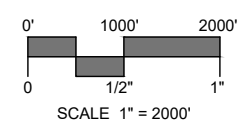
TROUT BROOK RESERVOIR DAM REMOVAL (VT ID 19.02)

RESERVOIR ROAD
BERKSHIRE, VERMONT

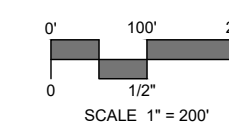
CONCEPT DESIGN
OCTOBER 9, 2023



LOCATION MAP:



PROJECT SITE VICINITY MAP:



PREPARED FOR:

FRANKLIN COUNTY NATURAL RESOURCES CONSERVATION DISTRICT
50 SOUTH MAIN STREET, SUITE B-20
SAINT ALBANS, VT 05478



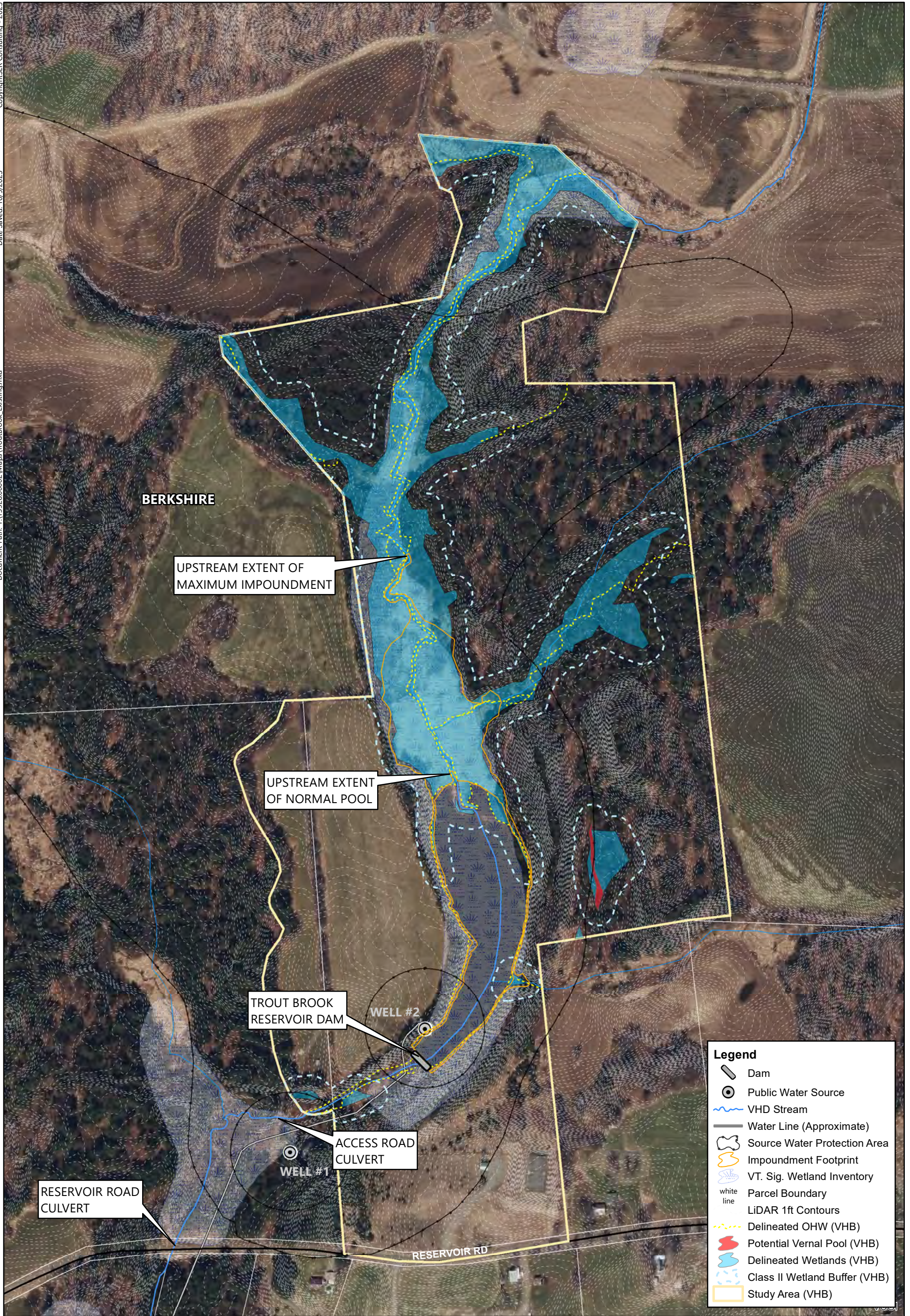
LIST OF DRAWINGS

NO.	NAME	TITLE
1	-	TITLE SHEET
2	EX-1	SITE PLAN - EXISTING CONDITIONS
3	PR-1	SITE PLAN - PROPOSED CONDITIONS
4	PRO-1	CHANNEL PROFILE AND DAM ELEVATION
5	XS-1	TYPICAL SECTIONS
6	XS-2	TYPICAL SECTIONS
7	XS-3	TYPICAL SECTIONS
8	XS-4	TYPICAL SECTIONS

PREPARED BY:



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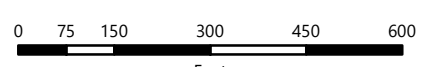
Legend

- Dam
- Public Water Source
- VHD Stream
- Water Line (Approximate)
- Source Water Protection Area
- Impoundment Footprint
- VT. Sig. Wetland Inventory
- Parcel Boundary
- LiDAR 1ft Contours
- Delineated OHW (VHB)
- Potential Vernal Pool (VHB)
- Delineated Wetlands (VHB)
- Class II Wetland Buffer (VHB)
- Study Area (VHB)

TROUT BROOK DAM REMOVAL - EXISTING CONDITIONS

TROUT BROOK DAM REMOVAL FEASIBILITY STUDY
FRANKLIN COUNTY NATURAL RESOURCES
CONSERVATION DISTRICT

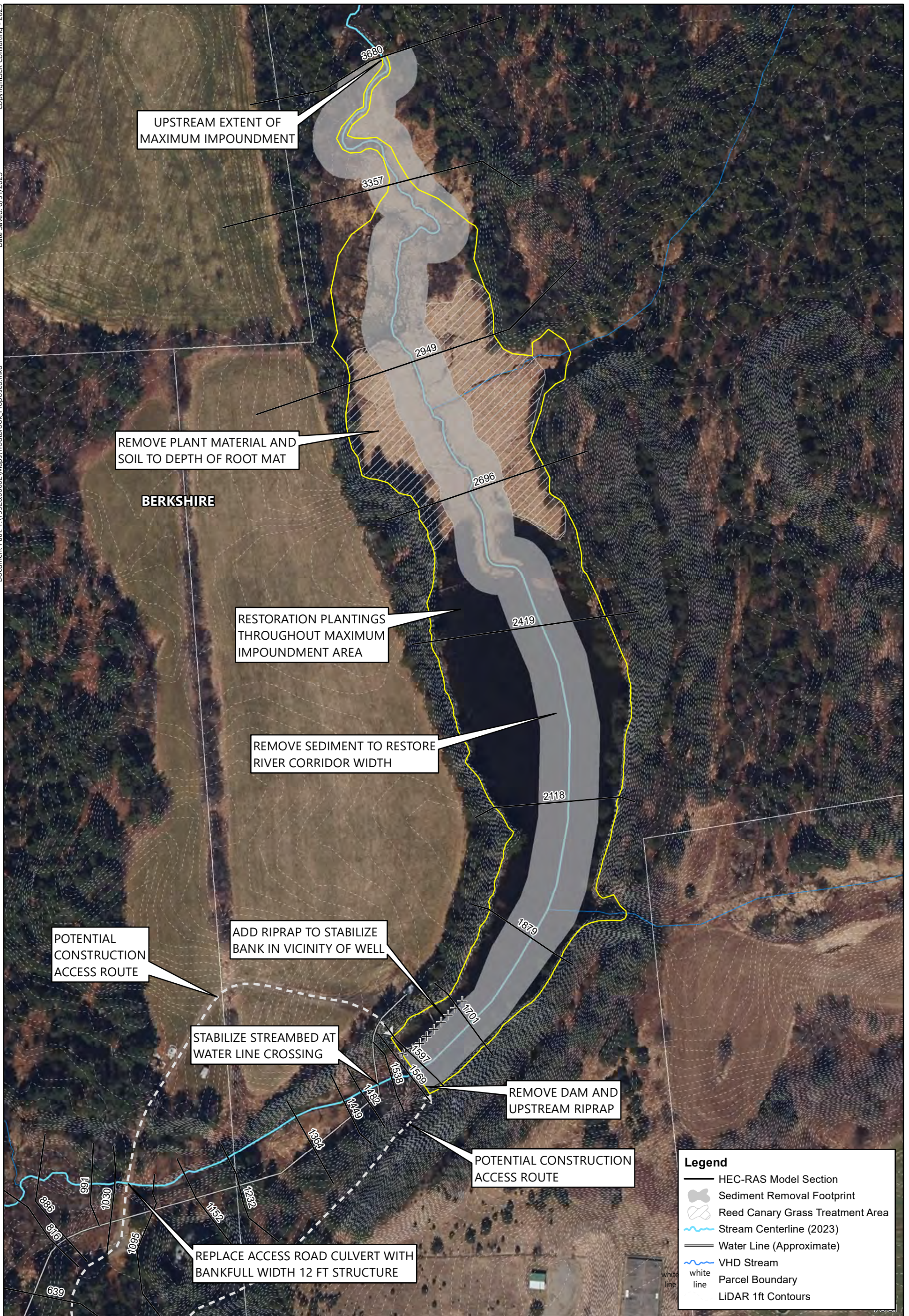
Wetland delineation performed by VHB.



1 in = 300 feet

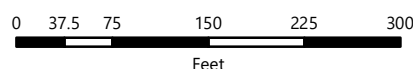


SLR
 1 SOUTH MAIN ST
 WATERBURY, VT 05676
 802.882.8335



TROUT BROOK DAM REMOVAL - PROPOSED CONDITIONS - 100-FOOT

TROUT BROOK DAM REMOVAL FEASIBILITY STUDY
FRANKLIN COUNTY NATURAL RESOURCES
CONSERVATION DISTRICT

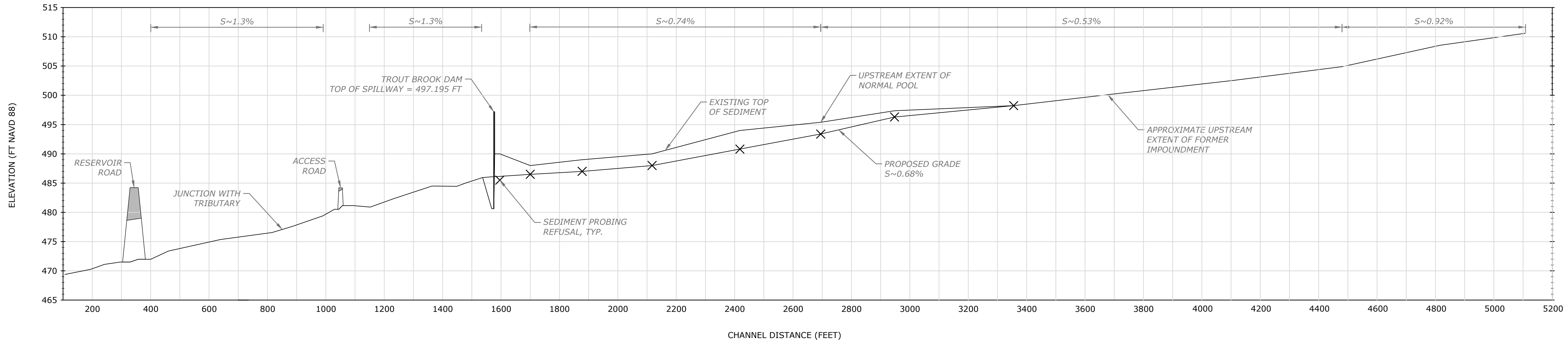


1 in = 150 feet



1 SOUTH MAIN ST
WATERBURY, VT 05676
802.882.8335

PROJECT NO. 13528.00002, SHEET NO. 4 OF 8, DATE OCTOBER 9, 2023
 PROJECT: TROUT BROOK DAM REMOVAL (VT ID 19.02)

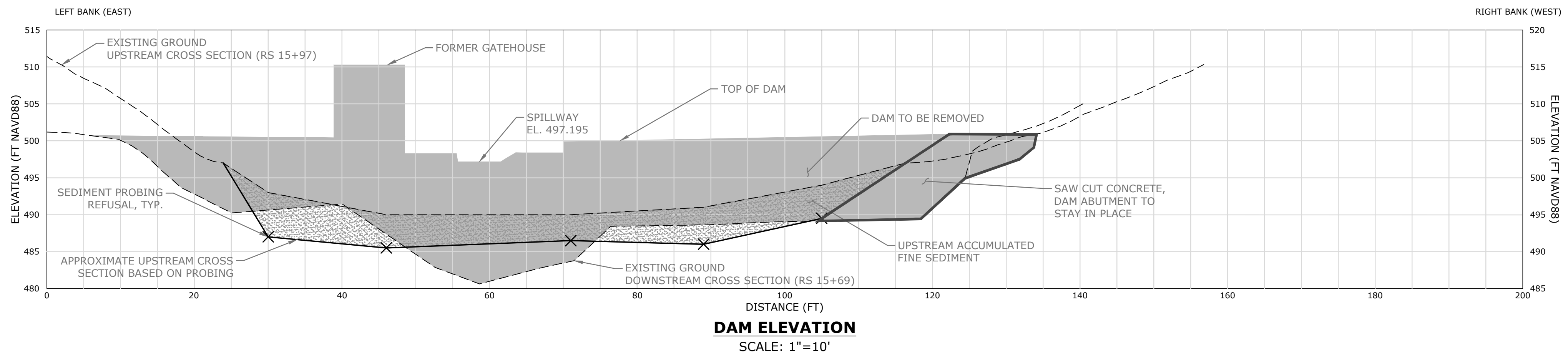


TROUT BROOK CHANNEL PROFILE

SCALE: H: 1"=200', V: 1"=10'

*NOTE: PROFILE BASED ON LIDAR DATA, DECEMBER 2021 SURVEY, AND MAY/JUNE 2023 FIELD MEASUREMENTS

(SECTION VIEWED LOOKING DOWNSTREAM)



DAM ELEVATION

SCALE: 1"=10'



13 SOUTH MAIN STREET
 SOUTH BURLINGTON, VT 05403
 802.882.8335
 SLRCONSULTING.COM

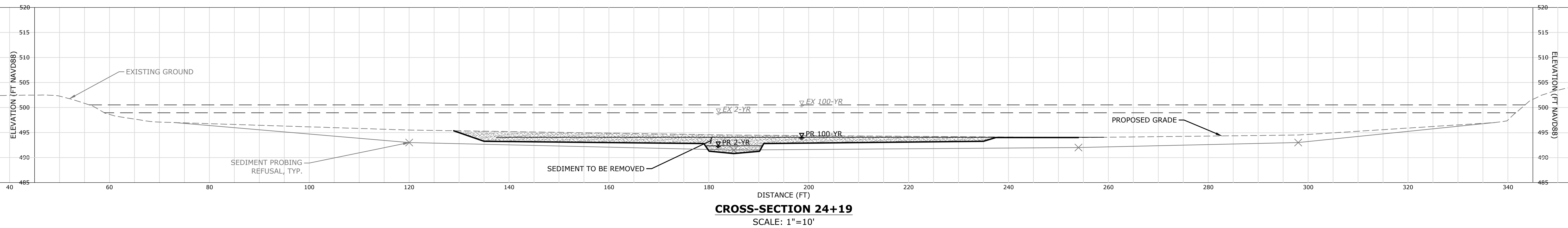
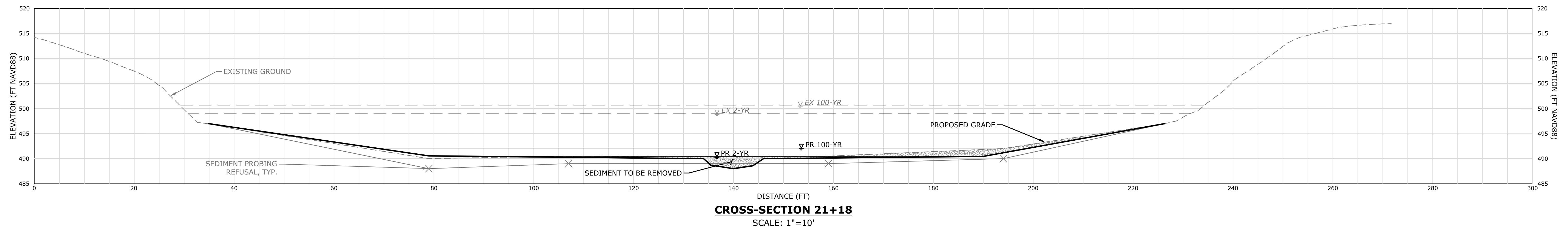
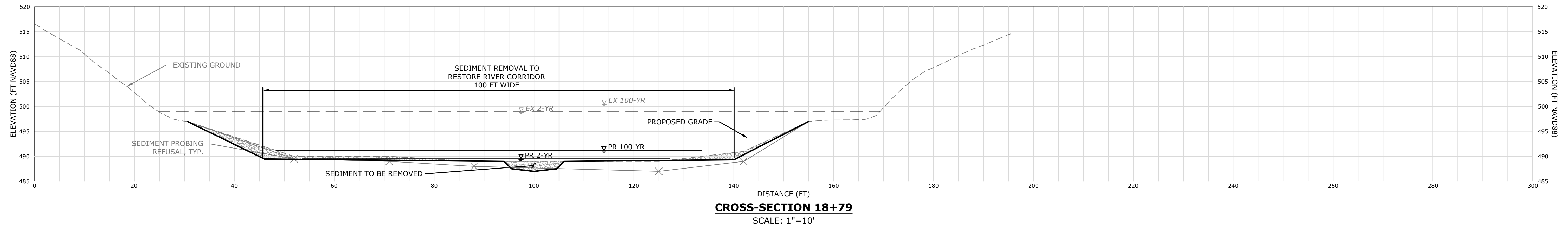
DESCRIPTION	DATE	BY

CHANNEL PROFILE AND DAM ELEVATION
TROUT BROOK DAM REMOVAL (VT ID 19.02)
 BERKSHIRE, VERMONT

JCL	AOM	JCL
DESIGNED	DRAWN	CHECKED
SCALE: AS NOTED		
DATE: OCTOBER 9, 2023		
PROJECT NO.: 13528.00002		
SHEET NO.: 4 OF 8		

PRO-1

(ALL SECTIONS VIEWED LOOKING DOWNSTREAM)



12 SOUTH MAIN STREET
WATERBURY, VT 05676
802.882.8335
SLRCONSULTING.COM

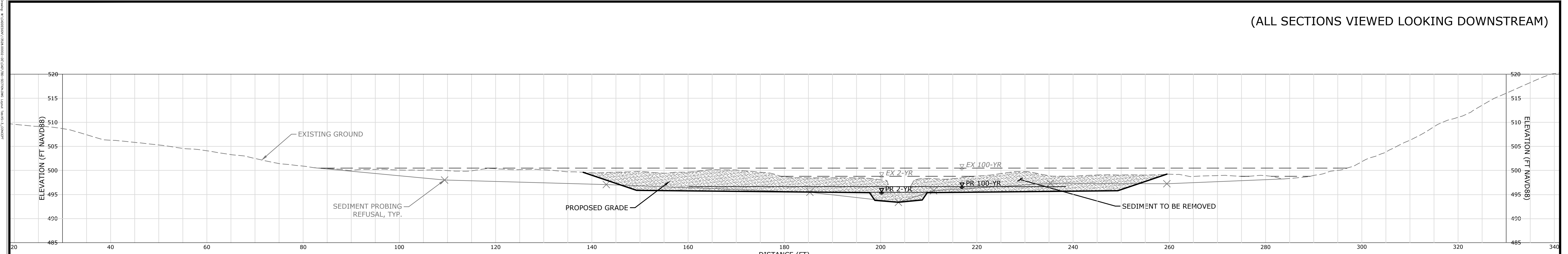
DESCRIPTION	DATE	BY

TYPICAL SECTIONS
TROUT BROOK DAM REMOVAL (VT ID 19.02)
BERKSHIRE, VERMONT

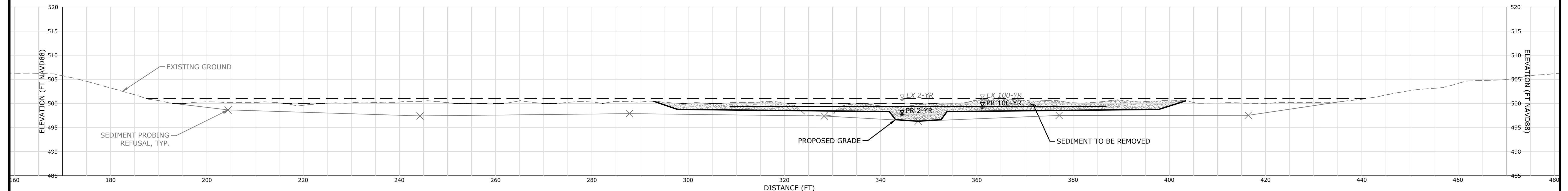
JCL	AOM	JCL
DESIGNED	DRAWN	CHECKED
SCALE: 1"=10'		
DATE: OCTOBER 9, 2023		
PROJECT NO.: 13528.00002		
SHEET NO.: 6 OF 8		

XS-2

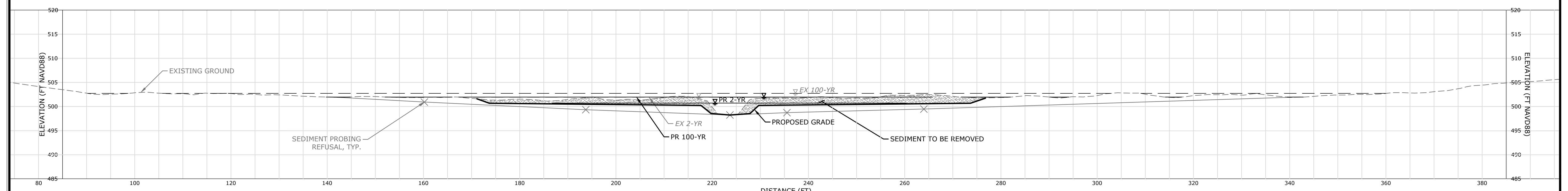
(ALL SECTIONS VIEWED LOOKING DOWNSTREAM)



CROSS-SECTION 26+96
SCALE: 1"=10'



CROSS-SECTION 29+49
SCALE: 1"=10'



CROSS-SECTION 33+57
SCALE: 1"=10'



12 SOUTH MAIN STREET
BURLINGTON, VT 05401
802.882.8335
SLRCONSULTING.COM

DESCRIPTION	DATE	BY

TYPICAL SECTIONS
TROUT BROOK DAM REMOVAL (VT ID 19.02)
BERKSHIRE, VERMONT

JCL	AOM	JCL
DESIGNED	DRAWN	CHECKED
SCALE: 1"=10'		
DATE: OCTOBER 9, 2023		
PROJECT NO.: 13528.00002		
SHEET NO.: 7 OF 8		

XS-3

**Total Phosphorus Removal Estimation
Trout Brook Dam Removal
Berkshire, VT**

Non-TMDL	TP (kg)	Notes
Sediment in impoundment	5,232	One-time, non-TMDL, legacy sediment removal.

TMDL	TP (kg/yr)	Notes
Longitudinal connectivity due to dam removal	17.2	Annual removal estimated from Functioning Floodplain Initiative (FFI) web application.
Upstream Later-Vertical Reconnection	9.5	Credit due to low incision ratio
Downstream Lateral-Vertical Reconnection	0.0	N/A for this site.
Storage	20.4	Annual storage credit year 2 and on. Year 1 storage credit 40.8 kg.
TOTAL	47.1	Total Estimated TMDL P credit in kg/yr.

103.6	Total Estimated TMDL P credit in pounds per year.
--------------	--

Estimated Phosphorus Credit for Stream Stability and Storage

SubUnit(s) IDs: 38_R14T5.04_PLG_C00, 38_R14T5.04

Town: BERKSHIRE

Projects Included: Plant Floodplain, Plant River Corridor, Plant 50-Foot Riparian Area, Lower Floodplain, Restore Channel Roughness and Wood, Remove Medium Run of River Dam

Stream Names: Trout Brook

Project Area (acres): 4.5

Stream Stability and Storage Credit Summary

	Year 1 Credit (kg)	Year 2+ Credit (kg/yr)	Estimated 15 Yr Lifespan Credit (kg)
Floodplain Connectivity (Lateral - Vertical)			
Stream Stability	9.5	9.5	142.5
Storage	40.8	20.4	326.8
Stream Connectivity (Longitudinal - Temporal)			
Stream Stability	17.2	17.2	258.0
TOTAL	67.5	47.1	727.3

▼ Stream Stability Credit and Connectivity Details

Floodplain Connectivity (Lateral-Vertical)									
River Corridor ID	Project Connectivity Credit Score	Existing Subunit Floodplain/Corridor Connectivity Score	Proposed Lateral Credit Score	Proposed Vertical Credit Score	Proposed Subunit Floodplain/Connectivity Score	Lateral P Reduction Credit (kg/yr)	Vertical P Reduction Credit (kg/yr)	Total P Reduction Credit (kg/yr)	Total P Reduction Credit (lb/yr)
38_R14T5.04_PLG_C00	6.1	53	3.4	0.1	59.1	2.2	7.3	9.5	20.9
Stream Connectivity (Longitudinal-Temporal)									
Stream ID	Project Connectivity Credit Score	Existing Stream Segment Connectivity Score	Proposed Longitudinal Credit Score	Proposed Temporal Credit Score	Proposed Stream Segment Connectivity Score	Longitudinal P Reduction Credit (kg/yr)	Temporal P Reduction Credit (kg/yr)	Total Stream Connectivity P Credit (kg/yr)	Total Stream Connectivity P Credit (lb/yr)
38_R14T5.04	33.2	58	50	8	91.2	21.8	5.8	17.2	38

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: Minimize Flood and Fluvial Erosion Hazards	Protect and restore aquatic and riparian habitats

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	11607
Watershed Project Database Project Name	Trout Brook Reservoir Dam Removal - Final Design

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. **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

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 [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? ⁶
 - b. What type might be needed? (e.g., a general or individual permit?)⁷
 - 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 <input type="radio"/>	No <input checked="" type="radio"/>
If yes , please provide the permit number and list any water resource issues or natural resource issues found ¹⁰ :		
PermitNumber: _____		
ResourceIssues: _____		
If yes , use the Water Quality Project Screening Tool to identify the appropriate regulatory contact for an Act 250 consultation.		
Regulatory Point of Contact Name/Position: _____		
II. Lake and Shoreland		
1. Is the project site located within 250 feet of the mean water	Yes <input type="radio"/>	No <input checked="" type="radio"/>

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 [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.”

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.

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

¹¹ 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."

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 [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>1. Does the Wetland Screening Tool¹⁴ provide a result of wetlands likely, very likely, or present at the project site?</p>	<p>Yes <input checked="" type="radio"/> No <input type="radio"/></p>
<p>2. Does your project site involve land that is in or near an area that has <u>any</u> of the following characteristics:</p> <ul style="list-style-type: none"> 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, trees with roots growing along the ground surface, swollen trunk bases, or flat root bases when tipped over? 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 Landowners Guide to Wetlands for additional information on identifying wetlands onsite.) 	<p>Yes <input checked="" type="radio"/></p> <p>No <input type="radio"/></p> <p>Not Sure <input type="radio"/></p>
<p>If you answered yes or not sure to <u>either</u> of the above questions, you will need to contact your District Wetlands Ecologist using the Wetland Inquiry Form. 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 yes or not sure 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 Vermont Wetland Rules 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>Regulatory Point of Contact Name/Position: Krystal Sewell / Julie Follensbee</p>	
<p>1. Is your project a Wetland Restoration project type?</p>	<p>Yes <input checked="" type="radio"/> No <input type="radio"/></p>
<p>If you answered yes, under the Vermont Wetland Rules you will need an “allowed use” determination from the DEC Wetlands Program. Contact your District Wetlands Ecologist using the Wetland Inquiry Form.</p> <p>Regulatory Point of Contact Name/Position: Krystal Sewell / Julie Follensbee</p>	
<p>V. Fish and Wildlife</p>	
<p>State law protects endangered and threatened species. No person may take or possess such species without a Threatened & Endangered Species Takings permit.</p> <p>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. George, Sudbury, Sunderland, Vergennes, Waltham, West Haven, Weybridge, Whiting</p>	<p>Yes <input type="radio"/> No <input checked="" type="radio"/></p>

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

2. Is the project site within 1 mile of a mapped¹⁵ Significant Natural Community or Rare, Threatened, or Endangered Species?	Yes <input type="radio"/> No <input checked="" type="radio"/>
If yes 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. 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 Stormwater permit?	Yes <input checked="" type="radio"/> No <input type="radio"/>
If yes , forward to the appropriate Stormwater specialist to ensure necessary permitting. Use the Water Quality Project Screening Tool to find the Stormwater specialist for your project's region. Regulatory Point of Contact Name/Position: Michael Sadler/Thomas Benoit	
VII. Solid Waste	
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? ¹⁶	Yes <input type="radio"/> No <input checked="" type="radio"/>
If yes, connect with the Waste Management & Prevention Division (dennis.fekert@vermont.gov 802-522-0195) 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: <ol style="list-style-type: none"> Which permits or permit amendment are needed or might be needed? What type might be needed? (e.g. a general or individual permit)? What concerns were voiced by permitting staff? How will the proposed scope of work address these concerns? See Attached	
Is the project, as proposed, reasonably considered permit-able by all applicable	Yes <input checked="" type="radio"/> No <input type="radio"/>

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 [licensed solid waste hauler](#) and bring the material to a certified facility.

ANR permitting programs? (Answer must be Yes to continue)	
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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. (Answer must be YES to proceed)	Yes <input checked="" type="radio"/> No <input type="radio"/>
Budget. Project budget includes ineligible expenses. (Answer must be NO to proceed)	Yes <input type="radio"/> No <input checked="" type="radio"/>
Leveraging. Proposed leveraging meets required leveraging levels (if applicable), meets the definition of leveraging, and comes from eligible sources (Answer must be YES or N/A to proceed)	Yes <input type="radio"/> No <input type="radio"/> N/A <input checked="" type="radio"/>
Funding Program Specific Eligibility. Project meets additional funding program eligibility requirements*. Please list applicable funding program below: (Answer must be YES to proceed) *If Water Quality Restoration Formula Grant, complete Step 6 below	Yes <input checked="" type="radio"/> No <input type="radio"/>

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 Lands	
1. Is the proposed project located on a jurisdictional farm operation ¹⁷ ? Complete a preliminary review to	<input type="radio"/> Yes - Proceed to next question below.

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

<p>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.</p>	<p><input type="radio"/> No¹⁸ - There is no additional requirements related to agricultural review for these projects.</p>
<p>2. Is the proposed project an agricultural project?</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><input type="radio"/> Yes - Agricultural Projects on jurisdictional farms are not an eligible project type. You can provide a referral to an applicable state or federal agricultural assistance program, or a local organization.</p> <p><input type="radio"/> 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 (VAAFAM) to ensure a consistent approach on farms statewide that follows rules, regulations, and laws in place. Please follow Steps 1 & 2 below.</p> <p>Step 1- Please submit a detailed description of the project, project site, project details, landowner, farm operation, and any other relevant information to VAAFAM at AGR.WaterQuality@Vermont.gov .</p> <p>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.</p>
<p>Agricultural Project Review Status & Summary:</p>	
<p>Check as Applicable</p>	<p>Status</p>
<p><input type="checkbox"/></p>	<p>Submitted/ Pending</p>
<p><input type="checkbox"/></p>	<p>Approved</p>
<p><input type="checkbox"/></p>	<p>Denied</p>

¹⁸ 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 VAAFAM.

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.

Michael Benoit indicated that the project will need a construction stormwater permit.

Rebecca Pfeiffer: "As you know, the site is located in the Town of Berkshire, and therefore local floodplain permitting would be done by the Town of Berkshire in accordance with their local floodplain regulations (article 9 of their zoning regulations). The area of the reservoir is mapped as an approximate floodplain, so the modeling that is completed can be submitted for any permitting."

Krystal Sewell: "The final report sums up nicely what may be needed going forward related to wetlands:

Potential wetlands permit for temporary access through wetland and buffer zones

Delineation and potential permitting for culvert upgrade (may qualify for NRGF)

Wetlands_NonReportingGeneralPermit_3-9026_Signed.pdf (vermont.gov)

WetlandGeneralPermit_3-9026_Registration.pdf (vermont.gov)

Non-native Invasive Species control and monitoring plan to be submitted for approval

Restoration/planting plan to be submitted for approval

I have no further wetland related concerns about the project. I am working on tracking down information on the solar project proposal- I want to take into consideration any cumulative impacts of the two projects as well as advocate for reducing/sharing impacts/access if appropriate."

Staci Pomeroy (DEC Programmatic Staff): "I don't have any comments toward the permitting but have reviewed through the report. Alternative 5 seems to achieve a good fit for goals of the project."

The proposed scope of work takes all of this feedback into consideration through Task 6: Permitting and Final Reporting.

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The proposed scope of work takes all of this feedback into consideration through Task 6: Permitting and Final Reporting.

Franklin County Natural Resources Conservation District
50 S. Main St. Ste B20
St. Albans, VT 05478

To whom it may concern,

The Village of Enosburg Falls Board of Trustees writes this letter in support of an application for funding for final design for the Trout Brook Reservoir Dam Removal in Berkshire, VT. The Dam is owned by the Village of Enosburg Falls and thus this project falls under the purview of the Board of Trustees.

The Board of Trustees heard from the Franklin County Natural Resources Conservation District on October 10, 2023 about this project in terms of the findings of the recently completed feasibility study, alternatives analysis, and concept design. The presentation highlighted the potential ecological, public safety, and climate resilience benefits of dam removal.

We previously supported the feasibility study project that occurred in January-October 2023 which led to this request for funds to move to a final design. Our feedback at that time included the potential to see a return of brook trout to this area, concerns over the infrastructure for the public water supply wells and lines in proximity to the dam, costs and benefits of removal alternatives, culverts underneath access roads leading up towards the dam, and potential restoration design alternatives regarding the historic path of the Trout Brook stream channel and surrounding floodplains and wetlands. This feasibility study and concept design have addressed these issues and we understand that final design will continue to consider these topics to ensure a thoughtful, safe design.

We are supportive of the Franklin County Natural Resources Conservation District managing a project to hire a qualified engineer firm to perform the work needed to complete a final design and associated deliverables for the future removal of the Trout Brook Reservoir Dam. We also understand that work related to historical and archaeological resources will be performed. We would like to continue to be updated on the progress of this project and meet with project managers and engineers at relevant stages of this feasibility process. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam" followed by a stylized surname.

POLICY ON BUDGET ADJUSTMENT

MEMORANDUM

TO: MISSISQUOI BASIN WATER QUALITY COUNCIL
FR: CWSP STAFF
RE: POLICY PROPOSAL
DA: OCTOBER 25, 2023

Under Act 76, BWQCs are responsible for approving funds for projects and CWSP staff are responsible for overseeing subgrant and procurement processes once funds have been approved. The approach sounds simple enough. But, complications can arise, particularly when budgets change.

At least one Basin Water Quality Council has enacted guidelines that attempt to simplify the process of amending already-approved project budgets. Your CWSP staff feel the subject deserves some discussion here.

In Basin 5, BWQC members were recently faced with a request to amend a project budget to provide funds for a review of potential cultural resource impacts. (The request was approved following a meaningful discussion.) But, even before action was taken BWQC leaders were wondering if steps could be taken to improve the budget amendment process.

One concern expressed in Basin 5 is that requests for budget amendments will become more and more common. Without some action, Basin 5 leaders concluded, such administrative requests could either pressure the BWQC to meet more frequently or cause delays for projects it might be possible to avoid.

The response in Basin 5 was to adopt guidelines “granting the CWSP some leeway to adjust project budgets so that the Council is not called into meet for such minor administrative tasks.”

The draft policy proposal is meant to serve as a starting off point for discussion in Basin 6.

DRAFT Missisquoi Basin CWSP/BWQC Project Budget Adjustment Policy DRAFT

Adopted by BWQC:

Adopted by CWSP:

Policy

It shall be the policy of the Missisquoi basin CWSP and BWQC to allow for modest adjustments to previously approved project budgets using a simplified process as described below.

Previously approved project budgets (eg., those approved as part previous funding rounds) shall be eligible for adjustment retroactively. Project budgets approved as part of future funding rounds will be approved with the understanding they are modifiable according this policy.

When a project sponsor proposes an amendment to a project budget for a good and valid reasons, the budget amendment may be authorized on an expedited basis as follows:

- Changes of up to 10% of the project budget may be approved at the descretion of CWSP staff;
- Changes of more than 10% but less than 20% of the project budget may be approved at the descretion of CWSP staff with concurrence of the BWQC Chair and Vice Chair (or in the event the Chair and/or Vice Chair have a conflict, with the concurrence at least two BWQC members without conflicts of interest);
- Changes of more than 20% of the project budget may be approved only by a vote of the BWQC and will be scheduled as expeditiously as schedules allow.

Any budget changes approved by CWSP staff and/or the Chair and Vice Chair shall be listed as information items on the meeting agenda subsequent to any approval.

Amendment

This policy may be amended by vote of the BWQC as deemed appropriate by the CWSP and BWQC.

Adoption

Adopted at _____ meeting of Missisquoi Basin Water Quality Council

CULTURAL RESOURCE ASSESSMENT

MEMORANDUM

TO: MISSISQUOI BASIN WATER QUALITY COUNCIL
FR: CWSP STAFF
RE: CULTURAL RESOURCE REVIEW
DA: OCTOBER 25, 2023

Organizations that receive Clean Water funds agree to do many things in exchange for that financial assistance. The purpose of this memo is to draw attention to the importance of “perform[ing] due diligence to avoid or minimize natural and cultural resource impacts” a project might otherwise cause.

As acknowledged in DEC’s FY 23 Clean Water Initiative Funding Policy, the Vermont Division of Historic Preservation (VDHP) is an important participant in these efforts. Indeed, **“VDHP must be engaged in the successful implementation of clean water projects to ensure they have a minimal impact on the state’s rich cultural, historical, and architectural legacy.”**

On November 1, CWSP staff will provide a brief introduction to the topic by highlighting different sections of the Funding Policy addressing “which CWIP project types should pursue VDHP Project Review, when, how, and what the project proponents should expect from this process.” CWSP Staff will also direct BWQC members to other information resources, including VDHP forms, a [recorded training session](#), and offers by DEC staff to make a presentation to the BWQC at a future date.*

(*DEC staffer Gianna Petito has noted ... **“I’d recommend you share the training video with them first and gather the outstanding questions that remain” to help future presenters address the topic.**)

WATCH THIS VIDEO

<https://www.youtube.com/watch?v=96lsiteAjUw>

STATE HISTORIC PRESERVATION REVIEW

With evidence of Native American occupations extending as far back as 13,000 years ago, Vermont has a rich cultural, historical, and architectural legacy. This significant heritage manifests itself in the state's ancient Native encampments, agricultural farmsteads with timber-framed barns and rising silos, villages with white-spired churches and town halls marking the valley bottoms and maple-strewn hillsides, downtowns centered on railroad depots and sites of early industrial centers, summer retreats surrounding lakes and ponds, and ski resorts nested on the slopes of the green mountains. The strata of history is a component of the built and natural environment, recounting the stories of Vermont's buildings, economy, and communities.

Preservation of Vermont's historic resources is the primary initiative of the Vermont Division for Historic Preservation (VDHP). Serving as the State Historic Preservation Office (SHPO), VDHP plays an essential role in guiding the state's historic preservation agenda, keeping hundreds of years of history alive and vital, engaging people of all walks in Vermont's past through collecting, preserving, and discovering a shared priority and value for the human spirit that preceded us.

The Vermont Division for Historic Preservation (VDHP) is authorized by 22 V.S.A. § 723(10) to adopt rules and carry out the purposes of the Vermont Historic Preservation Act. VDHP is charged to fulfill responsibilities under the Vermont State Historic Preservation Act and the National Historic Preservation Act to identify, preserve, and interpret historic resources on behalf of the citizens of the state and promoting them as significant components of our communities. This is achieved, in part, by the regulatory review and comment process for projects involving federal or state funding, licenses or permits.

Since Clean Water Initiative Program funding programs can involve both state and federal funding, VDHP must be engaged in the successful implementation of clean water projects to ensure they have a minimal impact on the state's rich cultural, historical, and architectural legacy. The following sections of guidance provide information on which CWIP project types should pursue VDHP Project Review, when, how, and what the project proponents should expect from this process.

Project Types Subject to VDHP Project Review

Exempt Project Types

The following are CWIP project types categorically exempt from any VDHP Project Review:

- Sector based or multi-sector assessments and project identification

- Project development
- Stormwater/Road Equipment
- Forestry Equipment
- Illicit Discharge Detection and Elimination (IDDE)
- River Corridor and Wetland Easements
- Riparian Buffer Plantings
- Operation and Maintenance activities

These project types have no VDHP milestones or deliverables listed in the [Appendix B. Project Types Table](#).

Conditionally Exempt Project Types

The following project types are exempt from VDHP Project Review if they meet all the listed project qualifications:

Project Types

- Agricultural Pollution Prevention
- Roads
- Stormwater
- Roads/SW Gullies
- Forestry

Project Qualifications

- a. Project involves no new ground disturbance beyond the previously disturbed³¹ horizontal (surface area) and vertical (depth) footprint.
- b. Project causes no direct or indirect³² impact or disturbance to any man-made building or structure (including dams, culverts, and bridges) more than 50 years old.³³
- c. Project causes no direct or indirect impact or disturbance to any federally listed historic

³¹ Previous disturbance means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

³² Indirect impacts might include instances where natural systems readjust to a project's impacts in a manner that newly undermines or affects nearby Historic Sites.

³³ If the age of nearby structures is unknown, tax accessor records are a good resource. Connect with the applicable town clerk to access this information. You can also contact the State Architectural Historian (Devin Colman devin.colman@vermont.gov 802-585-8246) for guidance on age of building or structure that cannot be determined. If the age of an impacted building or structure cannot be determined, assume this qualification is NOT met and the project is NOT exempt from VDHP Project Review.

- building or structure.³⁴
- d. Project Area of Potential Effect (APE)³⁵ is not located within, does not intersect with, and is not adjacent to a state-listed historic district,³⁶ Designated Downtown, or Village Center.³⁷
 - e. Project APE is not located within, does not intersect with, and is not adjacent to a federally listed historic district or site.³⁸

It is the responsibility of project proponents to confirm their projects meet these conditional qualifications and continue to do so as the project advances through to implementation. If the project proponent is in any way unsure, they should assume their project does not meet these qualifications and is not exempt from VDHP Project Review.

Non-exempt Project Types

Non-exempt project types are all project types listed in [Appendix B. Project Types Table](#) not otherwise listed above as exempt or conditionally exempt. All non-exempt project types, or

³⁴ Federally listed historic buildings and structures are not mapped digitally. A full listing of federally listed historic buildings and structures in Vermont can be found in the Historic Sites Spreadsheet on the CWIP Applicant & Recipient Resources Page here: <https://dec.vermont.gov/water-investment/cwi/grants/resources>. Filter the "BUILDINGS & STRUCTURES" tab by Column E ("City") for the town and neighboring towns of your project's APE. If no historic buildings or structures are listed, your project meets this qualification. If historic buildings or structures are listed, use the links in Column G ("External Link") to determine the geographic location and extent of the listed historic buildings or structures. Contact the State Architectural Historian (Devin Colman devin.colman@vermont.gov 802-585-8246) for guidance as necessary. If these available resources are insufficient to confidently determine whether the project causes direct indirect impact or disturbance to any federally listed historic building or structure, proceed assuming this qualification is NOT met, and the project is NOT exempt from VDHP Project Review.

³⁵ The project APE or "area of potential effects" means the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The APE is influenced by the scale and nature of an undertaking and may be different from different kinds of effects caused by the undertaking [36 C.F.R. § 800.16(d)]. When determining a project's APE remember to consider/include extent of restoration footprint; new, upgraded or existing access or haul roads; staging, storage, and stockpile areas; disposal sites or waste areas; borrow areas and other source locations for fill material; and areas impacted by drainage diversions or mechanical tree clearing and similar landscape alterations.

³⁶ Find state-listed historic districts through this mapping tool: <https://geodata.vermont.gov/datasets/ee5cdb1b9c094139ad00f7f02785d2b2/explore?location=44.264850%2C-72.514584%2C12.77>.

³⁷ Find a map of Designated Downtowns and Village Centers here: <https://accd.vermont.gov/community-development/designation-programs/downtowns>.

³⁸ Federally listed historic districts and sites are not mapped digitally. A full listing of federally-listed historic districts and sites in Vermont can be found in the Historic Sites Spreadsheet on the CWIP Applicant & Recipient Resources Page here: <https://dec.vermont.gov/water-investment/cwi/grants/resources>. Filter the "DISTRICTS & SITES" tab by Column E ("City") for the town and neighboring towns of your project's APE. If no historic districts or sites are listed, your project meets this qualification. If historic districts or sites are listed, use the links in Column G ("External Link") to determine the geographic location and extent of the listed historic districts/sites. Contact the State Architectural Historian (Devin Colman devin.colman@vermont.gov 802-585-8246) for guidance as necessary. If these available resources are insufficient to confidently determine whether the project APE is located within, intersects with or is adjacent to a listed district or site, proceed assuming this qualification is NOT met, and the project is NOT exempt from VDHP Project Review.

conditionally exempt project types that do not meet the project qualifications, are subject to the VDHP Project Review Processes as outlined below.

VDHP Project Review Process

VDHP Project Review consists of identifying a project's potential effect to historic buildings and structures, historic districts, historic landscapes and settings, and to known or potential archaeological resources. These resources are known, collectively as "Historic Properties" or "Historic Sites." This consultative process, also known as Project Review, occurs between the Vermont State Historic Preservation Office (VDHP) and project proponent. Purpose of review is to assure that Historic Properties/Sites are not affected, or if affected, are not adversely affected.

Step 1: Confirm Project Type

Confirm project type is either non-exempt or conditionally exempt and fails to meet the project qualifications.

Step 2: Complete a VDHP Preliminary Project Review

Complete the VDHP Preliminary Project Review section of the VDHP Project Review Form³⁹ and submit to VDHP. VDHP will conduct a desk review to determine whether the project location is considered sensitive and if a professional consultant is needed by checking the appropriate boxes and returning the form to the project proponent. VDHP findings as a result of this review will clarify next steps for the project proponent. These steps may include:

1. Finding of Historic Properties/Sites Affected:
 - a. Recommendation of further historic assessment performed by a consultant(Architectural Historian or Historian as appropriate) who meets the minimum qualifications under the Secretary of the Interior's Professional Qualification Standards (48 FR 44738-9). Purpose of this work will be to identify potential sites and to seek ways to avoid or minimize an Adverse Effect on the Historic Site.
 - b. Recommendation of further archaeological assessment consultation performed by an archaeologist (the Archaeologist) who meets the minimum qualifications under the Secretary of the Interior's Professional Qualification Standards (48 FR 44738-9). Purpose of this work will be to identify potential sites and to seek ways to avoid or minimize an Adverse Effect on the Historic Site.
2. Finding of No Historic Properties/Sites Affected/No Effect: For projects that have received this determination from VDHP, the project proponent may continue to advance design plans without further historic or archeological resource assessment consultation. These projects still need to complete **Step 5: VDHP Final Project Review**. Additionally, VDHP should be notified and re-engaged if the approved plans change during final design. This includes if the APE is adjusted or the area, depth, or location of ground

³⁹ The VDHP Project Review Form is available on the CWIP Applicant & Recipient Resources Page here: <https://dec.vermont.gov/water-investment/cwi/grants/resources>.

disturbance changes.

Step 3: Proceed with Cultural Resource Assessments (if applicable)

Proceed with any archaeological or historic assessment consultation as requested by VDHP. This may be an iterative process in which the professional consultant may recommend additional consultation and, unless VDHP disagrees, the project proponent should plan to perform that work should they wish to proceed with the project.

For projects that receive a recommendation for further historic assessment consultation, this may include:

1. Historic Resource documentation to evaluate the eligibility of structures in the project area for inclusion on the state and National Registers of Historic Places.

In addition to assessment reports, the professional consultant shall submit a Determination of Eligibility (DOE) Form and Vermont Architectural Resource Inventory (VARI) Form as appropriate to VDHP for review and approval. Upon receipt, VDHP shall have 30 days to respond. Non-response by VDHP within 30 days will constitute concurrence with documents submitted. Project proponents should proceed following VDHP's final determination or, in the absence of this, should proceed assuming VDHP concurrence with final recommendations provided by the professional consultant. For projects involving historic properties or historic sites that are listed in or potentially eligible for inclusion in the State or National Registers of Historic Places, the consultation process may require the Federal Advisory Council on Historic Preservation or Vermont Advisory Council on Historic Preservation participation with extended review time.

For projects that receive a recommendation for further archaeological assessment consultation, this may include:

1. Archaeological Resource Assessment (ARA)⁴⁰
2. Phase I site identification survey (in some cases, the need for a Phase I site identification survey may be readily apparent without an ARA).
3. Phase II Site Evaluation
4. Phase III Data Recovery (generally completed as a mitigation measure)

A report of each study phase shall be submitted to VDHP. Each study should include a determination by the consulting Archaeologist as to whether or not additional archaeological studies are necessary. Vermont Archaeological Inventory (VAI) Forms are also required as appropriate. Upon VDHP's receipt of archaeological resource assessments, other archaeological reports, or end-of-field documents, VDHP shall have 30 days to respond. Non-response by VDHP within 30 days will constitute concurrence with documents submitted. Project proponents should proceed following VDHP's final determination or, in the absence of this, should proceed assuming VDHP concurrence with final recommendations provided by the

⁴⁰ Learn more about these steps here:

https://outside.vermont.gov/agency/ACCD/ACCD_Web_Docs/HP/Archaeology/ARCHEO_GUIDELINES.pdf

consulting Archaeologist. For projects involving historic properties or historic sites that are listed in or potentially eligible for inclusion in the State or National Registers of Historic Places, the consultation process may require the Federal Advisory Council on Historic Preservation or Vermont Advisory Council on Historic Preservation participation with extended review time.

Step 4: Address Adverse Effects

To the extent possible, historically and archaeologically sensitive areas should be avoided. It is strongly encouraged to have project designs developed in tandem with archaeological and historic assessment consultation to ensure potential effects to historic properties/sites are avoided or minimized to the maximum extent possible. An open and iterative conversation between engineering and historic/archaeological consultants will ensure an accurate APE is mapped and informs the archaeological and historic assessment consultation. Even with archaeological or historic resources nearby, a project can proceed with a finding of No Historic Properties/Sites Affected /No Effect or No Adverse Effect as long as it can demonstrate avoidance to the archaeological/historic resources.

If the historic/archaeological consultant determines that the proposed final design plans and scope of work will have an Adverse Effect on a Historic Property/Site, the project proponent will need to work with the consultants and VDHP to develop a Treatment Plan or other agreement document. The intent of the Treatment Plan is to help the project arrive at No Adverse Effect (if possible) or to mitigate an Adverse Effect. This Treatment Plan may include such activities as:

1. Redesign of one or more project components;
2. Specific construction conditions;
3. Construction monitoring by a qualified Archaeologist and/or Architectural Historian/Historian;
4. Site documentation and archiving, or public facing informational signage; and
5. Rehabilitation of an affected historic building or structure in accordance with the *Secretary of the Interior's Standards for Rehabilitation*.

Step 5: VDHP Final Project Review

All non-exempt project types, or conditionally exempt project types that do not meet the project qualifications, must complete a VDHP Final Project Review of 100% Final Design plans once completed. To do this, complete the VDHP Final Project Review section of the VDHP Project Review Form⁴¹ and submit to VDHP. The review may be simple if the preliminary review issued a finding of No Historic Properties/Sites Affected/No Effect, and the project has not changed. For projects that required further archaeological or historic assessment consultation, or development of a Treatment Plan this VDHP Final Project Review must signal VDHP concurrence with all findings and proposed Treatment Plan strategies if applicable.

⁴¹ Project proponents should be completing the Final Project Review section on the same form that was completed and signed for Preliminary Project Review such that all the Preliminary Project Review data entry and VDHP signoffs are included in the Final Project Review submission.

VDHP Project Review Timing and Budgeting

For all non-exempt and conditionally exempt project types, CWIP's standard milestones have integrated VDHP Preliminary Project Review as part of the Preliminary (30%) Design Phase but this can happen earlier if appropriate for the project. CWIP's standard milestones also have integrated VDHP Final Project Review as part of the 100% Final Design Phase, and Treatment Plan implementation as part of implementation phases (if applicable).

CWIP recognizes that the exploratory and iterative nature of historic and archaeological assessment consultation, if required by VDHP, can be difficult to predict and budget for within the 100% Final Design Phase.

1. CWIP encourages Funding Program Administrators to be flexible in granting additional cultural resource funds as the iterative process progresses as long as the project remains cost-competitive (in terms of ecological and community benefits gained per dollar spent).
2. Project proponents should do everything in their power to avoid impacts to historic and archaeological resources and should be cautious about advancing any projects that cannot practically avoid these impacts. Failure to adequately demonstrate avoidance leads to mounting costs both in terms of required cultural resource assessment consultation as well as, potentially, the mitigation strategies that must be implemented under a Treatment Plan. Although some clean water projects may be worth this expense in terms of the resulting ecological and community co-benefits, not all projects may continue to demonstrate a cost-competitive advantage over other clean water projects.

Costs associated with VDHP Project Review are eligible and may fall under the Project Completion or another budget category depending on how cultural resource work is contracted. Funding Program Administrators may request case-specific budgeting guidance from CWIP as needed. Eligible expenses include costs for identifying and evaluating historic buildings, structures and archaeological sites; for project reviews and determination of effect; for necessary studies; and for implementation for Treatment Plans. This also includes project manager personnel time needed to oversee these tasks and perform the necessary procurement and contracting of professional cultural consultant services.

+-----+
| Start: CWIP Project Review |
+-----+

|
|
v

+-----+
| Is the project one of the Exempt Project |
| Types (e.g., Stormwater/Road Equipment, |
| Forestry Equipment, etc.)? |
+-----+

|Yes |No
| |
| v

| +-----+
	Is the project one of the Conditionally
	Exempt Project Types (e.g., Agricultural
	Pollution Prevention, Roads, etc.)?
+----->+-----+

|Yes |No
| |
| v

| +-----+
| | Subject to VDHP Project |
| | Review Processes |
| +-----+

v

+-----+
| Does the project meet ALL the listed |
| project qualifications (e.g., no new ground |
| disturbance, no impact on historic structures, |
| etc.)? |
+-----+

Yes	No
	v
	+-----+
	Subject to VDHP Project
	Review Processes
	+-----+
v	

+-----+
Project is Exempt from VDHP
Project Review
+-----+

Vermont Division for Historic Preservation

Project Review Form

DEC Clean Water Initiative Program

This form is to be used for both the Preliminary and Final Project Review for clean water projects funded by the Department of Environmental Conservation (DEC) Clean Water Initiative Program (CWIP). See applicable sections below.

Preliminary Project Review Section

To start the consultation process for CWIP-funded Clean Water Projects, please complete this form and submit it to the Vermont Division for Historic Preservation (VDHP) at ACCD.projectreview@vermont.gov with the information requested below. This Preliminary Project Review form once completed and signed by VDHP should be submitted as a project deliverable.

This is for non-exempt CWIP project types or conditionally exempt that have failed to meet the project qualifications. Exempt project types should NOT submit this form. Please refer to the CWIP Funding Policy for a listing of exempt and conditionally exempt project types. The CWIP Funding Policy can be found here: <https://dec.vermont.gov/water-investment/cwi/grants>

For questions on architectural resources, archaeology, and below-ground resources, please contact Scott Dillon at (802) 272-7358 or scott.dillon@vermont.gov.

1. Contact information:

- a. Contact name:
- b. Email address:
- c. Phone number:

2. WPD Project Title:**3. WPD – ID:****4. Town Project is Located In:****5. Project site map:** Please attach a project site map. An annotated Google map or [ANR Atlas](#) map will suffice but professional design plans indicating location are also welcome. An example image is provided below. Site map should outline:

- a. Project Area of Potential Effects (APE)¹ with clearly marked GPS coordinates for project boundaries.

¹ The project APE or “area of potential effects” means the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The

§106 Project Review Form

For Clean Water Projects funded by the DEC Clean Water Initiative Program

- b. Proposed ground disturbance locations. Note that stream bank regrading is considered ground disturbance.



6. Project information:

- a. Select CWIP project type from drop down (if not listed, it's categorically exempt)
 - i.
- b. Please provide a short description of the project's proposed scope of work (CWIP Preliminary Design Report is acceptable instead)

- c. Are there other Agencies or funding partners involved?: Yes No
 - i. If yes, which?

- d. Does the project involves ground disturbance?: Yes No
 - i. If yes, please describe type and extent of ground disturbance. Specifically,

1. Whether disturbance will be performed by hand or heavy machinery,
2. The estimated total acreage and maximum depth of disturbance, and

APE is influenced by the scale and nature of an undertaking and may be different from different kinds of effects caused by the undertaking [36 C.F.R. § 800.16(d)]. When determining a project's APE remember to consider/include extent of restoration footprint; new, upgraded or existing access or haul roads; staging, storage, and stockpile areas; disposal sites or waste areas; borrow areas and other source locations for fill material; and areas impacted by drainage diversions or mechanical tree clearing and similar landscape alterations.

§106 Project Review Form

For Clean Water Projects funded by the DEC Clean Water Initiative Program

3. The history of prior natural caused or man-made ground disturbance to the site (if known):

e. Will the project cause direct or indirect impact/alterations or disturbance to any building or structure more than 50 years old (including dams, culverts, and bridges) or to any federally-listed historic building or structure?

Yes No Unknown

i. **If yes or unknown**, provide any known details on the buildings or structure(s), location/condition and extent of proposed impact or disturbance. Please include whether the resource is listed in the National Register of Historic Places if known:

f. Is the project APE located within, intersect with, or adjacent to/immediately abutting to a State- or National Register listed historic district, Designated Downtown, or Village Center?

Yes No Unknown

Email this form and supporting materials to ACCD.ProjectReview@vermont.gov

Please copy scott.dillon@vermont.gov

TO BE COMPLETED BY VDHP:

No Historic Properties/Sites Affected

No Historic Resource Present; or

No Effect on Historic Resource

Comments:

No Adverse Effect

Comments:

Historic Properties Affected

Potential for Historic Architectural Properties to be affected - a Qualified Architectural Historian/Historian* will be required (*please see list of consultants)

Determination of Eligibility required

Comments:

Potential for Archaeological Historic Properties to be affected - a Qualified Archaeological Consultant* will be required (*please see list of consultants)

Archaeological Resource Assessment (ARA) required

Phase 1 archeological investigation required

Comments:

Vermont State Historic Preservation Office Preliminary Concurrence:

X: _____

Date:

§106 Project Review Form

For Clean Water Projects funded by the DEC Clean Water Initiative Program

Final Project Review Section

To complete Final Project Review, re-submit this VDHP Project Review Form with the following additional elements included. Note that this should be added to the VDHP-signed version of the Preliminary Review Form so VDHP can reference their prior guidance on this project. This Final Project Review Form, once completed and signed by VDHP, should be submitted as a CWIP project deliverable.

1. Please provide a short description of any changes to the project’s proposed scope of work since the Preliminary Project Review was approved by VDHP:

2. Please attach:
 - a. Final (100%) Design Plans
 - b. Project narrative description of scope of work (CWIP Final Design Report will suffice)
 - c. Any historical resource assessments, or determination of eligibility forms
 - d. Any archaeological resource assessments, other archaeological reports, or end-of-field documents
 - e. Any Treatment Plans

Email this form and supporting materials to ACCD.ProjectReview@vermont.gov

Please copy scott.dillon@vermont.gov

TO BE COMPLETED BY VDHP:

No Historic Properties Affected

No Historic Resource Present ; or

No Effect on Historic Resource Comments:

No Adverse Effect

Adverse Effect

Concur with Project Treatment Plan or other agreement docs executed

Comments:

Vermont State Historic Preservation Office Final Concurrence:

X: _____

Date:

Updates

General Project Information										Funding Information			
WPD ID*	Row Type*	Project Manager / Sub-Grantee*	Project Name*	Project Description*	Project Type*	Project Latitude* (5 decimal places)	Project Longitude* (5 decimal places)	Town, County or Region*	Watershed Sub-basin (Watershed Boundary ID)*	Sub-Grant Agreement ID Number	Date Project Selected for Funding	Formula Grant Funding Amount Awarded*	Date Formula Grant Sub-Agreement Executed*
11350	General Project	Franklin County Natural Resources Conservation	Riparian Buffer Planting and Floodplain Restoration -	Franklin County NRCD, along with a subcontract with Franklin Watershed	Assessment ID or Development	44.96975556	-72.87633611	Franklin	5 - Lake Carmi Watershed	CWSP-2023- FCNRCD Subgrant Task	3/23/2023	\$6,060	6/29/2023
11054	General Project	Friends of Northern Lake Champlain	Shipyard Road boat launch raingarden and shoreline	The concept design proposes to replace the failing sea wall with encapsulated soil	Final Design	44.9796	-73.1077	Highgate	6 - Missisquoi River Basin	CWSP-2023- FNLC Subgrant Task Aw	3/23/2023	\$ 14,437.00	6/27/2023
11352	General Project	Missisquoi River Basin Association	Trout River M02 Floodplain/Stream	Following geomorphic assessment, and preliminary design and final design,	Floodplain/Stream Restoration - Implementation	44.94997	-72.30811	Montgomery	6 - Trout River (VT06-07)	CWSP-2023- MRBA Subgrant Task A	3/23/2023	\$ 302,583.00	6/27/2023
11359	General Project	Missisquoi River Basin Association (MRBA)	Corridor Easement, Recreation Infrastructure	Facilitate public participation in multi-sector project development in North Troy	Assessment ID or Development	45.0033	-72.39492	Troy	6 - Upper Missisquoi River (\	CWSP-2023- MRBA Subgrant Task A	3/23/2023	\$ 5,995.00	6/27/2023
11480	General Project	Missisquoi River Basin Association (MRBA)	Sleeper Dam project development	Provide project information to town selectboards and community on progress	Assessment ID or Development	44.94997	-72.30811	Newport Town	6 - Upper Missisquoi River (\	CWSP-2023- MRBA Subgrant Task A	3/23/2023	\$ 3,647.00	6/27/2023
11431	General Project	Franklin County Natural Resources Conservation	Franklin County Riparian Planting Site	We aim to use the Functioning	Project Development	44.88209	-73	Franklin County	6 - Missisquoi River Basin , 6	CWSP-2023-FCNRCD Subgrant Task ,	21-Jul-23	\$ 24,850.00	8/9/2023
												\$357,572	

Financial Snapshots-through September 30, 2023

Missisquoi Basin

AWARD INFO		STATE REMAINING GRANT \$		CWSP CASH ON HAND	
Total Award Amount:	\$ 1,950,272.00	Amount Available at Grant Start	\$ 1,950,272.00	Total Requested to Date	\$ 700,697.13
Administrative Costs (AC): 15%	\$ 292,540.80	Total Requested	\$ 700,697.13	Total Expenditures	\$ 47,255.45
Project Completion Costs (PCC): 85%	\$ 1,657,731.20	Grant Total Remaining	\$ 1,249,574.87	Remaining Grant-Cash on Hand	\$ 653,441.68
Quarterly MAX (AC): 25%	\$ 73,135.20	Total AC Remaining	\$ 172,049.59	Cash on Hand- AC	\$ 73,235.76
Quarterly MAX (PCC): 35%	\$ 580,205.92	Total PCC Remaining	\$ 1,077,525.28	Cash on Hand- PCC	\$ 580,205.92
				Cash on Hand with Interest	\$ 654,326.56

		Cumulative Totals	% Remaining
Quarter End Dates			
Administrative Costs (AC)	Total Expenditures this Quarter- AC	\$ 47,255.45	84%
	Quarter to Date Cash Reimbursements- AC	\$ -	
	New Advance Request	\$ 73,135.20	
	Quarter End Draw Request	\$ 47,356.01	
	Total Amount AC Currently Requested	\$ 120,491.21	
Project Completion Costs (PCC)	Total Expenditures this Quarter- PCC	\$ -	100%
	Quarter to Date Cash Reimbursements- PCC	\$ -	
	New Advance Request	\$ 580,205.92	
	Quarter End Draw Request	\$ -	
	Total Amount PCC Currently Requested	\$ 580,205.92	
Totals for Form 430/A	Total Draw Requested	\$ 47,356.01	
	Total Reimbursement Requested	\$ -	
	Total Advance Requested	\$ -	
	Quarter Totals Requested	\$ 700,697.13	
	PCC Non- Match Eligible	\$ -	
	PCC- Match Eligible	\$ -	
	Interest Earned	\$ 884.88	
	Quarter End Request (ANR Online)		

Project Commitments

Sub-Grant Agreement ID Number	Date Project Selected for Funding	Formula Grant Funding Amount Awarded*	Date Formula Grant Sub-Agreement Executed*
CWSP-2023- FCNRCD Subgrant Task	3/23/2023	\$6,060	6/29/2023
CWSP-2023- FNLC Subgrant Task Aw	3/23/2023	\$ 14,437.00	6/27/2023
CWSP-2023- MRBA Subgrant Task A	3/23/2023	\$ 302,583.00	6/27/2023
CWSP-2023- MRBA Subgrant Task A	3/23/2023	\$ 5,995.00	6/27/2023
CWSP-2023- MRBA Subgrant Task A	3/23/2023	\$ 3,647.00	6/27/2023
CWSP-2023-FCNRCD Subgrant Task	21-Jul-23	\$ 24,850.00	8/9/2023
		\$357,572	