

Otter Creek Natural Resource Conservation District

68 Catamount Park, Suite B, Middlebury, VT 05753

Phone: 802-771-3037 E-mail: pam.stefanek@vt.nacdnet.net

Project: Gully Repair

WPD ID#: 11388

Project type: Engineering Plan

Project sector: Lake Champlain Direct

Project stage: Landowners are on board. Working on getting an engineering plan that is

affordable for the landowner.

Description: The gully empties directly into Lake Champlain. It is dumping sediment into Lake Champlain. The landowner contacted Lakes and Ponds who contacted me for funding opportunities. Otter Creek NRCD has an Engineering grant with VACD RCPP but the cost is a little high, so I am looking for some cost share on that.

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Project Screening Report

Location

Coordinates: 43.8899, -73.3733

Town: Shoreham County: Addison

Basin Information

Planning Basin: Southern Lake Champlain

Sub Basin: Middle Lower Champlain Tribs (VT04-02)

Drainage Area: South Lake A - DD

Lake Champlain Segment: South Lake A



Non-Regulatory Contact Information

Tactical Basin Plan Contact

Angie Allen

802-490-9081

Angie.Allen@vermont.gov

Fisheries Biologist

Shawn Good

802-786-3863

Shawn.Good@vermont.gov

Rivers - River Scientist

Shannon Pytlik

802-490-6158

Shannon.Pytlik@vermont.gov

Natural Resource Regulatory Contact Information

Rivers - Floodplain Manager

Ned Swanberg

802-490-6160

Ned.Swanberg@vermont.gov

Rivers - Stream Alteration Engineer

Jaron Borg

802-371-8342

Jaron.Borg@vermont.gov

Stormwater - Stormwater Analyst

Terry Purcell

802-490-6166

Terry.Purcell@vermont.gov

Act 250 Coordinators

Susan Baird

802-476-0134

Lakes & Ponds - Lake Shoreland Scientist

Laura Dlugolecki

(802) 490-6133

Laura.Dlugolecki@vermont.gov

Susan.Baird@vermont.gov

Wetlands - Wetland Ecologist

Zapata Courage

802-490-6179

Zapata.Courage@vermont.gov

South Lake Clean Water Service Provider Budget Template

Template version 1, April 2023

Engineering plan -Gully LCD: Project EP01 Project Name: Date of Budget Version: Wednesday, June 21, 2023

Date of Daaget Version.	vvcanciady, june 21, 2023	•								
CATEGORY		HOURS	RAT	Έ	DESCRIPTION OF WORK	SU	BTOTAL	MATCH	TC	TAL
Personnel Costs										
Staff Name:	Pamela Stefanek, Otter Creek NRCD	1!	5 \$	49.95	Project coordination, Reporting, Field oversigh	t \$	749.25	\$50	00 \$	1,249.25
Fringe										
Staff Name:	NA billable rate								\$	-
Staff Name:	NA billable rate								\$	-
									\$	-
Mileage		MILES	RA	TE						
Staff Name:	Pamela Stefanek	100	0 \$	0.63	Driving to site for field visits	\$	62.50		0 \$	62.50
Supplies		NUMBER	CO	ST	USE RELATED TO PROJECT					
						\$	-		\$	-
						\$	-		\$	-
									\$	-
Professional Services/Subcontractor(s)									
Firm: SLR Consulting	Roy Schiff	:	1 \$2	4,000.00		\$	6,000.00	18,0	00 \$	24,000.00
									\$	-
Construction/Subcontractor(s)										
Firm:						\$	-		\$	-
Firm:						\$	-		\$	-
									\$	-
Indirect Fees										
Equipment Fees	N/A	_							\$	-
Indirect Fees	N/A, included in hourly rate (10% de mini	mus)							\$	-
									\$	-
TOTAL PROJECT COST						\$	6,811.75	\$ 18,500.0	00 \$	25,311.75

30

\$ 12,655.88

Project Significant Information Summary

Project Phase: Engineering design Project Sector: Gully to LCD

Project Type: Stabilization to reduce P to the Lake Estimated Project Life (yrs) Estimated Cost Benefit (\$/Kg/15 years)

Estimated Area of Treatment: 1.7 acres

Pervious (ac) 0.5 Impervious (ac) 1 Estimated Phosphorus Reduction (Kg): 2

APPENDIX A. CLEAN WATER INITIATIVE PROGRAM - PROJECT ELIGIBILITY SCREENING FORM

This fillable PDF form is designed to assist with project review by systematically walking through all eligibility criteria. It should be completed for all projects seeking funding for 30% + design or implementation work. It may be applied to projects seeking funding for assessment or development if helpful for determining their alignment with eligibility criteria 2, 3, 6, and 8.

Step 1: Conduct Eligibility Criteria #1 Screening: Project Purpose

Table 1A: Project Purpose	
From the drop-down list to the right, please select which of the four objectives of Vermont's Surface Water Management Strategy this project addresses. If multiple, please list below:	

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

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

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

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

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

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

a final design will have a different WPD-ID from a preliminary design even if for the same project). If the project, or the specific phase, is not yet in the Watershed Project Database, follow directions provided in the CWIP Funding Policy to secure a WPD-ID. Please see CWIP Funding Policy for more information on the WPD-ID.

Table 3A. WPD-ID	
Watershed Project Database ID number assigned	
Watershed Project Database Project Name	

Step 4: Conduct Eligibility Criteria #4 Screening: Natural Resource Impacts³

Agency of Natural Resources (ANR) permit screening for natural resource impacts includes 1) an initial desktop review to identify which ANR permitting programs should be contacted, 2) a review by the relevant ANR permitting staff, and 3) a response summary from the project proponent addressing any permitting staff concerns. ⁴

- 1) Table 4. Natural Resource Impacts facilitates a high-level desktop review of the most likely ANR permits to apply to clean water projects. Project proponents should answer all the questions to identify likely permit needs. ⁵ Please note that "project site" may include both the active restoration location as well as any additional impact footprint related to staging, site access, or storage of waste or disposed materials.
- 2) If responses to the **Table 4. Natural Resource Impacts** desktop review trigger a permitting staff consultation, **Table 4** provides appropriate contact information.
 - a. Proponents should send the identified permitting staff the following:
 - i. The watersheds project database identification number (WPD-ID) (if available),
 - ii. Project location (GPS coordinates)
 - iii. Summary of proposed scope of work, and
 - iv. Any other relevant information they request that will be utilized in their review.
 - b. 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 <u>ANR Permit Navigator</u> and an Environmental Compliance Division Community Assistance Specialist can help confirm ANR permitting needs for any projects once selected for funding.

response. Project proponents are encouraged to perform this screening during a project development phase as opposed to during a project solicitation round to allow for more time for feedback. Permitting feedback may be up to one year old.

- 3) Proponents should summarize permitting staff feedback and how the proposed scope of work will address this at the bottom of **Table 4**. Specifically, please include:
 - a. Which permits or permit amendment are needed or might be needed? 6
 - b. What type might be needed? (e.g., a general or individual permit⁷)?
 - c. What concerns were voiced by permitting staff?
 - d. How will the proposed scope of work address these concerns?8

Table 4A: Natural Resource Impacts					
I. Act 250 Permits					
1. Have any Act 250 (Vermont's Land Use and Development Control Law) Permits been issued in the project site's parcel location?9	Yes	No			
If <i>yes</i> , please provide the permit number and list any water resource issues or natural resource issues found ¹⁰ :					
PermitNumber:					
Resourcelssues:					
If <i>yes</i> , use the <u>Water Quality Project Screening Tool</u> 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 <u>ANR Atlas Clean Water Initiative Program Grant Screening tool</u> can help answer this yes/no question. Follow the instructions on the link above to identify whether your project is located on an Act 250 parcel. Note that the layer to activate in ANR Atlas is now named "Clean Water Initiative Program Grant Screening."

¹⁰Note that Act 250 permit amendments may require more extensive review of project impacts to natural resources including wildlife habitat, significant natural communities, and riparian zones. Please consult with the Act 250 District Coordinator regarding the nature and scope of that review and what bearing it may have on your project design.

level (shoreline) of a lake or pond?	level	(shoreline)	of a lake	or pond? 1:
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If *yes*, you might need either a Shoreland Protection Act Permit or a Lake Encroachment Permit. Use the <u>Water Quality Project Screening Tool</u> to find the Lakes and Ponds Program contact for your project's region.

Regulatory Point of Contact Name/Position:

III. Rivers, River Corridors, and Flood Hazard Areas

1. Is there any portion of the project site located within 100' of a river corridor and/or mapped Federal Emergency Management Agency (FEMA) flood hazard area¹²? (e.g. a stormwater pond's pipe draining into a river corridor area)? Any permanent excavation/filling or construction within a flood hazard area or river corridor may trigger regulatory requirements through municipal bylaws or through state authorities.

Yes No

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

Regulatory Point of Contact Name/Position:

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

Yes

No

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

Regulatory Point of Contact Name/Position:

IV. Wetland

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¹¹ The <u>ANR Atlas Clean Water Initiative Program Grant Screening tool</u> can help answer this yes/no question. Follow the instructions on the link above to identify whether your project is located in the jurisdictional zone to trigger a Lakeshore permit. Note that the layer to activate in ANR Atlas is now named "Clean Water Initiative Program Grant Screening."

¹² FEMA mapped Flood Hazard Areas are not available statewide on the ANR Natural Resources Atlas. For projects located in Grand Isle, Franklin, Lamoille, Addison, Essex, Orleans, Caledonia, and Orange Counties, maps are available via the FEMA Flood Map Service Center: https://msc.fema.gov/portal/home. ANR Floodplain Managers are available to provide technical assistance if needed.

¹³ Stream Alteration Permits regulate all activities that take place within perennial river and stream channels. Examples of regulated activities include streambank stabilization, dam removal, road improvements that encroach on streams, and bridge/culvert construction or repair. The <u>ANR Atlas Clean Water Initiative Program Grant Screening tool</u> can help answer this yes/no question. Follow the instructions on the link above to identify whether your project is located in the jurisdictional zone to trigger a Stream Alteration permit. Note that the layer to activate in ANR Atlas is now named "Clean Water Initiative Program Grant Screening."

1. Doos the Wetland Careening Tool 14 provide a result of wetlands likely way			
1. Does the Wetland Screening Tool 14 provide a result of wetlands likely, very likely, or present at the project site?	Yes	No	
likely, or present at the project site:			
2. Does your project site involve land that is in or near an area that has <u>any</u> of the			
following characteristics:	Yes		
o Water is present – ponds, streams, springs, seeps, water filled depressions,			
soggy ground under foot, trees with shallow roots or water marks?			
o Wetland plants, such as cattails, ferns, sphagnum moss, willows, red maple,	No		
trees with roots growing along the ground surface, swollen trunk bases, or flat			
root bases when tipped over?	Not Sure		
o Wetland Soils – soil is dark over gray, gray/blue/green? Is there presence of	Not Sule		
rusty/red/dark streaks? Soil smells like rotten eggs, feels greasy, mushy or wet?			
Water fills holes within a few minutes of digging? (See <u>Landowners Guide to</u>			
Wetlands for additional information on identifying wetlands onsite.)			
If you approved was an est sure to either of the above succetions, you will reced to se	ntoot vour Di	atriat Matlanda	
If you answered <i>yes</i> or <i>not sure</i> to <u>either</u> of the above questions, you will need to co	•		
<u>Ecologist</u> using the <u>Wetland Inquiry Form</u> . The District Wetlands Ecologist can help locations of wetlands and whether you need to hire a Wetland Consultant to condu			
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Alternatively, if you answered <i>yes</i> or <i>not sure</i> 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 considerable to the contract of the			
under the <u>Vermont Wetland Rules</u> 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 a			
process, milen cares at miliman o moone for a general remine and o mentile for a	marviadar i	orring.	
Regulatory Point of Contact Name/Position:			
,			
1. Is your project a Wetland Restoration project type?	Yes	No	
	163	NO	
If you answered yes, under the <u>Vermont Wetland Rules</u> you will need an "allowed u	ıse" determin	ation from the	
DEC Wetlands Program. Contact your <u>District Wetlands Ecologist</u> using the <u>Wetland</u>			
DES Wedands Frograms Somast your <u>District Wedands Ecologist</u> doing the Wedand	ringany romi	•	
Regulatory Point of Contact Name/Position:			
I COMMINSOLT I VIII VI VVIIMVE IMIIIV/ I VVIMVII			
V. Fish and Wildlife			
V. Fish and Wildlife			
V. Fish and Wildlife State law protects endangered and threatened species. No person may take or	Yes	No	
V. Fish and Wildlife State law protects endangered and threatened species. No person may take or possess such species without a Threatened & Endangered Species Takings	Yes	No	
V. Fish and Wildlife State law protects endangered and threatened species. No person may take or possess such species without a Threatened & Endangered Species Takings permit.	Yes	No	
 V. Fish and Wildlife State law protects endangered and threatened species. No person may take or possess such species without a Threatened & Endangered Species Takings permit. Does your project involve cutting down trees larger than 5 inches in diameter 	Yes	No	
 V. Fish and Wildlife State law protects endangered and threatened species. No person may take or possess such species without a Threatened & Endangered Species Takings permit. Does your project involve cutting down trees larger than 5 inches in diameter in any of the following towns? Addison, Arlington, Benson, Brandon, Bridport, 	Yes	No	
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¹⁴ To view the Wetland Screening Tool introduction video, see https://youtu.be/6lv5en0AB10

2. Is the project site within 1 mile of a mapped 15 Significant Natural Community or Rare, Threatened, or Endangered Species? 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? 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: 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? 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:
(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? 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: 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? 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:
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stumps, brush, untreated wood, concrete, masonry, and mortar) with your project that you intend to bury on site? 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:
that you intend to bury on site? ¹⁶ 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:
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:
to discuss your project and any necessary permitting. Regulatory Point of Contact Name/Position:
Regulatory Point of Contact Name/Position:
Provide below or attach a narrative summary of Table 4 findings. Please include:
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FIUVIUE DEIUW DI ALLACII A HAHALIYE SUHHHAIY DI TADIE 4 HIDUHES. FIEASE HICIADE.
a. Which permits or permit amendment are needed or might be needed?
b. What type might be needed? (e.g. a general or individual permit)?
c. What concerns were voiced by permitting staff?
d. How will the proposed scope of work address these concerns?
d. How will the proposed scope of work address these contents:
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 <u>licensed solid waste hauler</u> and bring the material to a certified facility.

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

Step 5: Conduct Eligibility Criteria #5-8 Screenings

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

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

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

Table 6A. Screening Projects on Agricultural Lan	ds
 Is the proposed project located on a jurisdictional farm operation¹⁷? 	Yes - Proceed to next question below.
Complete a preliminary review to	

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

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

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

2. Is the proposed project an agricultural project?

Examples of agricultural projects include but are not limited to Production Area Practices – (e.g. Waste Storage Facilities, Heavy Use Area, Diversion) Fence, Livestock Exclusion, Filter Strip, Cover Crop, Reduced Tillage, Manure Injection, Rotational Grazing. Please note this is not an exhaustive list of all agricultural practices.

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

No- The natural resource, innovative, or other project type will require an agricultural project review and approval from the Vermont Agency of Agriculture, Food and Markets

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

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

Step 2- Once you complete this Agricultural Project Review, please allow 30 days for a response. Once that response has been received, please include a summary of the response in the next section.

Agricultural Projec	t Review Status & Summary:
Check as	Status
Applicable	
	Submitted/ Pending
	Approved
	Denied

¹⁸ Note CWIP's Agricultural Pollution Prevention project type eligibility is limited to land where owner or operator is 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 <u>Appendix B. Project Types Table</u> are not subject to review by VAAFM.

Please include a summary of the response here:	

Please note that it is expected that all projects with the status "submitted/pending" will be "approved" prior to a project approval for funding.

Operation and Maintenance Agreement	
:Little field gully	SLX
estalled under the following agreement: 2010 EBB EMB 02	_

of _______, 2022 between _______ ("Agreement") is made and entered into this _______ day of ________, 2022 between _________ (hereinafter referred to as the "Responsible Party") and the Department of Environmental Conservation, (hereinafter referred to as the "DEC").

- 1. The Responsible Party agrees to enter a contract (minimum of 10 years from construction) with the Landowner and to keep the signed agreement on file for the length of the contract period.
- 2. The Responsible Party agrees to inspect and maintain the above-mentioned project(s) or practice(s) at regular intervals, according to the attached Operation and Maintenance Plan.
- 3. The Responsible Party agrees to correct any maintenance issues or conduct needed repairs that are observed during inspections, such as the as-needed maintenance and repairs listed in the attached plan.
- 4. The Responsible Party agrees to maintain the practice outlined according to the attached plan for pyears from the date the project installation and/or construction.
- 5. DEC staff may periodically visit the project site to inspect the condition of the installed practice(s). If the project is on private land, the grantee and responsible party will be notified by DEC staff at least 48 hours prior to any site visit. The responsible party agrees to facilitate site access for DEC staff or contractors during State of Vermont Business hours (8:00-4:30).
- 6. If a project or practice is found to be in need of maintenance or in a state of disrepair, DEC will conduct the following steps:
 - a. Notify the Responsible Party of the items that need to be corrected.
 - b. Provide the Responsible Party a reasonable schedule to correct the items in need of maintenance.
 - c. If the items cannot be corrected within the allotted time, require the Responsible Party to establish a schedule to complete the correction
 - d. If no adequate response or correction action has been taken within the allotted time, provide the Responsible Party a written warning that failure to meet all grant conditions could result in the Responsible Party being ineligible for future clean water grants.
- 7. The Responsible Party shall not be able to transfer or modify its responsibilities with respect to this agreement without the DEC's written prior consent.
- 8. Any delays in or failures of performance by a party under this Agreement shall not be considered a breach of this Agreement if caused by occurrences beyond the reasonable control of the party affected, including but not limited to: severe storms, floods or other natural events and sabotage. Any time for performance hereunder shall be extended by the time of delay caused by such occurrence.

Signature of Responsible Party:

Operation and Maintenance Plan

For Littlefield Gully Stabilizalinstalled under the following agreement: 2019-ERP-EMP-02

The purpose of this Operation and Maintenance Plan and Agreement is to ensure that the projects and/or practices supported by the Vermont Department of Environmental Conservation (DEC) continue to function properly throughout their useful lives and contribute to improving water quality conditions of Vermont's waterways.

Responsible Party Name(s):	Randall Oruis	-
Responsible Party Phone:	(802 377 5006	
Responsible Party Email:		
Property Address/description: (or attach site plan)	2744 Water Point Rd, Shor	ehan
Practice Latitude Longitude (center point in		1000
Decimal Degrees):	43 0018 PN, 73.37387°W	
BMP Construction Completion date:	2023 - 2024	
BMP Useful Life End Date (minimum of 10 years	The state of the s	
from construction):		
BMP Type:	Gully Stabilization	
Special Equipment Required, if any: (e.g., Vactor		
truck, anything other than hand tools)		
Frequency of Regular Inspections: (recommend 2-3/yr for Stormwater, 1/yr for Natural Resource Projects)	2-345	
Regular Maintenance and Frequency: If eng	ineer or designer had designed the proj	ect.
engineer or designer shall complete the fol		
mowing, sediment and debris removal, inle	t and/or outlet cleaning, and equipment	
maintenance per manufacturer.		
Maintenance Item	Frequency	
As needed maintenance and repair: (e.g. re	planting, major erosion or damage repai	r):
As needed maintenance and repair: (e.g. re	planting, major erosion or damage repai	r):
As needed maintenance and repair: (e.g. re	planting, major erosion or damage repai	r):
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As needed maintenance and repair: (e.g. re	planting, major erosion or damage repai	r):
As needed maintenance and repair: (e.g. re	planting, major erosion or damage repai	r):

Stefanek, Pam - NRCS-CD, Middlebury, VT

From:

Adam Schulhof <wireddoc@gmail.com>

Sent:

Sunday, October 23, 2022 3:56 PM

To:

Stefanek, Pam - NRCS-CD, Middlebury, VT

Subject:

[External Email]Re: Littlefield Lane Gully Stabilization

[External Email]

If this message comes from an unexpected sender or references a vague/unexpected topic;

Use caution before clicking links or opening attachments.

Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

Yes of course we'd like to move ahead with it. Thanks so much for staying on top of it!

Adam Schulhof DMD www.TheSchulhofCenter.com

On Oct 23, 2022, at 3:51 PM, Stefanek, Pam - NRCS-CD, Middlebury, VT <Pam.Stefanek@vt.nacdnet.net> wrote:

Adam,

Hope you are well. This is going to sound a little redundant but I need an email from you saying you will move ahead on the gully stabilization.

I am writing a grant this is due Monday (tomorrow) for, guess what, an engineering design. Unless you already have one and can send it to me.

I am fairly confident we can find someone who can do this more cost effectively that any previous estimates.

Still working on it.

Pamela

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Natural Resources Atlas

Vermont Agency of Natural Resources

vermont.gov



LEGEND

Contour Line, Intermediate Even Contour Line, Intermediate Odd Contour Line, Index Minor Contour Line, Index Majdr Contours - LiDAR 1ft.

Parcels (standardized) 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

Stream/River

Intermittent Stream

Town Boundary

NOTES

Map created using ANR's Natural Resources Atlas: Littlefield Road, Shoreham, Vermont eroding guily.



