

3-Acre Permit Obtainment Assistance (POA) Program Webinar

February 5, 2024

Welcome

Topic:

3-acre Permit Obtainment Assistance Funding Program

Presenters:



Madeline Russell (she/her)

3-Acre Stormwater Project Developer & Program
Lead



Kevin Burke (he/him)

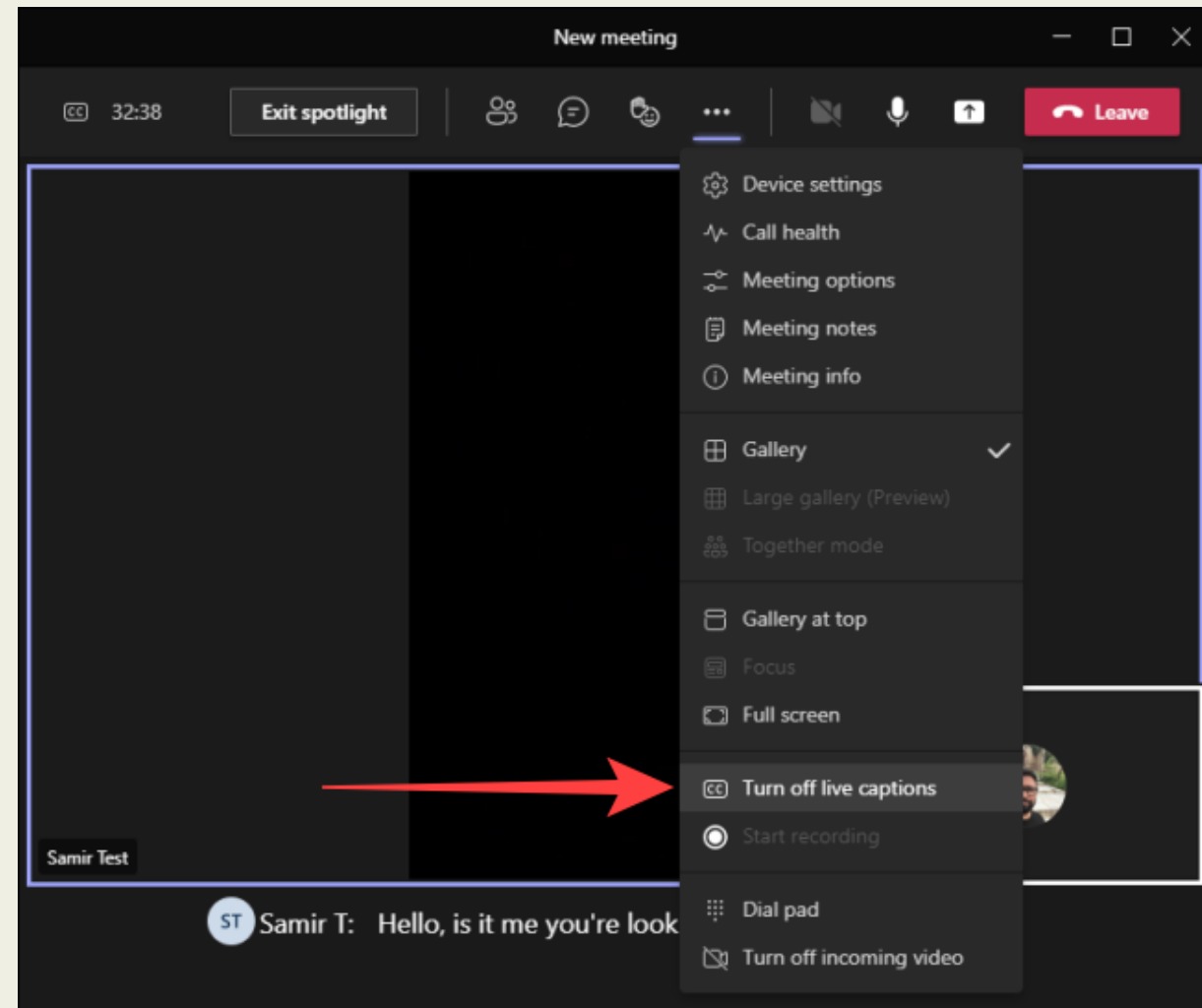
Program Manager, DEC Stormwater Program



Daniel Bouwens (he/him)

3-Acre Permit Obtainment Assistance Program
Technician

- Cameras off please
- Questions in the chat
- Accessibility:
 - Automatic captioning
 - To use live captions in a meeting, go to your meeting controls at the top of the screen and select **More** > **Language and speech** > **Turn on live captions**.
 - To stop using live captions, go to the meeting controls and select **More** > **Language and speech** > **Turn off live captions**.
 - Slides available on our website to follow along
 - Recording of this webinar will be made available



Agenda

- What is Stormwater?
- "3-acre Sites", Act 64 & Stormwater Permitting Rule
- How do I know I am a 3-acre site?
- How Regulation and Funding Work together to Address Stormwater
- What is the POA program?
 - Award Amounts
 - Who is Eligible for Funding?
 - Program Operation
- Application Process
- Commonly Asked Questions
- How to support our affected landowners and businesses
- Key Takeaways, Next Steps, Q&A Session, Resources (Slide 30)

What is Stormwater?

- **Cause:**
 - Precipitation runs off impervious surfaces
- **Impact:**
 - Nutrients including phosphorus, and sediment, metals, petroleum-based hydrocarbons, and related stormwater pollutants
 - Increased runoff volumes over undeveloped conditions
- **Result:**
 - Negatively impacts plants and animals
 - Ability to use waters for recreation and water supply

Why Manage It?

- Best Management Practices (BMPs)
 - Tailored to your site
- Maintain/restore the water quality in downstream waters



Vermont Clean Water Act (Act 64 of 2015) “All-in for Clean Water”

Act 64: ANR to update rule and develop general permit for

- Discharges of stormwater from existing impervious surface of 3+ acres in size
- Previously were unpermitted or permitted prior to 2002

Stormwater Permitting Rule: "3-acre site" Requirements

- Rule and General Permit 3-9050, standards and timeline
- Owners of 3-acre sites, including multi-lot developments subject to prior permit, required to get new stormwater permit coverage no later than 2023
- Stormwater treatment practice construction required no later than 5 years from permit authorization, when new treatment is applicable



How do I know I am a 3-acre site?

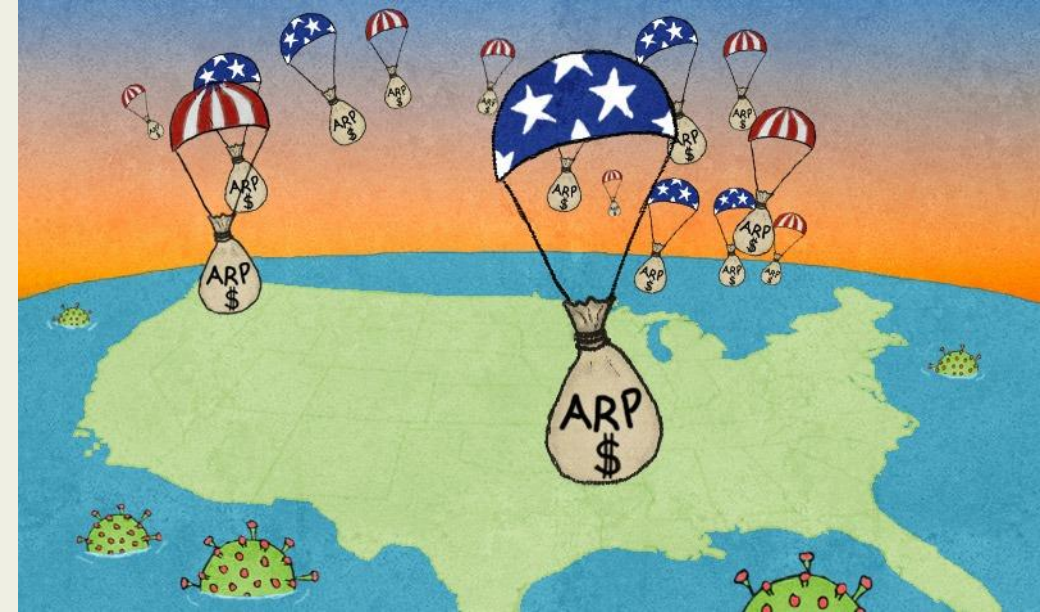
- Site with impervious surface of three or more acres that:
 - has never had an operational stormwater permit, or
 - was permitted to standards in place prior to the 2002 Stormwater Management Manual
- Communication from Watershed Management Division
 - Listed on the 3-acre list or otherwise notified
- Send all questions about regulations to DEC Stormwater Program



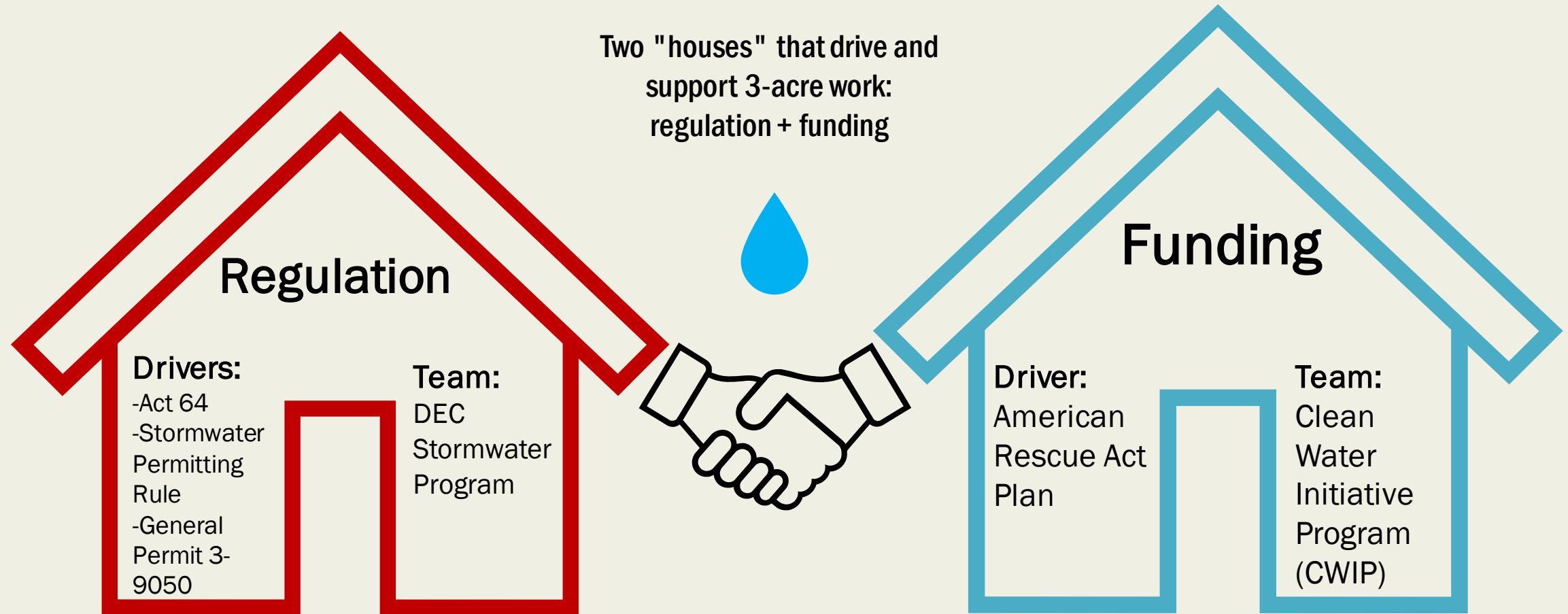
Funding

- American Rescue Plan Act (2021)
 - Vermont General Assembly allocated \$36M towards Three-Acre Site stormwater compliance
 - Includes multiple areas of programming
- Timeline for funds:
 - Money must be encumbered into an agreement by **end of 2024**
 - Money must be spent, and projects completed by **September 2026**
- **\$12.4M** Permit Obtainment Assistance Program

★★★★★★★★★★ The American Rescue Plan Act of 2021



How Regulation and Funding Work together to Address Stormwater



What is the POA Program?

- **Challenge:** 3-acre site permit compliance requires the services of a professional engineer that can be costly
- **Program Overview:** Funding assistance for eligible 3-acre sites pursuing three-acre permit obtainment
- **Structure:** Beneficiary program
- **Flexible Reimbursement Pathways**
 - One-time payment upon project completion
 - OR multiple payments to support cashflow



Award Amounts

- Up to **\$49,999** split across two categories
 - Up to **\$30,000** for engineering expenses
 - Up to **\$19,999** for permit review fees
- Manufactured Housing Communities (MHCs) allowed flexibility in expense categories



Who Is Eligible For Funding?

Eligible sites include: all 3-acre sites located in the Lake Memphremagog, Lake Champlain, and stormwater impaired basins **except:**

- State and federally owned properties
- Manufactured Housing Communities (MHCs) utilizing other 3-acre site programming
- Public schools eligible to participate in the Green Schools Initiative
- Businesses that do not attest they are a "small business enterprise"
- 3-acre sites that have been integrated into a Municipal Separate Storm Sewer System (MS4) permit phosphorus reduction and/or flow restoration target.



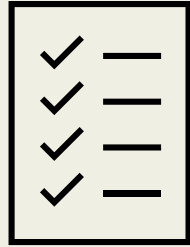
POA Program Operation

- Applicants apply for program through ANR Online
- Receive award letter with award structure details

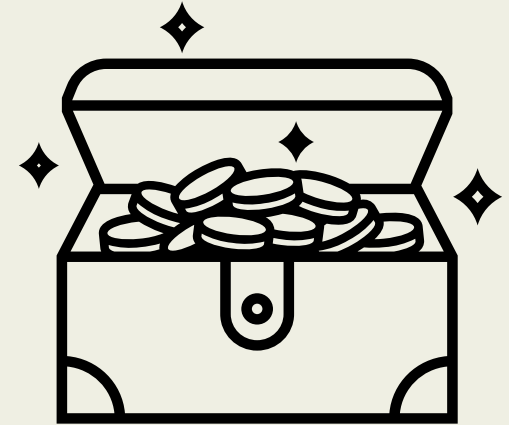
Pathway 1



Award Letter



Permit already authorized –
Submit paperwork for
reimbursement of costs



Final award payout

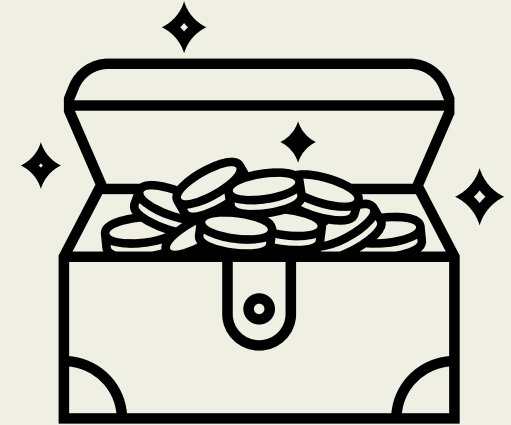
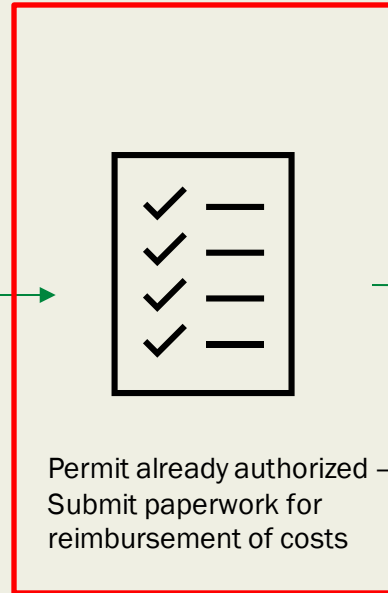
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Pathway 1



Award Letter



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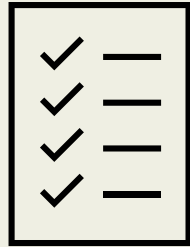
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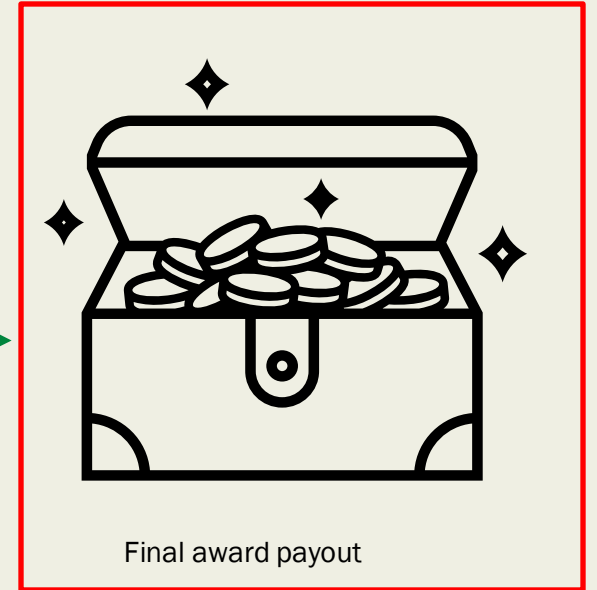
Pathway 1



Award Letter



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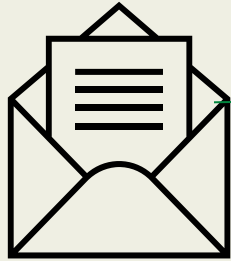


Final award payout

POA Program Operation

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Pathway 2

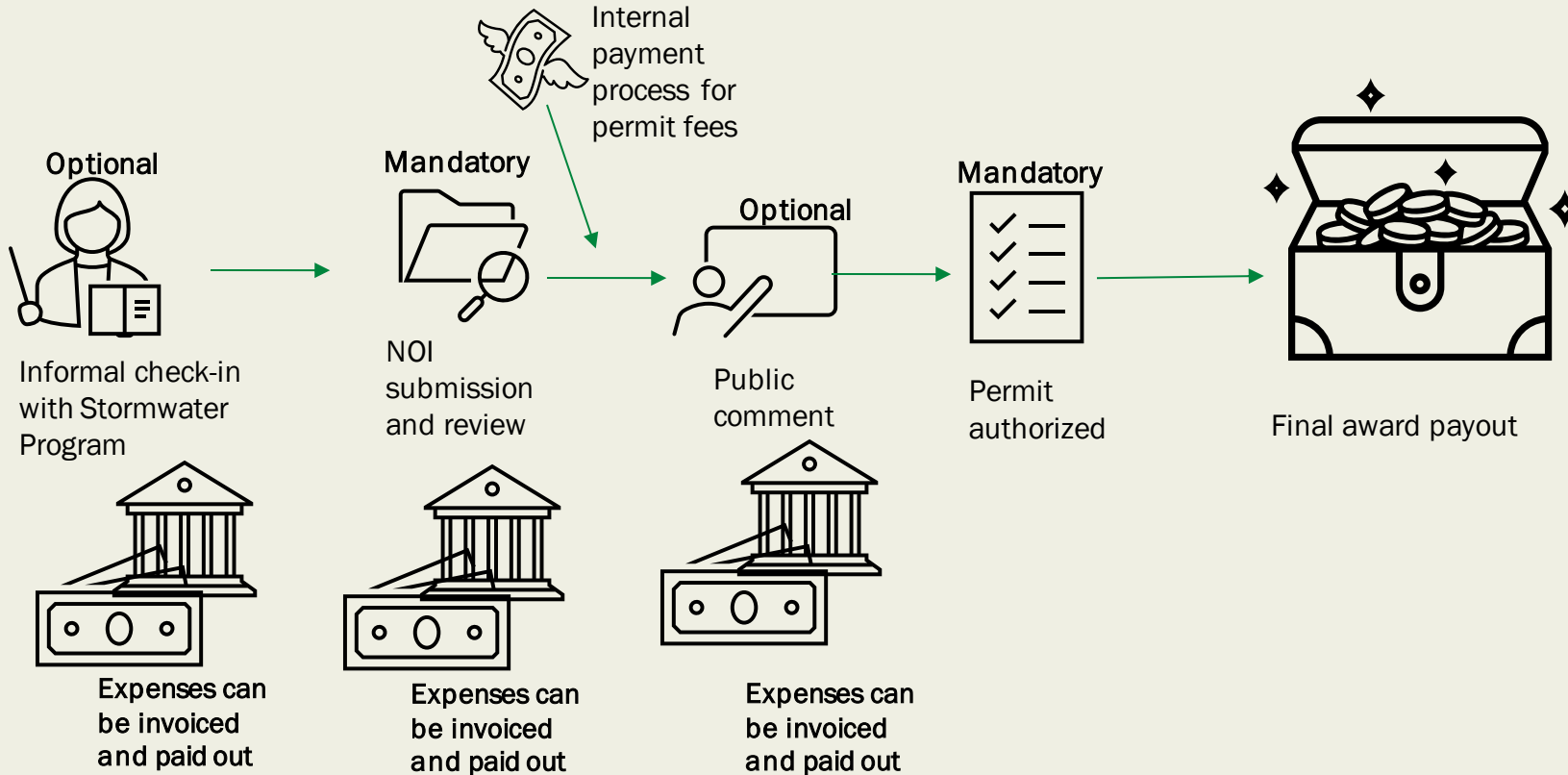


Award Letter



Engineer proceeds with design work

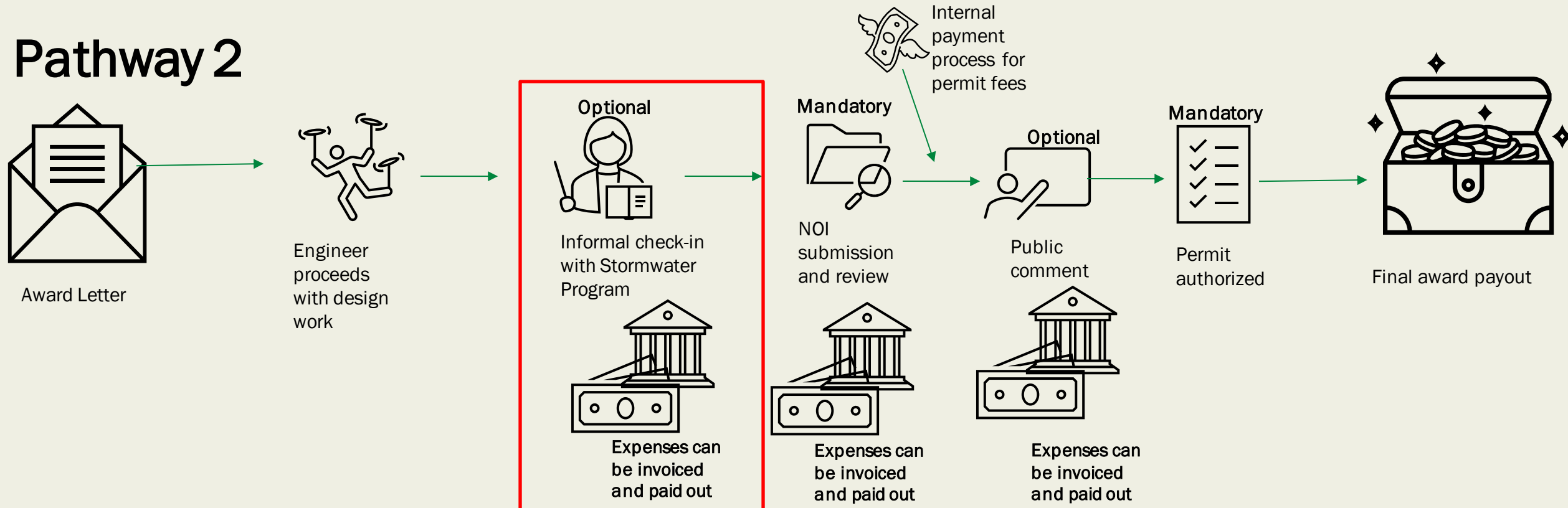
Applicant decides who will be payee



POA Program Operation

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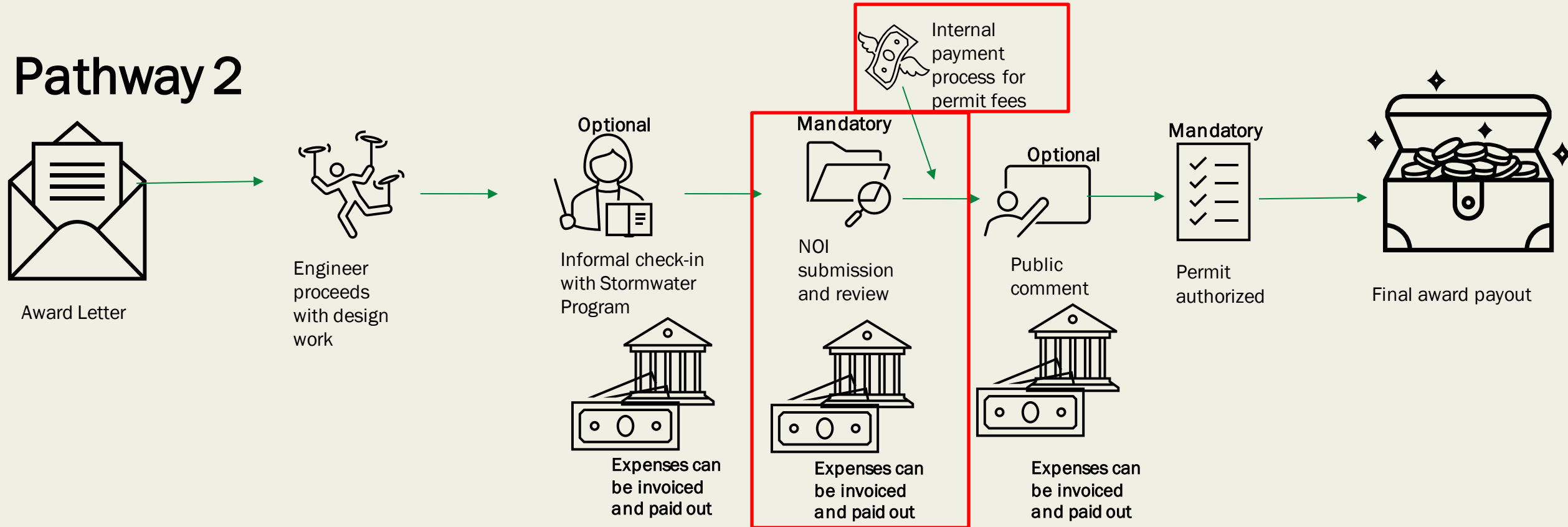
Pathway 2



POA Program Operation

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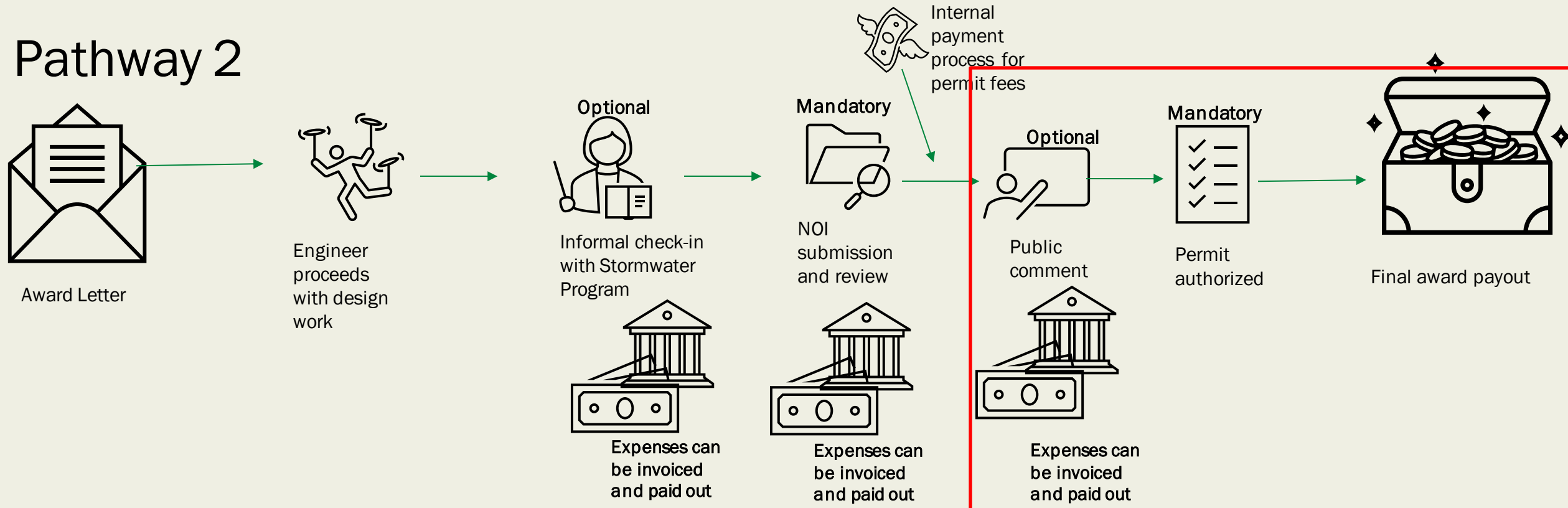
Pathway 2



POA Program Operation

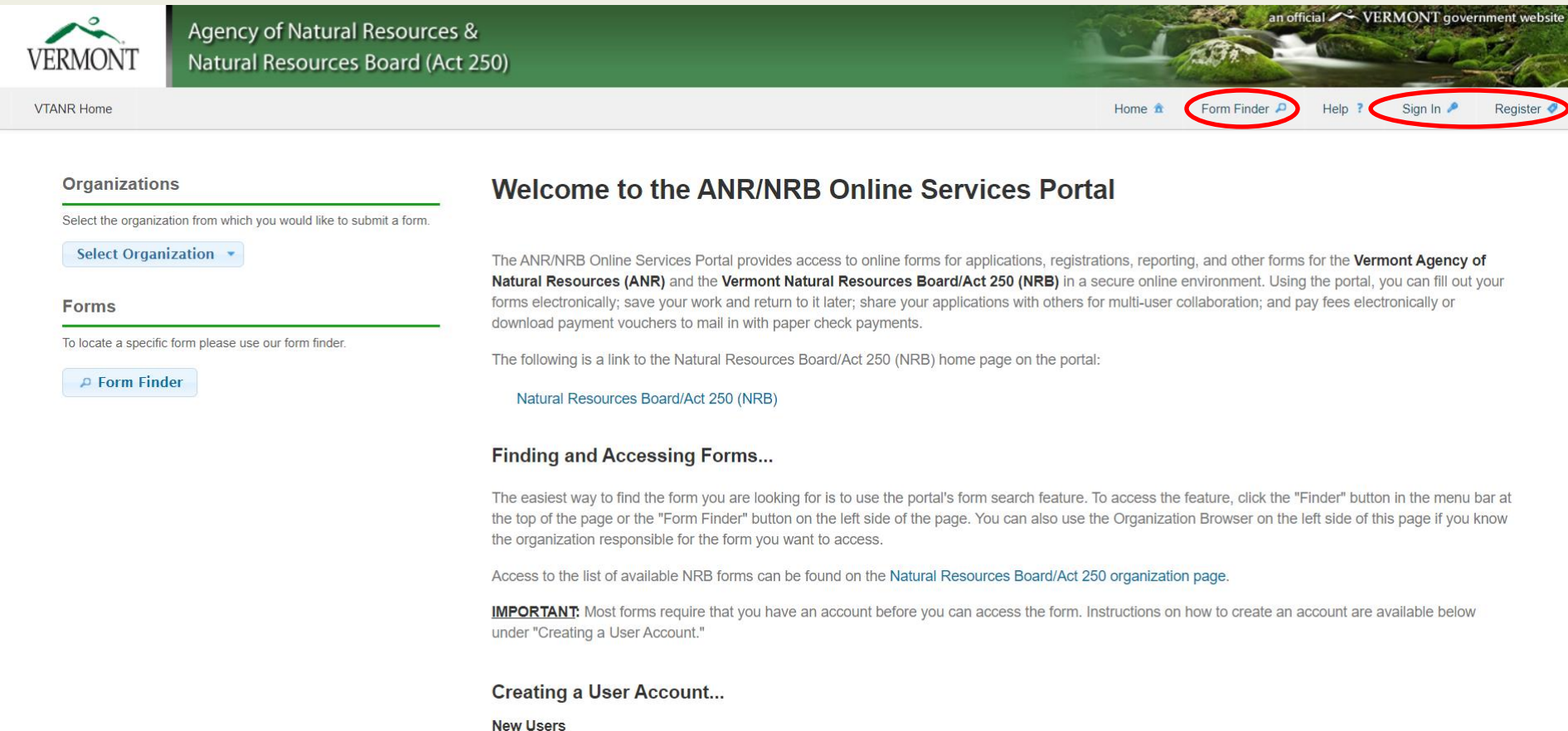
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Pathway 2



How Do I Apply?

- Apply on [ANR Online](#) **By October 31, 2024**
 - Sign-in/register your account
 - In form finder, search "ARPA 3-Acre Permit Assistance Form"
- No option for a paper application



VERMONT

Agency of Natural Resources &
Natural Resources Board (Act 250)

an official VERMONT government website

VTANR Home

Home Form Finder Help Sign In Register

Organizations

Select the organization from which you would like to submit a form.

Select Organization

Forms

To locate a specific form please use our form finder.

Form Finder

Welcome to the ANR/NRB Online Services Portal

The ANR/NRB Online Services Portal provides access to online forms for applications, registrations, reporting, and other forms for the **Vermont Agency of Natural Resources (ANR)** and the **Vermont Natural Resources Board/Act 250 (NRB)** in a secure online environment. Using the portal, you can fill out your forms electronically; save your work and return to it later; share your applications with others for multi-user collaboration; and pay fees electronically or download payment vouchers to mail in with paper check payments.

The following is a link to the Natural Resources Board/Act 250 (NRB) home page on the portal:

[Natural Resources Board/Act 250 \(NRB\)](#)

Finding and Accessing Forms...

The easiest way to find the form you are looking for is to use the portal's form search feature. To access the feature, click the "Finder" button in the menu bar at the top of the page or the "Form Finder" button on the left side of the page. You can also use the Organization Browser on the left side of this page if you know the organization responsible for the form you want to access.

Access to the list of available NRB forms can be found on the [Natural Resources Board/Act 250 organization page](#).

IMPORTANT: Most forms require that you have an account before you can access the form. Instructions on how to create an account are available below under "Creating a User Account."

Creating a User Account...

New Users



How Can Applicants Prepare?

- Ensure reliable internet access
- Authorized signer presence during application
- If you are a small business entity, you must submit a self-certification in [Sam.gov](https://sam.gov)
- Documentation requirements for sites with existing permits
 - Project number
 - Permit number
 - Permit navigator number (optional)
 - # of impervious acres subject to General Permit 9050
 - Understanding of your project status
- Estimated to take 15-30 minutes to complete application

What Will The Application Cover?

- *Qualifying Questions*
- *List of Assurances*
- *Applicant Contact Information*
- *Site/Project Information*
 - *For project name, please use something descriptive (i.e., what you would have on your permit)*
 - Example: If you are applying for a business, the project name should be the name of your business (e.g., Champlain Links).
 - Example: If you are applying for a homeowners' association, the name should be the name of the community (e.g., Maple Park).

We will be posting a walkthrough tutorial going into further detail about filling out the application on the [American Rescue Plan Act \(ARPA\) 3-Acre Funding Programs](#) webpage.

What To Do After submitting?

- Wait for an email including an Award/Denial Letter
- Complete a W-9 upon receipt of Award Letter and email it to ANR.ARP3ACSW@vermont.gov along with a copy of your award letter.
 - W-9 also known as "Request for Taxpayer Identification Number and Certification"
 - For guidance, please refer to [DEC's W-9 Guidance PDF](#)
- W-9 should be filled out by whomever will be receiving the payments (applicant or engineer)
 - If payments are going directly to an engineer, the engineer must fill out the W-9.
 - If the applicant wants to pay the engineer directly, please fill out the [Request for Direct Payment Form](#)

Commonly asked questions

[Click here to access the FAQ document](#)

- **I have questions about whether my site is a 3-acre site or what regulations my site is subject to.**
 - Any questions regarding the regulatory nature of your site and regulatory requirements at your site should be directed to the Vermont Department of Environmental Conservation (DEC) Stormwater Program
- **How do I determine if my site is eligible?**
 - Eligibility determination will be made on a case-by-case basis after the applicant submits an application through ANR Online.
- **Does my site still qualify if my site has received other funding assistance for our 3-acre permitting project?**
 - Yes, they may still qualify for POA funds. However, POA program funds can only be used to cover the remaining balance of the Beneficiary's permit obtainment costs that are not covered by other sources.
- **Does this program fund construction?**
 - No, this program only covers Phase 1 design and permitting costs.

Commonly asked questions cont.

[Click here to access the FAQ document](#)

- **Can the program pay my engineer directly?**
 - Yes, for projects that have not yet submitted a Three-Acre Permit application, beneficiaries can elect to have their engineering invoices paid to their engineer directly by DEC.
- **Do I need to wait until my project is complete to invoice/request payment, or can I invoice/request payment throughout the project?**
 - Your payment structure/invoicing options depend on where your project is in the permit process upon applying to the POA program. If your site is deemed eligible upon application review, the beneficiary will receive an award letter with additional information about award structure and invoicing milestones.
- **Is my business a small business?**
 - Small business requirements vary by industry. Visit Sam.gov and fill out their small business verification form to see whether you qualify.
- **How do I find an engineer?**
 - Engineer selection is the responsibility of the beneficiary. The Stormwater Program can provide a list of Engineering Firms in the Vermont area. Please note this is not an endorsement of any of the listed firms.

How to support our affected landowners and businesses

- Tell everyone about us!
 - Let your networks know 3-acre site funding is available for design work
- Reach out to us for info, resources, or additional informational sessions
- Share this webinar
 - Recording will be made available on website

Key Takeaways

- ✓ Up to \$49,999/site in funding is now available for most 3-acre sites in the Lake Memphremagog, Lake Champlain, and stormwater impaired basins
- ✓ Funding is available for Phase 1 design and permitting costs aka 3-acre sites pursuing three-acre permit authorization
- ✓ You must apply for funding **before October 31, 2024**
- ✓ Begin/continue permit NOI process to ensure you are on track with funding timeline
- ✓ POA program staff are here to answer any questions and guide you through the process

Next Steps

1. Fill out our [optional survey](#)
2. Spread the word!
3. Determine if you are a 3-acre site
4. Starting the permit process and reach out to engineers
5. Determine if you are eligible for the program
6. Apply for funding assistance at ANR Online
7. Reach out to [our team](#) with any questions

Live Q&A Session

- Open the floor for questions
- Please type your question in the chat
- Any further inquiries can be directed to madeline.russell@vermont.gov or (802)-261-5739

Resources + Contacts

- Visit the 3-Acre Funding Program Webpage: <https://anr.vermont.gov/special-topics/arpa-vermont/treating-stormwater-runoff> Webinar recording will be made available here.
- More background on Stormwater General Permit 3-9050: <https://dec.vermont.gov/watershed/stormwater/9050>
- 2020 list of 3-acre sites: <https://dec.vermont.gov/watershed/stormwater/9050/3-acre-properties>
- See [list of Stormwater Engineering Firms](#) to aid in engineer selection
- To access ANR Online (funding application portal): <https://anronline.vermont.gov/>
- To access the 3-acre Permit Assistance Application: <https://anronline.vermont.gov/app/#/formversion/fdf9bc52-5ba3-48a7-9081-00c144e3c06d>
- For questions about funding assistance: please email madeline.russell@vermont.gov
- For questions about 3-acre regulations: Contact the [DEC Stormwater Program contact](#) for your area
- Guide to fill out W-9: <https://anrweb.vt.gov/DEC/IronPIG/DownloadFile.aspx?DID=196742&DVID=0>

Thank you!