

Permit Matrix
Tri-Valley Transit Facility Addition
341 Creek Road, Middlebury, Vermont
Prepared by: VHB
Date: (5-27-2022)

KEY:
● Yes
⊙ Potential
○ Not anticipated
□ No
n/a Not Applicable

	Permit, Review or Approval		Agency
Federal			
U.S. Army Corps of Engineers (USACE)	Clean Water Act (CWA) Section 404 General Permit (GP) or Individual Permit (IP, depending on total impact area)	□	Not required. No impacts are proposed to the Class II wetland to the east.
U.S. Fish and Wildlife Service (USFWS)	Threatened and Endangered Species Takings Permit	□	If tree-clearing is required, it is assumed that it will occur outside of April 15 – October 31 in order to avoid the summer roosting season of northern long-eared bat (<i>Myotis septentrionalis</i>). USFWS consultation under Section 7 of the Endangered Species Act (ESA) will be triggered if a 404 GP is needed and if the Project proposes to cut or clear any trees. Based on a review of the USFWS Information for Planning and Consultation (IPaC) database, there are no other federally listed species known to be present in the project area.
Federal Emergency Management Agency (FEMA)	National Flood Insurance Program (No-Rise Certification)	□	The project site is not located within a Special Flood Hazard Area (SFHA).
Advisory Council on Historic Preservation (ACHP), Vermont Division for Historic Resources (VDHP)	Section 106 of the National Historic Preservation Act	□	VDHP acts as the State Historic Preservation Office administering Section 106. Section 106 is triggered only if federal action/authorization is required. The TVT building is not historic, and the proposed rear addition is not expected to adversely impact any adjacent historic resources.
State of Vermont			
Vermont Natural Resources Board, District #9 Environmental Commission	Act 250 Land Use Permit	□	No Act 250 Land Use Permit was found for the project parcel using online resources. Because parcel size is less than 10 acres, the project should not trigger Act 250 jurisdiction.
Vermont Agency of Transportation	Section 1111 Access Permit	○	Required only if additional generated PM peak hour trips exceed 75 trips. If >75 trips, a traffic study would be required.
Vermont Department of Environmental Conservation (DEC) Wetlands Program	Vermont Wetland Permit (VWP)	□	A Vermont Wetland DEC Permit (Project # 2012-080) was issued for the original facility development for Class II wetland buffer impacts at the east side of the existing facility. No permit is required provided there is no expansion into the Class II wetland or its 50' buffer zone, or if a change of use of the buffer zone is proposed.
VT DEC Stormwater Section	Construction General Permit	○	Coverage under this permit is not expected to be required because the Project will likely result in less than 1 acre of earth disturbance during the
	Operational Phase Individual Stormwater Discharge Permit (GP 3-9050)	○	Not anticipated to be required if no expansion of impervious surface is proposed. The project site currently has coverage under existing DEC stormwater discharge permit 6884-9015. Any expansion of impervious surface or redevelopment of greater than ½ acre of impervious surface will require coverage under VT DEC General Permit 3-9050. Coverage under this permit will require conformance with Chapter 22 of the Environmental Protection Rules and the 2017 Vermont Stormwater Management Manual and Rule.
VT DEC Drinking Water and Groundwater Protection Division	Wastewater System and Potable Water Supply Permit	●	This permit is required for a change in potable water supply or wastewater flows, change in number of employees or use, change in building footprint or property boundary lines, or changes to the water and sewer service lines associated with the project. Existing Permit #WW-9-1403 issued in 2012) provides coverage for the existing facility.
	Water Supply Construction Permit	□	This temporary permit is not expected to be required. This permit is typically triggered by installation or relocation of a fire hydrant or for water main extensions greater than 500-feet in length.
	Underground Injection Control Permit (UIC)	□	No floor drains proposed within the building.
VT DEC Watershed Management Division	CWA Section 401 Water Quality Certification	□	Not anticipated to be required because no wetland impacts are proposed.
VT DEC Rivers Program (River Management Subsection)	Stream Alteration Permit	□	No perennial stream features are present within the project area. No permit is required.
VT DEC Rivers Program (River Corridor and Floodplain Protection Subsection)	Flood Hazard and River Corridor Protection Rule (FHARC)	□	Project site is not within a VT DEC mapped River Corridor. Additionally, a FHARC Permit will not be required for the project because the activities in FEMA-designated SFHA are municipally regulated.
Municipal - Middlebury			
Planning and Zoning	Conditional Use Approval	●	Development is subject to Middlebury, VT Zoning and Subdivision Regulations, effective March 21, 2018 (latest revision). Review is triggered by Bylaw Section 510(I),(D.) for alteration of a building Project Site is located within Village Res/Com (VRC) Zone in which business office and motor vehicle service stations are Conditional Uses. Conditional Use Review via a Development Review Board Hearing Application will be required unless exemption is granted by the administrative officer (Section 540)