

#2020-357 Wetland Classification Report

Monday, June 29, 2020 5:58 PM

Please add this document to your land records for reference

Wetland is Class II: Please be advised that I have confirmed that one or more wetlands on your property has characteristics that make it a Class II significant wetland. Class II significant wetlands and their 50 ft buffers are protected under the Vermont Wetland Rules (VWR). This report outlines the reasons for this decision, and serves as notice that any activity in the wetland or 50ft buffer zone may need a Vermont wetland permit before you start work. If you disagree with this decision you can petition for a formal wetland classification determination of Class III as outlined under the petition section of this report. The following table(s) document the reasons for this decision.

Wetland Name:	A
Wetland Location:	intersected by existing access road. On Richmond/Hinesburg town line on Palmer property
Desktop Review Only?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Site Visit Date:	6/10/2020
People Present:	Tina Heath; Evan Fitzgerald; Donald Palmer; Bradley Stetler
Wetland is Mapped:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Wetland is contiguous to mapped wetland:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Wetland was found to meet the following presumption(s) of significance:	<input type="checkbox"/> Presumptions have not been assessed. Wetland meets classification by other means. <input checked="" type="checkbox"/> §4.6(a) over half an acre in size; <input checked="" type="checkbox"/> §4.6(b) contains woody vegetation and is adjacent to a stream, river, or open body of water; <input checked="" type="checkbox"/> §4.6(c) contains dense, persistent non-woody vegetation and is adjacent to a stream, river, or open body of water; <input type="checkbox"/> §4.6(d) is a vernal pool that provides amphibian breeding habitat; <input type="checkbox"/> §4.6(e) is a headwater wetland; <input type="checkbox"/> §4.6(f) adjacent to impaired waters and the impairment is related to wetland water quality functions; <input type="checkbox"/> §4.6(g) the wetland contains a species that appears in the NNHP database as rare, threatened, endangered or uncommon; or is a natural community type that is rare or uncommon; <input type="checkbox"/> §4.6(h) has been previously designated as a significant wetland.
Presumption Description:	Forested wetland complex over a half acre in size and adjacent to an unnamed Stream.

Sketch Map of general wetland area (not a delineation):

[Mapped wetland in teal, hydric soils in orange, advisory wetlands in green, wetland sketch in light blue, area reviewed in yellow]

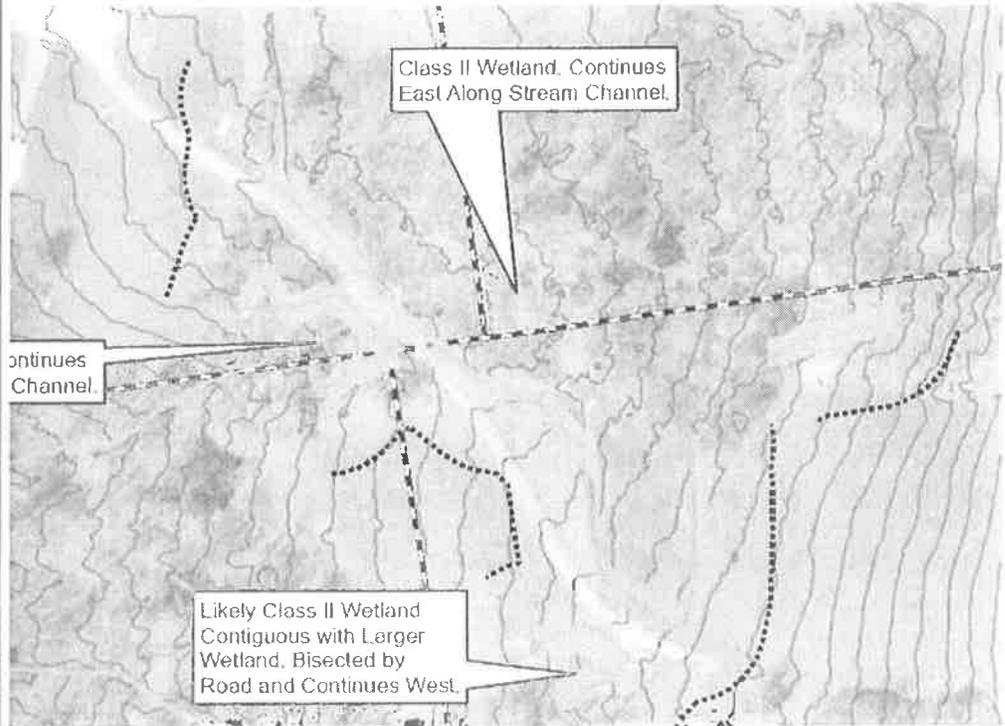


Photo:

Preliminary Classification:

- Class II
 Class III

Class III justification:

Wetland is Class III: Please be advised that I have confirmed that you have one or more Class III wetlands on your property. Class III wetlands are not protected under the Vermont Wetland Rules (VWR). No State Wetland permit is required for activities occurring in Class III wetlands. This report outlines the reasons for this decision. Because wetland character, size, and function can change over time, the Wetlands Program recommends seeking a reevaluation of wetland status every 5 years, to avoid a potential violation of the VWR. If you disagree with this decision you can petition for a formal wetland classification determination of Class II as outlined under the petition section of this report. The following table(s) document the reasons for this decision.

Wetland Name:

B

Wetland Location:

south of existing access road on Palmer property

Desktop Review Only?

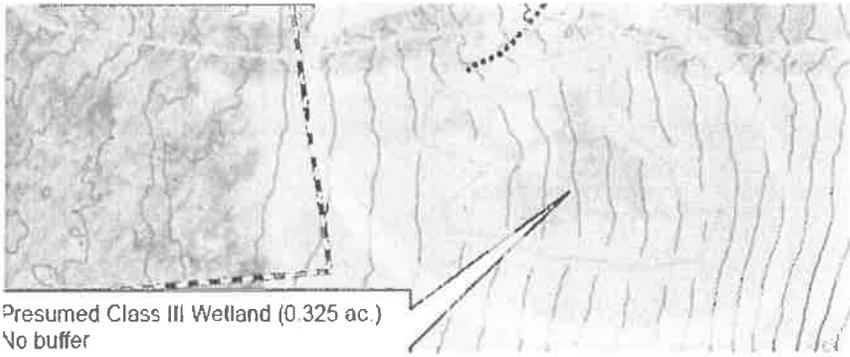
- Yes
 No

Site Visit Date:

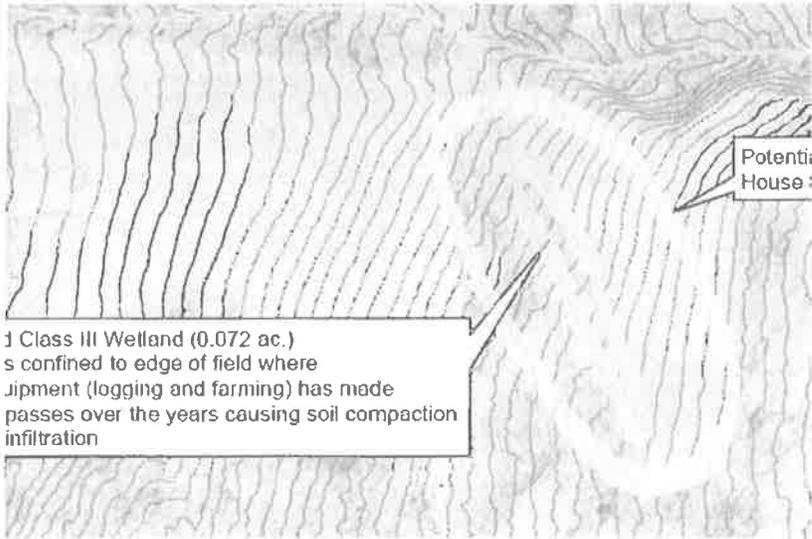
6/10/2020

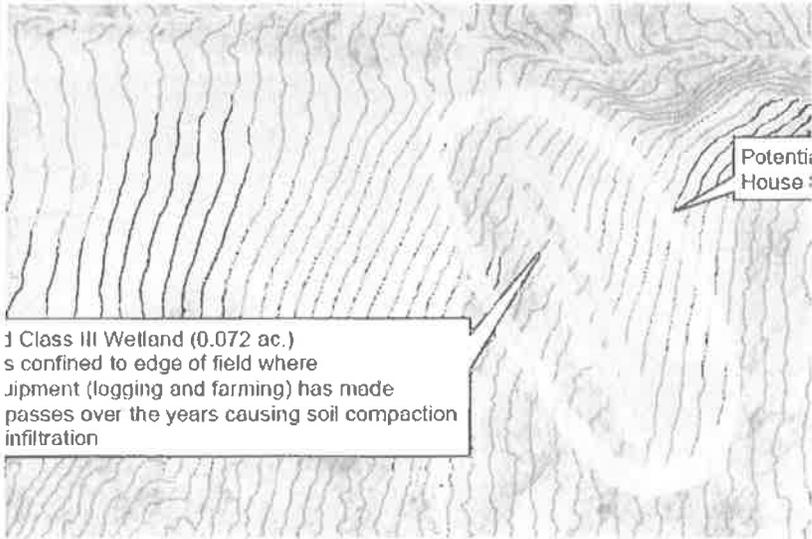
People Present:

Tina Heath; Evan Fitzgerald; Donald Palmer; Bradley Stetler

Wetland is Mapped:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Wetland is contiguous to mapped wetland:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Wetland was found to meet the following presumption(s) of significance:	<input type="checkbox"/> Presumptions have not been assessed. Wetland meets classification by other means. <input type="checkbox"/> §4.6(a) over half an acre in size; <input type="checkbox"/> §4.6(b) contains woody vegetation and is adjacent to a stream, river, or open body of water; <input type="checkbox"/> §4.6(c) contains dense, persistent non-woody vegetation and is adjacent to a stream, river, or open body of water; <input type="checkbox"/> §4.6(d) is a vernal pool that provides amphibian breeding habitat; <input type="checkbox"/> §4.6(e) is a headwater wetland; <input type="checkbox"/> §4.6(f) adjacent to impaired waters and the impairment is related to wetland water quality functions; <input type="checkbox"/> §4.6(g) the wetland contains a species that appears in the NNHP database as rare, threatened, endangered or uncommon; or is a natural community type that is rare or uncommon; <input type="checkbox"/> §4.6(h) has been previously designated as a significant wetland.
Presumption Description:	
Sketch Map of general wetland area (not a delineation):	 <p>Presumed Class III Wetland (0.325 ac.) No buffer</p>
[Mapped wetland in teal, hydric soils in orange, advisory wetlands in green, wetland sketch in light blue, area reviewed in yellow]	
Photo:	
Preliminary Classification:	<input type="checkbox"/> Class II <input checked="" type="checkbox"/> Class III
Class III justification:	Wetland is isolated, managed, and under 0.5 acres.

Wetland is Class III: Please be advised that I have confirmed that you have one or more Class III wetlands on your property. Class III wetlands are not protected under the Vermont Wetland Rules (VWR). No State Wetland permit is required for activities occurring in Class III wetlands. This report outlines the reasons for this decision. Because wetland character, size, and function can change over time, the Wetlands Program recommends seeking a reevaluation of wetland status every 5 years, to avoid a potential violation of the VWR. If you disagree with this decision you can petition for a formal wetland classification determination of Class II as outlined under the petition section of this report. The following table(s) document the reasons for this decision.

Wetland Name:	C
Wetland Location:	southeast of existing access road on Palmer property
Desktop Review Only?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Site Visit Date:	6/10/2020
People Present:	Tina Heath; Evan Fitzgerald; Donald Palmer; Bradley Stetler
Wetland is Mapped:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Wetland is contiguous to mapped wetland:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Wetland was found to meet the following presumption(s) of significance:	<input type="checkbox"/> Presumptions have not been assessed. Wetland meets classification by other means. <input type="checkbox"/> §4.6(a) over half an acre in size; <input type="checkbox"/> §4.6(b) contains woody vegetation and is adjacent to a stream, river, or open body of water; <input type="checkbox"/> §4.6(c) contains dense, persistent non-woody vegetation and is adjacent to a stream, river, or open body of water; <input type="checkbox"/> §4.6(d) is a vernal pool that provides amphibian breeding habitat; <input type="checkbox"/> §4.6(e) is a headwater wetland; <input type="checkbox"/> §4.6(f) adjacent to impaired waters and the impairment is related to wetland water quality functions; <input type="checkbox"/> §4.6(g) the wetland contains a species that appears in the NNHP database as rare, threatened, endangered or uncommon; or is a natural community type that is rare or uncommon; <input type="checkbox"/> §4.6(h) has been previously designated as a significant wetland.
Presumption Description:	
Sketch Map of general wetland area (not a delineation):	
[Mapped wetland in teal, hydric soils in orange, advisory wetlands in green, wetland sketch in light blue, area reviewed in yellow]	
Photo:	Wetland is small, isolated, and appears to have been created by rutting.



Preliminary
Classification:
Class III
justification:

Class II
 Class III

Wetlands Determination Petition Process

If you disagree with this report, you may request a formal determination of wetland classification, pursuant to Section 8 of the VWR. To request a §8 formal determination of wetland classification, please fill out and submit the petition form located on the Vermont Wetlands Program's website "Permit Information" page. Formal determinations are appealable pursuant to 10 V.S.A. § 917.

Pursuant to 10 V.S.A. chapter 220, any appeal of a formal wetland determination decision must be filed with the clerk of the Environmental Division of the Superior Court within 30 days of the date of the decision. The Notice of Appeal must specify the parties taking the appeal and the statutory provision under which each party claims party status; must designate the act or decision appealed from; must name the Environmental Division; and must be signed by the appellant or their attorney.

In addition, the appeal must give the address or location and description of the property, project, or facility with which the appeal is concerned; the name of the permittee; and any permit involved in the appeal. The appellant must also serve a copy of the Notice of Appeal in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings. For further information, see the Vermont Rules for Environmental Court Proceedings, available on line at www.vermontjudiciary.org. The address for the Environmental Division is: 32 Cherry Street, 2nd Floor, Suite 303, Burlington, VT 05401 (Tel. # 802-951-1740).



More Information is Available on the Wetlands Program Website

For more on state wetland permitting and how to apply for a permit visit the [Wetlands Permit Information Page](http://dec.vermont.gov/watershed/wetlands/jurisdictional/permit-info), at <http://dec.vermont.gov/watershed/wetlands/jurisdictional/permit-info>

For more on wetland classifications visit the [Jurisdictional Wetland Page](http://dec.vermont.gov/watershed/wetlands/jurisdictional) at <http://dec.vermont.gov/watershed/wetlands/jurisdictional>

For more about Allowed Uses visit the [Allowed Uses Page](http://dec.vermont.gov/watershed/wetlands/bmps) at <http://dec.vermont.gov/watershed/wetlands/bmps>

For more on wetland classification petitions and forms visit the [Wetlands Permit Information Page](http://dec.vermont.gov/watershed/wetlands/jurisdictional/permit-info), at <http://dec.vermont.gov/watershed/wetlands/jurisdictional/permit-info>

To find a wetland consultant to help with applying for a permit or petitioning see our [Wetland Consultant List Page](http://dec.vermont.gov/watershed/wetlands/what/id/wetland-consultant-list) at <http://dec.vermont.gov/watershed/wetlands/what/id/wetland-consultant-list>

Other Wetland Permit Obligations

In addition, the U.S. Army Corps of Engineers ([Corps](http://www.army.mil)) regulates the discharge of dredged and/or fill material, including mechanized land clearing and grading, in all waters of the United States, including inland rivers, lakes, streams and wetlands. For detailed information on Corps permits and regulations call (802) 872-2893. It is the applicants responsibility to determine if your project also requires an Corps permit. In addition, your town may have local regulations regarding wetland protection. Please call your town clerk to verify any local regulations.

Please add this document to your land records for reference



Natural Resources Atlas

Vermont Agency of Natural Resources

vermont.gov



1: 7,426
October 3, 2020

377.0 188.00 377.0 Meters
1" = 619 Ft. 1cm = 74 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.

LEGEND

- Vernal Pools Confirmed - AEA
- Vernal Pools Unconfirmed - AI
- Wetland Projects
- Wetland - VSWI
 - Class 1 Wetland
 - Class 2 Wetland
 - Buffer
- Parcels (standardized)
- Town Boundary
- County Boundary

NOTES
Map created using ANR's Natural Resources Atlas

