

U.S. ARMY CORPS OF ENGINEERS NEW ENGLAND DISTRICT REGULATORY DIVISION

ANGELA REPELLA
PROJECT MANAGER
REGULATORY DIVISION

DECEMBER 5, 2024



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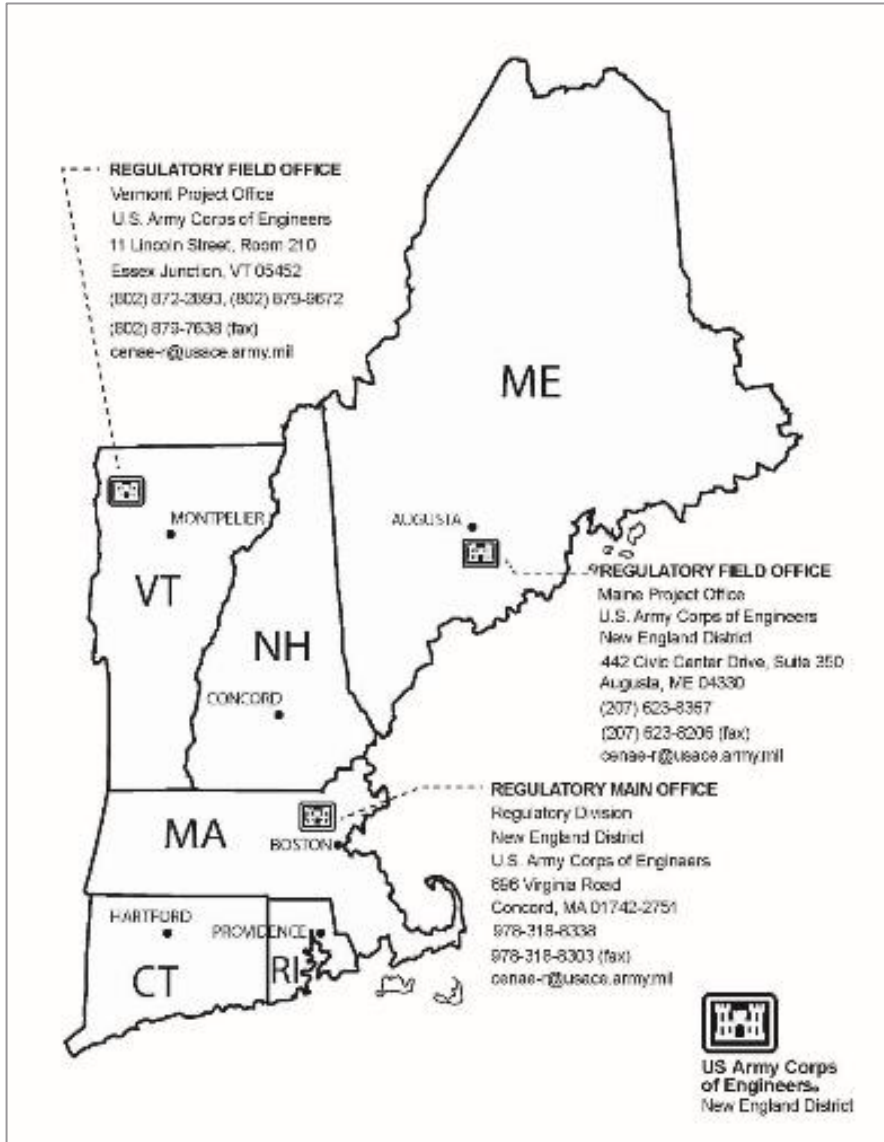
US Army Corps
of Engineers®
New England District



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REGULATORY DIVISION OVERVIEW PROFILE

2



- 6 New England states
- ~64-member interdisciplinary staff: biologists, civil & environmental engineers, planners, physical scientists, administrators

**U.S. Army Corps of Engineers
Vermont Project Office
11 Lincoln Street
Essex Junction, Vermont**

Phone:
802-872-2893

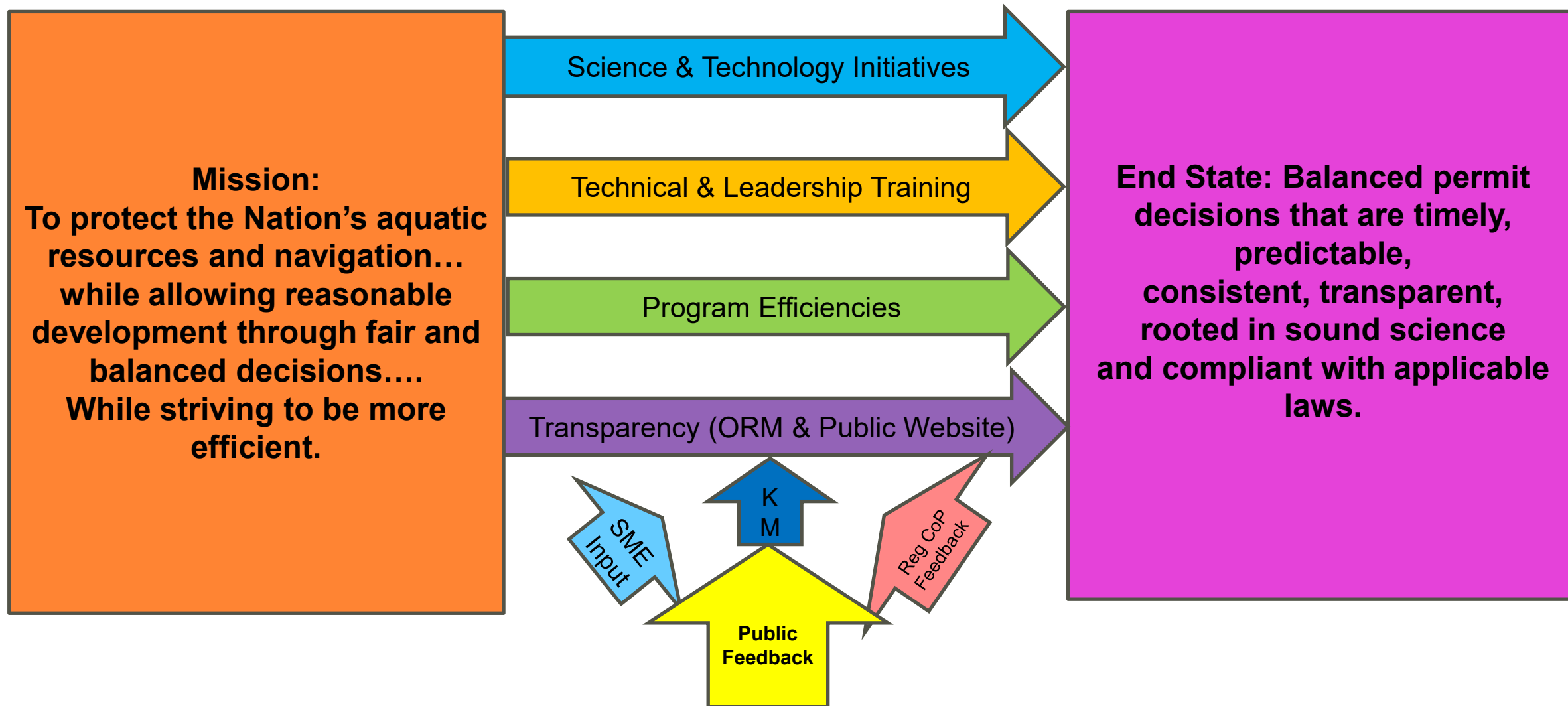
Email:
cenae-r-vt@usace.army.mil



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USACE NATIONAL REGULATORY MISSION

Lines of Effort/Investment in.....



REGULATORY DIVISION PROGRAM AUTHORITIES OVERVIEW



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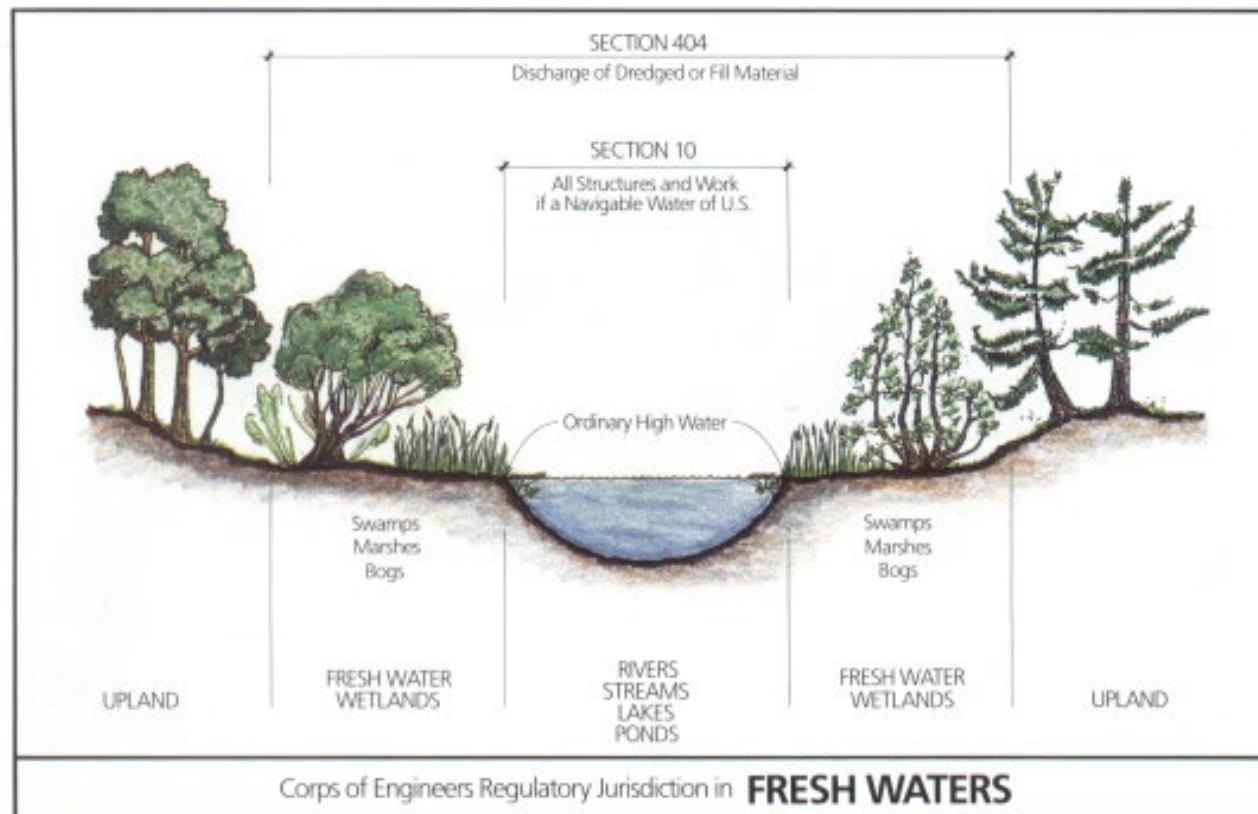


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USACE REGULATORY PROGRAM AUTHORITIES

- Section 10 - Rivers and Harbors Act of 1899 (RHA)
 - Regulate work in, over or under navigable waters of the U.S.
- Section 404 - Clean Water Act of 1972 (CWA)
 - Regulate discharges of dredged & fill material in all waters of the U.S.





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SECTION 10 OF THE RIVERS AND HARBORS ACT

Regulate structures and work that are located in, under or over **navigable waters of the U.S.** that affect the course, location, or capacity of such water; or the excavating from or depositing of material in navigable waters.

Dock in Lake Champlain



Aerial Transmission Line

*Note, in, under, or over



Dredging





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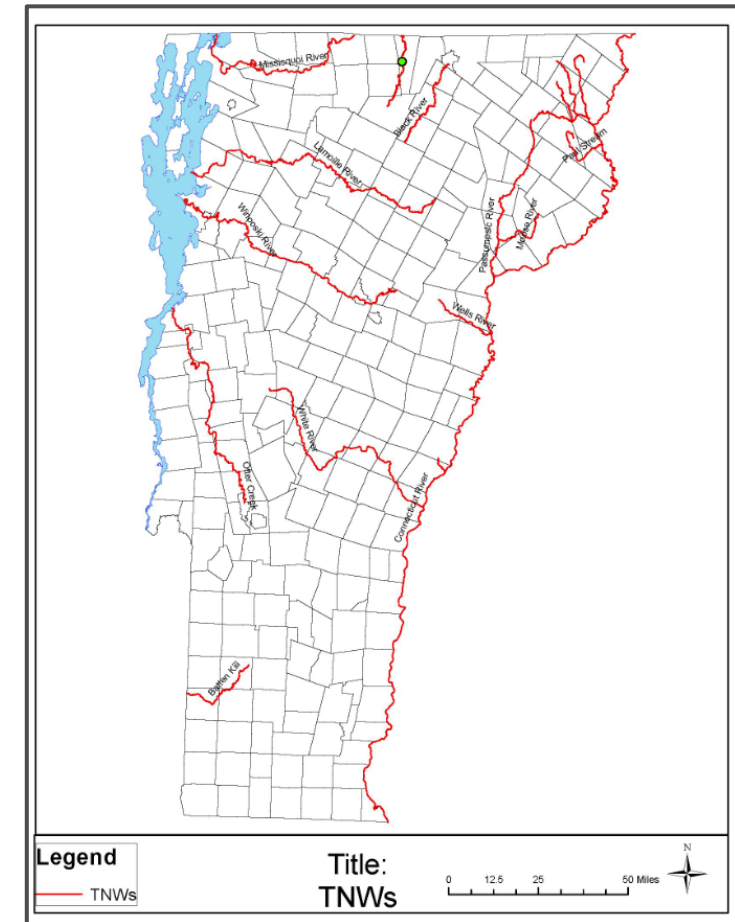


SECTION 10 OF THE RIVERS AND HARBORS ACT

Waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide.

Navigable Waters in Vermont:

- Lake Champlain
- Lake Memphremagog
- Moose River
- Winooski River
- Connecticut River
- Otter Creek
- White River
- Missisquoi River
- Black River
- Wells River
- Lamoille River
- Waits River
- Batten Kill
- Paul Stream
- Passumpsic River
- East Branch Passumpsic River
- Nulhegan River
- East Branch Nulhegan River
- Black Branch Nulhegan River
- Yellow Branch Nulhegan River
- Ompompanoosuc River





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SECTION 404 OF THE CLEAN WATER ACT

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The discharge of **dredged or fill material** into **all** waters of the U.S.

Fill Material =

- 1) Replacing any portion of a WOTUS with dry land or;
- 2) Changing the bottom elevation of any portion of a WOTUS.

Bank Stabilization



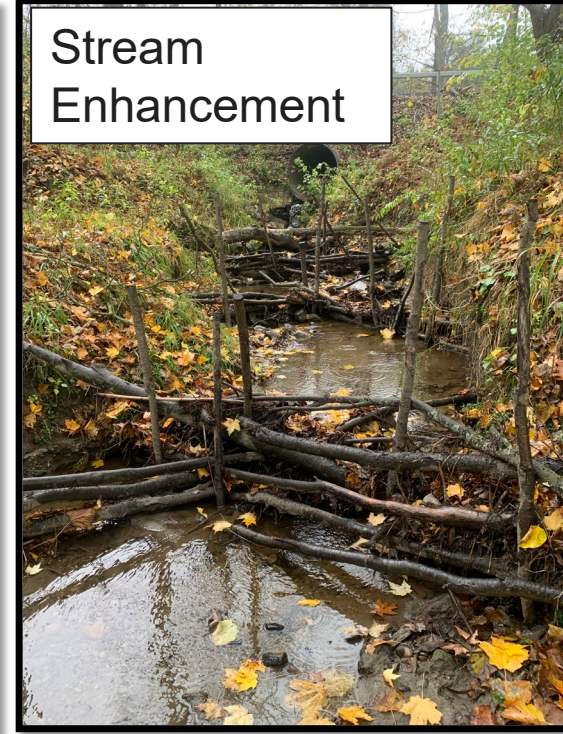
Grade Control



Wetland Crossing



Stream Enhancement





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SECTION 404 OF THE CLEAN WATER ACT

The discharge of **dredged or fill material** into **all** waters of the U.S.

Fill Material =

- 1) Replacing any portion of a WOTUS with dry land or;
- 2) Changing the bottom elevation of any portion of a WOTUS.

Side Casting



- Can be temporary or permanent
- Can include grading of onsite materials

Temporary access road



Cofferdam





GEOGRAPHIC JURISDICTION



Changes that the agencies have made to the January 2023 Rule categories:

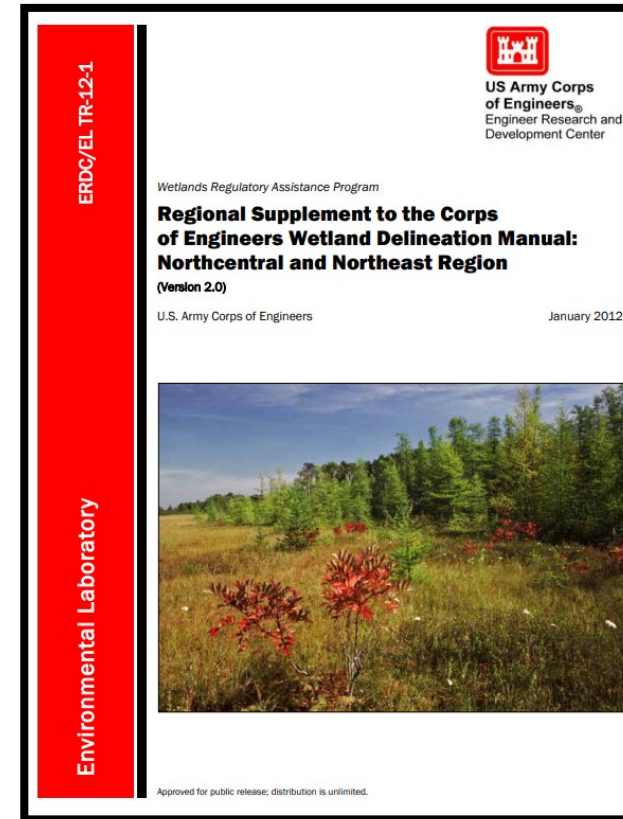
Jurisdictional Category	Key Changes to the January 2023 Rule Regulation Text	Regulatory Text Paragraph
Traditional Navigable Waters	No changes	(a)(1)
Territorial Seas	No changes	(a)(1)
Interstate Waters	Removing interstate wetlands from the text of the interstate waters provision	(a)(1)
Impoundments	No changes	(a)(2)
Tributaries	Removing the significant nexus standard	(a)(3)
Adjacent Wetlands	Removing the significant nexus standard	(a)(4)
Additional Waters	Removing the significant nexus standard; removing wetlands and streams from the text of the provision	(a)(5)



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GEOGRAPHIC JURISDICTION: WETLANDS

- Delineate wetlands using the 1987 Corps Manual and Northcentral and Northeast Regional Supplement
 - Hydrophytic vegetation, hydric soils, hydrology
- Assume jurisdiction, unless an Approved Jurisdictional Determination (AJD) is completed
- Differences in jurisdiction compared to VTDEC Wetlands Program:
 - No Buffer Zone
 - No Classification System (i.e. Class I, II, III)

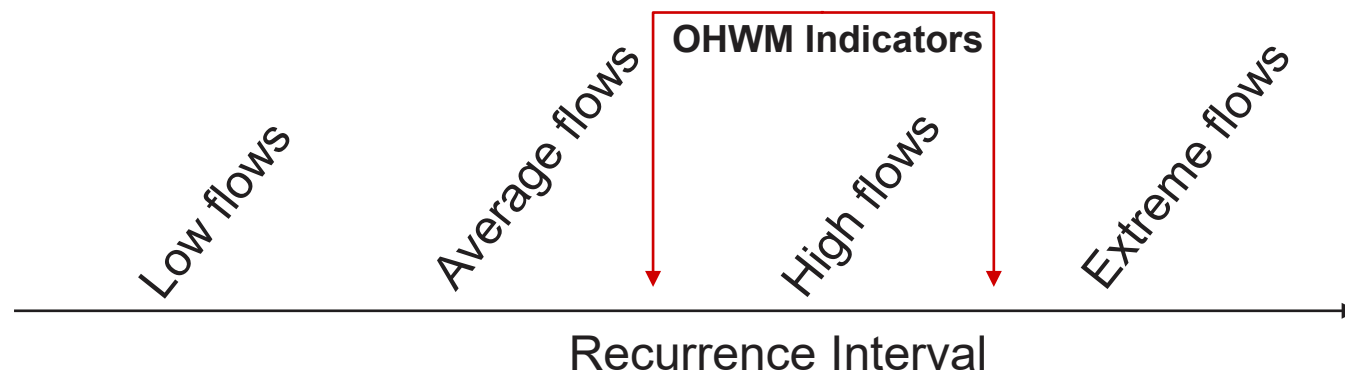




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ORDINARY HIGH WATER MARK

- The concept of “ordinary high water” encompasses water levels that are **above average, but not extreme**, and occur with regularity. **No strict flow regime/definition per regulations.**
- The OHWM is generally represented by the **physical characteristics and indicators** on the landscape (Geomorphic vs Hydrologic approach)
- Indicators of ordinary high water should be **stable over time** and ordinary in nature (i.e. relatively stable, consistently present and readily identifiable over time by different investigators)
- “National Ordinary High Water Mark Field Delineation Manual for Rivers and Streams : Interim Version”
Released December 2022
Includes data sheet



REGULATORY DIVISION VERMONT GENERAL PERMITS



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VT GENERAL PERMITS (GPs)

<https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Vermont-General-Permit/>



General Permit No.: NAE-2022-00024
Applicant: General Public in the State of Vermont

Effective Date: December 6, 2022
Expiration Date: December 6, 2027

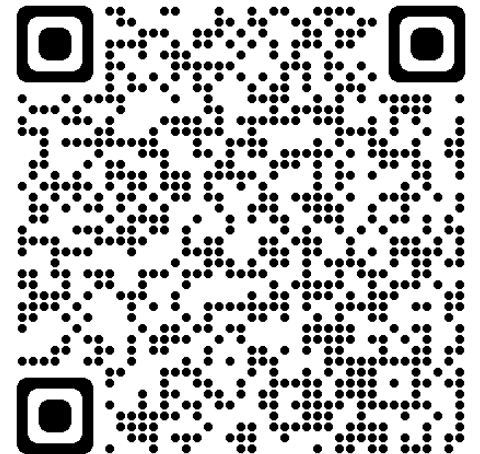
DEPARTMENT OF THE ARMY GENERAL PERMITS FOR THE STATE OF VERMONT

The New England District of the U.S. Army Corps of Engineers (USACE) hereby issues twenty-one (21) regional general permits (GPs) for activities subject to USACE jurisdiction in waters of the United States (WOTUS), including navigable waters, within the boundaries of the state of Vermont. These GPs are issued in accordance with USACE regulations at 33 CFR 320–332 (see 33 CFR 325.2(c)(1)). These GPs will provide protection to the aquatic environment and the public interest while effectively authorizing activities that have no more than minimal individual and cumulative adverse environmental effects.

This document contains the following sections:

	<u>Page</u>
SECTION I. JURISDICTION/AUTHORITY TO ISSUE PERMITS	2
SECTION II. REVIEW CATEGORIES AND APPLICATION PROCEDURES	2-4
SECTION III. GENERAL PERMITS	4-26
SECTION IV. GENERAL CONDITIONS	27-38
SECTION V. CONTACTS	39
SECTION VI. DEFINITIONS	40-44

In issuing these GPs, the Federal Government does not assume any liability for the following: (a) damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes; (b) damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the U.S. in the public interest; (c) damages to persons, property or to other permitted or unpermitted activities or structures caused by the activity authorized by any of the GPs; (d) design or construction deficiencies associated with the permitted work; or (e) damage claims associated with any future modification, suspension or revocation of these permits.





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VT GENERAL PERMITS (GPs)

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21 ACTIVITY-BASED GPs

Vermont General Permits

1. Aids to navigation
2. Repair or maintenance of existing currently serviceable, authorized or grandfathered structures/fills and removal of structures and fills
3. Moorings
4. Pile-supported structures and floats, including boat lifts/hoists and other miscellaneous structures, temporary recreational structures and work
5. Boat ramps and marine railways
6. Utility line activities
7. Dredging, beach nourishment, rock and debris removal and rock relocation
8. U.S. Coast Guard Approved Bridges
9. Shoreline and bank stabilization projects
10. Aquatic habitat restoration, establishment and enhancement activities
11. Fish and wildlife harvesting activities
12. Oil spill and hazardous material cleanup
13. Cleanup of hazardous and toxic waste
14. Scientific measurement devices
15. Survey activities
16. Energy generation and renewable energy generation facilities and hydropower projects
17. New/expanded developments and recreational facilities
18. Linear transportation projects and stream/wetland crossings
19. Mining activities
20. Temporary fill not associated with any other GP activities
21. Agricultural activities



VT GENERAL PERMITS (GPs)



Self-Verification (SV)

- Project proponent confirms that project will comply with all terms and general conditions (GCs) of GPs
- Impact threshold is generally <5,000 square feet (SF) for each GP
- No notification process

Pre-Construction Notification (PCN)

- Requires submittal of project plans
- Impacts $\geq 5,000$ SF but <1 acre
- Submit a pre-construction notification (application)

Individual Permit

- Impacts ≥ 1 acre
- Projects that do not meet the “minimal impact” criteria of the GPs
- Alternatives analysis required
- Submit an application and project plans



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GP # 10

GP Description



GP 10. AQUATIC HABITAT RESTORATION, ESTABLISHMENT AND ENHANCEMENT ACTIVITIES (Sections 10 and 404): Activities in waters of the United States associated with the restoration, enhancement, and establishment of wetlands and riparian areas; the restoration and enhancement of streams and other open waters; the relocation of non-navigable WOTUS, including streams and associated wetlands for reestablishment of a natural stream morphology and reconnection of the floodplain; and the restoration and enhancement of shellfish, finfish and wildlife, provided those activities result in net increases in aquatic resource functions and services.

Not authorized under GP 10: Stream channelization activities.

Self-Verification Eligible	Pre-Construction Notification Required
<ul style="list-style-type: none">1. No fill in Lake Champlain, Lake Memphremagog, Wallace Pond and adjacent wetlands.2. Permanent and temporary impacts are < 5,000 SF in waterways and/or wetlands.3. The activity does not convert a stream to wetland or vice versa, or wetland to a pond or uplands.4. Temporary structures in navigable WOTUS not exceeding 30 days.	<ul style="list-style-type: none">1. Work not eligible for SV.2. Permanent or temporary impacts are:<ul style="list-style-type: none">a. In Lake Champlain, Lake Memphremagog, Wallace Pond, adjacent wetlands; orb. $\geq 5,000$ SF in all other waterways and/or wetlands.3. Permanent structures in navigable WOTUS.4. Sea Lamprey control projects.5. Water impoundments.6. Dam removals.7. Restoration, establishment and/or enhancement activities approved for use by a USACE-approved in-lieu fee program or USACE-approved mitigation bank, with impacts of any size.

SV vs. PCN thresholds





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GP # 18

GP Description



SV vs. PCN thresholds



GP 18. LINEAR TRANSPORTATION PROJECTS AND STREAM/WETLAND CROSSINGS

(Sections 10 & 404): Activities required for the construction, expansion, modification, or improvement of linear transportation projects (e.g., driveways, roads, highways, railways, trails, airport runways, and taxiways), and attendant features. Any stream channel modification is limited to the minimum necessary to construct or protect the linear transportation project; such modifications must be in the immediate vicinity of the project.

Not authorized under GP 18: Permanent and temporary impacts > 5,000 SF in Lake Champlain, Lake Memphremagog, Wallace Pond and adjacent wetlands, and > 1 acre in all other waterways and/or wetlands.

Self-Verification Eligible	Pre-Construction Notification Required
<p>1. < 5,000 SF of permanent and temporary impacts in waterways and/or wetlands other than Lake Champlain, Lake Memphremagog and Wallace Pond and adjacent wetlands.</p> <p>2. Permanent and temporary stream crossings that <u>comply with GC 20.</u></p> <p>3. Existing crossings (e.g., culverts, elliptical or arch pipes, etc.) are not modified by (a) decreasing the diameter of the crossing or (b) changing the friction coefficient, such as through sliplining (retrofitting an existing culvert by inserting a smaller diameter pipe), culvert relining or invert lining.</p>	<p>1. Work not eligible for SV.</p> <p>2. Permanent and temporary impacts are:</p> <p>a. < 5,000 SF in Lake Champlain, Lake Memphremagog, Wallace Pond and adjacent wetlands.</p> <p>b. ≥ 5,000 SF and < 1 acre in waterways and/or wetlands other than Lake Champlain, Lake Memphremagog, Wallace Pond and adjacent wetlands.</p> <p>3. Work involves stream channelization, relocation or loss of streambed including impoundments.</p> <p>NOTE: Time of year for instream work is not limited for PCN authorizations unless specifically required by special conditions.</p>

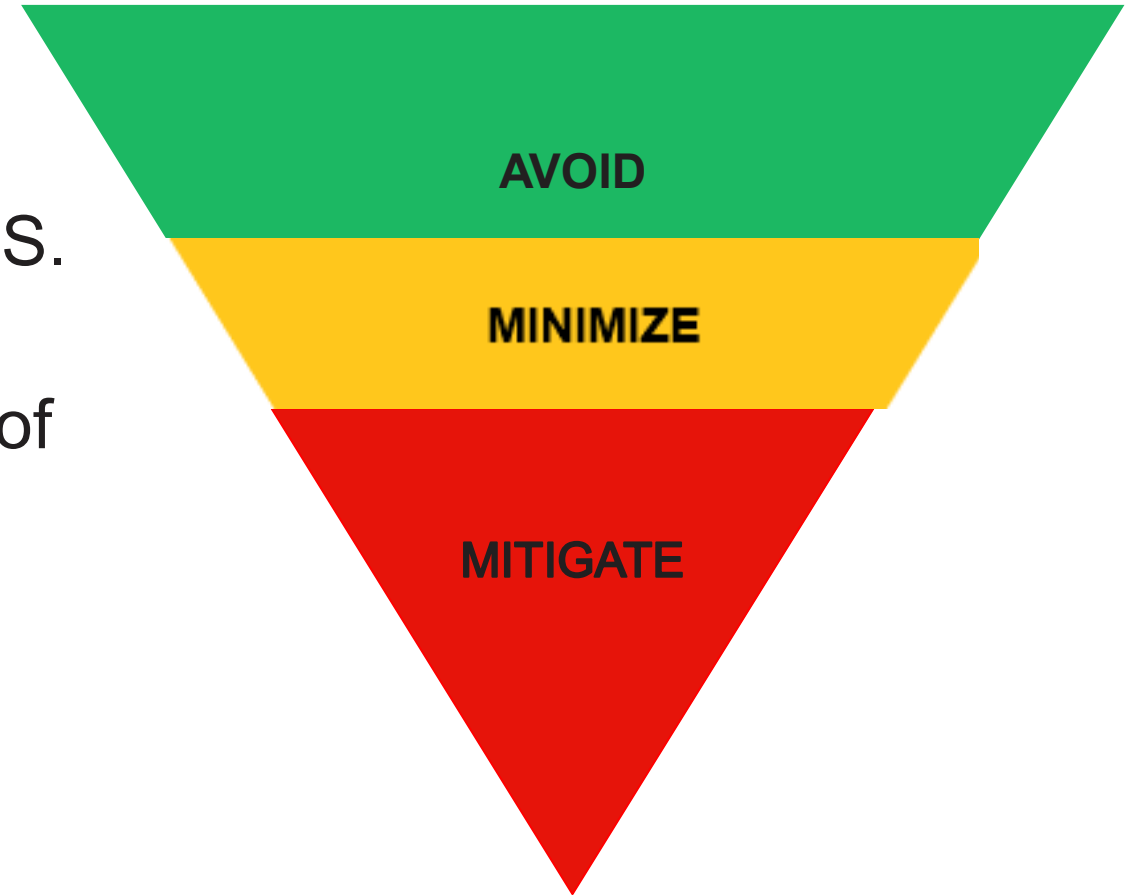
NOTE: Non-linear features commonly associated with transportation projects, such as vehicle maintenance or storage buildings, parking lots, train stations, or aircraft hangars may be authorized by GP 17.

NOTE: Construction mats of any area necessary to conduct activities do not count towards the SV and PCN thresholds and should be removed as soon as work is completed.



GENERAL CONDITION #3: MITIGATION (AVOIDANCE, MINIMIZATION, & COMPENSATORY MITIGATION)

- **AVOID IMPACTS** to waters of the U.S. to the maximum extent practicable
- **MINIMIZE IMPACTS** to waters of the U.S. to the maximum extent practicable
- **MITIGATE** for the unavoidable impacts of the project
 - VT in-lieu-fee





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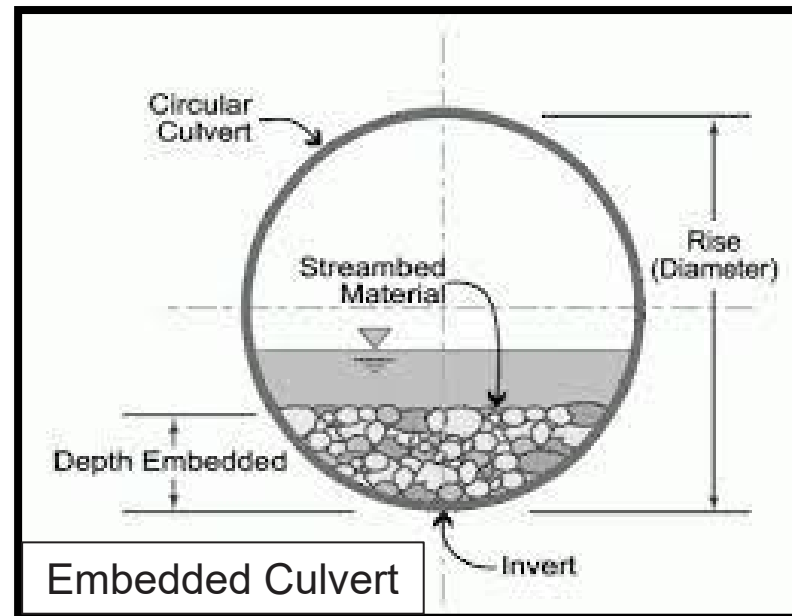
GENERAL CONDITION #20 WATERWAY/ WETLAND WORK AND CROSSING

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All permanent crossings of rivers, streams, brooks, etc. shall meet the following performance standards in order to qualify for **SV** (see GP for entire list):

- Design the structure to maintain a streambed composition and form throughout the culvert similar to and continuous with the adjacent reaches.
- In stream work is completed between **July 1 to October 1**
- Permanent and temporary crossings of waterbodies and wetlands shall be installed in such a manner as to preserve hydraulic and ecological connectivity, on either side of the crossing.





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PCN APPLICATION REQUIREMENTS

- Application form (RRS*)
- Project plans with jurisdictional limits (OHWM / WLs)
- Impacts to aquatic resources quantified and clearly shown on plans
- Wetland delineation datasheets (as applicable)
- Site information / surveys / additionally avail. reports
- Threatened and endangered species information
- Historic Properties information
- Photos are helpful

- USACE requests additional information with a 30-day notice of withdrawal if the application is incomplete.
- Administratively withdrawn files can easily be reopened when complete information is received.

U.S. Army Corps of Engineers (USACE) APPLICATION FOR DEPARTMENT OF THE ARMY PERMIT For use of this form, see 33 CFR 325. The proponent agency is CEOW/CO-R.		Form Approved - OMB No. 0710-0003 Expires: 08-31-2023
The public reporting burden for this collection of information, OMB Control Number 0710-0003, is estimated to average 11 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Project Management (0710-0003), Washington, DC 20503.		
PRIVACY ACT STATEMENT		
Authorities: Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers: Final Rule 33 CFR 320-332. Principal Purpose: Information provided on this form will be used in evaluating the application for a permit. Routine Use: This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public and may be made available as part of a public notice as required by Federal law. Submission of requested information is voluntary, however, if information is not provided the permit application cannot be evaluated nor can a permit be issued. One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and/or instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned. System of Record Notice (SORN): The information received is entered into our permit tracking database and a SORN has been completed (SORN #A11456) and may be accessed at the following website: http://oigds.defense.gov/Privacy/SORN/index.cfm?data=SORN_Article_View/Article/ST0115911456-usa		
(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)		
1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED
4. DATE APPLICATION COMPLETE		
(ITEMS BELOW TO BE FILLED BY APPLICANT)		
5. APPLICANT'S NAME First - Middle - Last - Company - E-mail Address -		6. AUTHORIZED AGENT'S NAME AND TITLE (agent is not required) First - Middle - Last - Company - E-mail Address -
7. APPLICANT'S ADDRESS: Address - City - State - Zip - Country -		8. AGENT'S ADDRESS: Address - City - State - Zip - Country -
7. APPLICANT'S PHONE NOS. w/AREA CODE a. Residence b. Business c. Fax		10. AGENT'S PHONE NOS. w/AREA CODE a. Residence b. Business c. Fax
11. I hereby authorize, to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.		
SIGNATURE NAME, LOCATION, ADDRESS		
12. PROJECT NAME OR TITLE (see instructions)		
13. NAME OF WATERBODY, IF KNOWN (if applicable)		
15. LOCATION OF PROJECT Latitude -N Longitude -W		
16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (see instructions) State Tax Parcel ID Municipality Section - Township -		
ENG FORM 4345, SEP 2022		

Regulatory Request System

RRS beta REGULATORY REQUEST SYSTEM

Click anywhere on this image to visit the Regulatory Request System (RRS).

rrs.usace.army.mil





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REGULATORY REQUEST SYSTEM (RRS)

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Welcome to the Regulatory Request System

Apply Online • Learn about the Regulatory Program • **Track Request Status**

Get Started >>>



Regulatory Program Information

Learn the basics about the Regulatory Program, including recent announcements.



Jurisdiction

Does the property in question contain wetlands/waters? If so does the Corps have jurisdiction?



Permitting

Do you need a permit? Need to schedule a pre-application meeting?



Mitigation

Discover how we help avoid and minimize impacts to aquatic resources.



Report Violations

Submit a report of unauthorized activity or permit non-compliance.



RRS Support

Get general system support, district contact information, submit feedback, and login.gov help.



Public Notices

UNDER CONSTRUCTION

Visit the HQ Regulatory website to find your district and get local public notices.



Apply for a Permit

UNDER CONSTRUCTION

If you're ready to apply for a permit, click here to login.



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VT GENERAL PERMITS (GPs)

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Considerations for Bridges/Culverts and Dam Removals:

- Delineate waterways and wetlands. How will they be impacted?
 - Avoid, minimize impacts...
- How will the site be accessed?
- Quantify and qualify impounded sediments.
 - How will sediments be managed?
 - Include justifications for passive sediment mobilization.
 - If excavated, where will sediments be disposed? (not in WOTUS)
- Anticipate channel adjustments. Will grade controls be installed?
 - Consideration of headcuts and other tributaries
- Are utilities located nearby? Dry hydrants, water and sewer lines, etc.
- Anticipate construction sequence, dewatering plan, E&S plans
 - Phased dam removal approach?
- Hydraulic analysis for new structures (bridges, culverts)





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VT GENERAL PERMITS (GPs)

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Considerations for Bridges/Culverts and Dam Removals cont'd

OTHER FED. LAWS:

- Is the structure historic? Are proposed access/staging/disposal areas archaeologically sensitive? (Section 106 NHPA)
- Will the work involve impacts to T&E species? (Section 7 ESA)



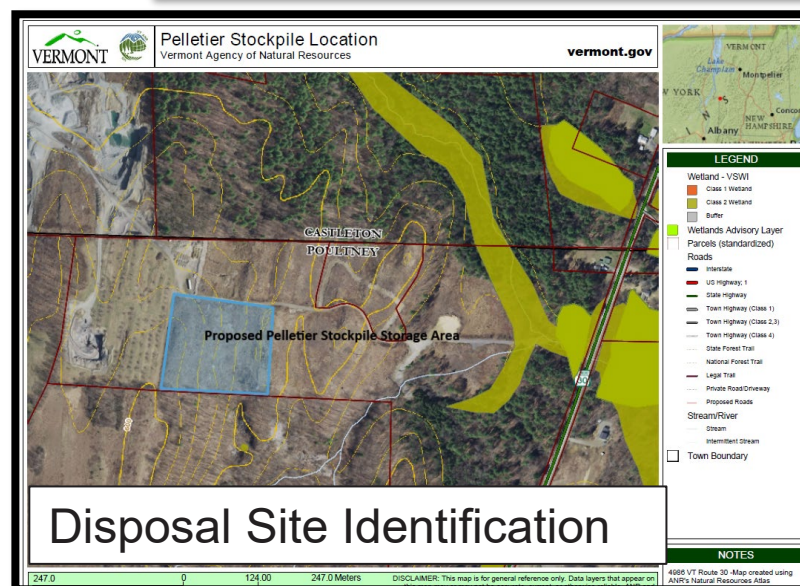
Historic Bridge



Tree Removal

DURING AND POST CONSTRUCTION:

- Daily/weekly construction reports
- As-built plans
- Post-construction monitoring





“Any deviation from the terms and conditions of the permit, or your submitted plans, may subject the permittee to the enforcement provisions of our regulations. Therefore, in the event changes to this project are contemplated, it is recommended you coordinate with this office prior to proceeding with the work. This office must approve any changes before you undertake them. You must perform this work in compliance with the terms and conditions of the GPs ...”

- Change in access, staging or disposal areas
- Altering location/number of grade controls
- Additional stabilization needed
- Change in dewatering plan, temporary fill
- Any change in proposed fill areas within WOTUS



REGULATORY DIVISION RELATED LAWS & REGULATIONS



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USACE REGULATORY PROGRAM RELATED LAWS & REGULATIONS

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- National Environmental Policy Act (NEPA)
- Wild and Scenic Rivers Act
 - Trout River and portions of the Missisquoi River (VT)
 - General Condition #10 of the GPs
- National Historic Preservation Act (NHPA)*
- Endangered Species Act (ESA)*





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PROJECT EFFECTS ON HISTORIC PROPERTIES

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Section 106 of the National Historic Preservation Act of 1966 (NHPA)

USACE must comply with S106 of the NHPA prior to permitting any activity. USACE must consider the undertaking on properties listed on or eligible for listing in the National Register of Historic Places (NRHP).

If a federal or federally-assisted project has the potential to affect historic properties, then a Section 106 consultation must take place. USACE may utilize the lead federal agency's consultation.

The consultations give the Advisory Council on Historic Preservation (ACHP), interested parties and the public a chance to consult on the project before a final decision is made.



PROTECTING HISTORIC PROPERTIES

The Section 106 process ensures that historic preservation is considered in federal project planning.



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PROJECT EFFECTS ON HISTORIC PROPERTIES

Section 106 Summary

As part of the S106 requirements, USACE performs the following actions:

- Determine the federal “undertaking”
- Determine “permit area” = Areas comprising WOTUS being directly affected, and uplands directly affected by the authorized work
- Analyze effects to historic properties within the permit area and known historic properties outside the permit area
- Initiate consultation with the State Historic Preservation Office (**SHPO**), Tribal Historic Preservation Office (**THPO**), and other consulting parties if listed/eligible historic properties may be affected
- Determine whether the undertaking will have “No effect (No Historic Properties Present/Affected),” “No adverse effect” or an “Adverse effect” on the property

The Section 106 process is an important tool to protect and maintain historic properties in the project communities.



Federally Recognized Tribes
with interests in Vermont

Stockbridge Munsee Tribe:
Addison, Bennington, Rutland Counties



**Wampanoag Tribe of Gay Head
(Aquinnah):**
All other counties in Vermont



Narragansett Indian Tribe:
All Counties





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PROJECT EFFECTS ON HISTORIC PROPERTIES

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An **Adverse Effect**... now what?

- Memorandum of Agreement executed
 - Outlines stipulations / mitigation requirements
 - Signed by all parties



Historic Resource Documentation Package



Avoid/protect sensitive areas



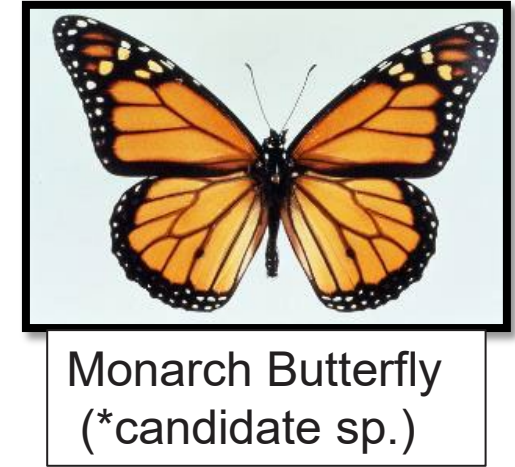
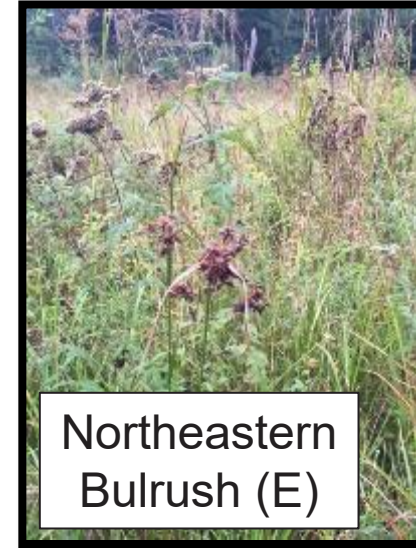
Interpretive panel



Dam remnants left in place

GENERAL CONDITION #12

SEC. 7 OF THE ENDANGERED SPECIES ACT (ESA)





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USFWS ESA CONSULTATION

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- USFWS maintains a website called **IPaC**, which includes determination keys (dkeys) used to conduct programmatic consultations (<https://ipac.ecosphere.fws.gov>)
- The Northeast Endangered Species Dkey covers ~55 listed species
- The Dkey provides outcomes of: “no effect,” “may affect, not likely to adversely affect” (NLAA), or “**may affect**” (further consultation or coordination with USFWS is necessary for “may affect”)





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USACE DESIGNATION OF NON-FEDERAL REPRESENTATIVE FOR NORTHERN LONG-EARED BAT (NLEB)

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- 11/29/22: USFWS elevated NLEB status to endangered.
- Currently used internally at USACE but evaluating an expansion to allow applicants to use the **NLEB and Tricolored Rangewide Dkey** and submit the results to USACE.
- Provided no other federally listed species besides the NLEB are present, a determination of “no effect” or “not likely to adversely affect” is reached, you meet all stated requirements, and your project qualifies as self-verification under the GPs, then a PCN is not required.



USFWS



USFWS



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USFWS IPAC

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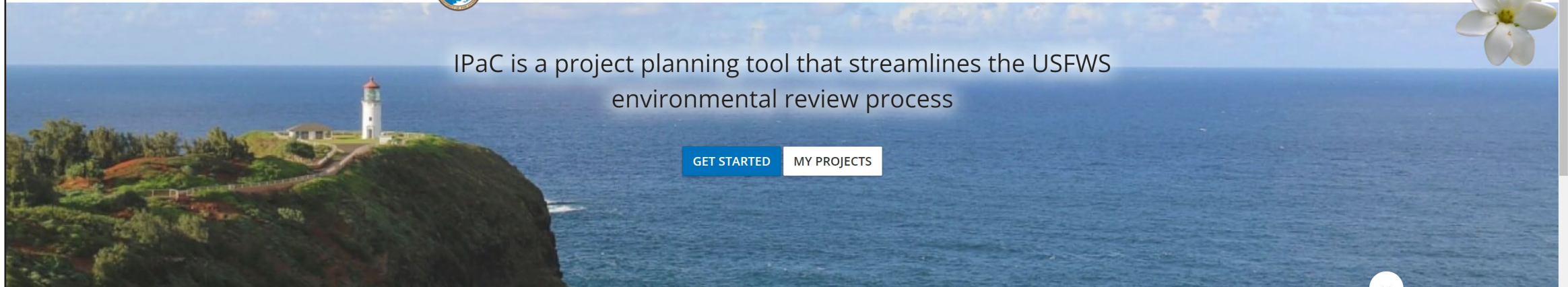


U.S. Fish & Wildlife Service

IPaC Information for Planning and Consultation

KEITH GOULET ▾

Last login January 24, 2024 12:43 PM



IPaC is a project planning tool that streamlines the USFWS environmental review process

GET STARTED

MY PROJECTS

Integrate the environmental review process into your project design

Quickly and easily identify USFWS managed resources and suggested conservation measures for your project.

Explore species and habitat

See if any listed species, critical habitat, migratory birds or other natural resources may be impacted by your project.

Using the map tool, explore other resources in your location, such as wetlands, wildlife refuges, GAP land cover, and other important biological resources.

Conduct a regulatory review

Log in and define a project to get an official species list and evaluate potential impacts on resources managed by the U.S. Fish and Wildlife Service.

Follow IPaC's Endangered Species Act (ESA) Review process—a streamlined, step-by-step consultation process available in select areas for certain project types, agencies, and species.

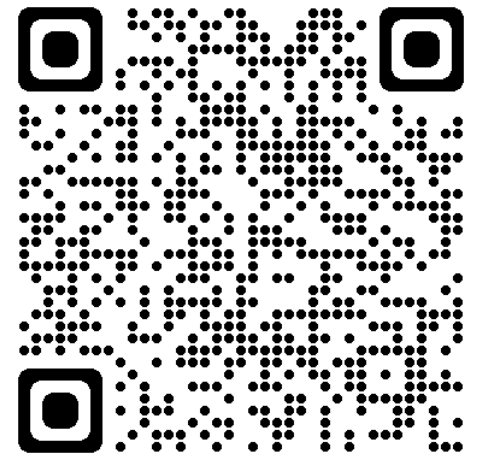
Build a Consultation Package

Consultation Package Builder (CPB) replaces and improves on the original Impact Analysis by providing an interactive, step-by-step process to help you prepare a full consultation package leveraging U.S. Fish and Wildlife Service data and recommendations, including conservation measures designed to help you avoid or minimize effects to listed species.

CPB will continue to be improved over time.

<https://ipac.ecosphere.fws.gov>

Helpful Videos





U.S. ARMY

USFWS IPAC

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IPaC Information for Planning and Consultation

MY PROJECTS

U.S. Fish & Wildlife Service


KEITH GOULET

1 Find location

2 Define area

Draw the area where activities will occur


Select a drawing tool

 SKETCH

 POLYGON

 LINE

Other options:

 [UPLOAD SHAPE FILE](#)

[SELECT BY STATE OR COUNTY](#)

 Layers

 ADD





U.S. ARMY

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IPaC Information for Planning and Consultation
MY PROJECTS

U.S. Fish & Wildlife Service
KEITH GOULET ▾

Explore location

LOCAL OFFICE NEW ENGLAND ESFO ▾



LOCATION
Middlesex County,
Connecticut
CHANGE LOCATION

Resources

ENDANGERED SPECIES	2
BALD & GOLDEN EAGLES	1
MIGRATORY BIRDS	11
FACILITIES	
WETLANDS	✓
PRINT RESOURCE LIST	

What's next?

Define a project at this location to evaluate potential impacts, get an official species list, and make species determinations.

DEFINE PROJECT

Endangered species

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

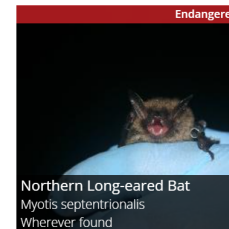
Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

Additional information on endangered species data is provided [below](#).

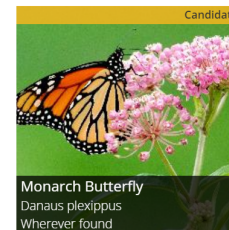
The following species are potentially affected by activities in this location:

THUMBNAILS LIST

Mammals



Insects



Critical habitats



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Qualification interview

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of the northern long-eared bat or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

☒ No

2. Does any component of the action involve construction or operation of wind turbines?

Note: For federal actions, answer 'yes' if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

☒ No

3. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

☒ Yes

4. Is the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), or Federal Transit Administration (FTA) funding or authorizing the proposed action, in whole or in part?

☒ No

5. Are you an employee of the federal action agency or have you been officially designated in writing by the agency as its designated non-federal representative for the purposes of Endangered Species Act Section 7 informal consultation per 50 CFR § 402.08?

Note: This key may be used for federal actions and for non-federal actions to facilitate section 7 consultation and to help determine whether an incidental take permit may be needed, respectively. This question is for information purposes only.

☒ Yes

6. Is the lead federal action agency the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC)? Is the Environmental Protection Agency (EPA) or Federal Communications Commission (FCC) funding or authorizing the proposed action, in whole or in part?

☒ No

7. Is the lead federal action agency the Federal Energy Regulatory Commission (FERC)?

☒ No

8. Have you determined that your proposed action will have no effect on the northern long-eared bat? Remember to consider the [effects of any activities](#) that would not occur but for the proposed action.

If you think that the northern long-eared bat may be affected by your project or if you would like assistance in deciding, answer "No" below and continue through the key. If you have determined that the northern

USACE VERMONT PROJECT OFFICE

Contact USACE to discuss **jurisdiction** and **permit requirements**

Address:

**U.S. Army Corps of Engineers
Vermont Project Office
11 Lincoln Street
Essex Junction, Vermont**

Phone:

802-872-2893

Email:

cenae-r-vt@usace.army.mil



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New England District

