

VT Small Hydropower Assistance Program

Step 2 Site-Specific Determinations Summary

The project must meet the following resource agency determinations (made based on the site visit) in order to qualify for enhanced assistance (e.g., waiving of pre-filing consultation, supporting shorter comment periods, and/or issuing a letter to FERC indicating that agency requirements are satisfied, as appropriate in each circumstance):

1. When the Agency of Natural Resources determines, based on a site-specific determination, that:
 - a. Fish passage facilities are not needed;
 - b. Project will not affect threatened or endangered species;
 - c. Project does not significantly alter site aesthetics; and
 - d. Project is not located where there is a bypass of high habitat value.
 - e. Proposed spillage is adequate to address aesthetics.
 - f. Will comply with ANR Stream Alteration Standards¹
2. Where there are direct or indirect impacts to historic and archaeological resources, projects are reviewed on a case-by-case basis by the State Historic Preservation Office, and adhere to recommendations made by that office.²

Timelines

Within 30 days after a site visit, the agencies will issue a comment letter advising the applicant of potential cultural and natural resource issues that will need to be addressed in the 401 and FERC processes.

When the applicant has satisfactorily addressed any cultural and natural resource issues raised by the agencies, they will issue a joint letter to FERC indicating that agency concerns have been satisfactorily resolved, agreeing to waive scoping and/or pre-filing consultation, and potentially supporting shorter comment periods in the FERC process.

The timing and scope of this letter is dependent upon the natural and cultural resource issues raised by the project and the steps that have been taken by the applicant to address those concerns, and will be determined on a case-by-case basis.

¹ See Environmental Protection Rule, Chapter 27, Vermont Stream Alteration Rule for further guidance: http://www.watershedmanagement.vt.gov/rivers/docs/rv_SARule_12_24_13.pdf.

² For a discussion of direct and indirect impacts, see ACCD's *Criteria for Evaluating the Effect of Proposed Telecommunications Facilities, Transmission Lines, and Wind Power Facilities on Historic Resources* at: http://accd.vermont.gov/strong_communities/preservation/review_compliance/telecom_criteria.