

Stakeholder Feedback Session: Three-acre Stormwater Permit Draft Rebate Program

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Agenda

1. Overview: Three- Acre Stormwater Permit Rebate Program
2. Rebate Program Eligibility
3. The Rebate Process
4. Question and Answer Session

Overview: Three- Acre Stormwater Permit Rebate Program

- This program provides a rebate for a portion of costs associated with obtaining Stormwater General Permit 3-9050
- Rolling application process and will be first-come, first-served
- ~\$4 million of ARPA funds available for this rebate program
- Projects may only receive one rebate under this program
- Construction expenses not eligible for a rebate under this program
- Subject to future appropriations or American Rescue Plan funding, the Department may offer funding assistance for construction of stormwater treatment practices at “3-acre sites”

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What's Eligible for a Permit Rebate?

- “Initial Notice of Intent” (NOI) ← **Not** eligible under this rebate program
 - 18-Month Authorization
- **Full NOI** ← Eligible under this rebate program
 - 5-Year Authorization
- Construction ← **Not** eligible under this rebate program
 - Prior to end of 5-years

Eligible Projects

- Eligible projects are limited to the following:
 1. “Impervious surface of three or more acres” as defined in Section 1.7 of General Permit 3-9050;
 2. Projects required to obtain permit coverage pursuant to section 1.3.D of General Permit 3-9050 (impervious surfaces of three or more acres located in the watersheds of Lake Champlain, Lake Memphremagog, or stormwater-impaired water); and
 3. Projects that have received permit coverage based on a full Notice of Intent. Projects that have obtained permit coverage solely via submittal of an Initial Notice of Intent are not eligible.
- “Project” means the portion of a project covered by an authorization under General Permit 3-9050. Some common plans of development or phased projects may have multiple projects authorized under the general permit, each of which may be eligible for a rebate.

Who's Eligible for a Permit Rebate?

- The permittee or permittees as identified on the Authorization to Discharge under General Permit 3-9050 are solely eligible to apply to receive payment under this rebate program.
- Where the permittee is a business, LCC, home-owners association, or similar entity, the entity must be registered and in good standing with the Vermont Secretary of State.
- Where a project consists of more than one permittee, the rebate may be proportionally allocated to the permittees as indicated on the rebate application.

Rebate Program Eligibility

Example eligible recipients:

- Individual property owners
- Residential Homeowners Associations (HOAs)
- Industrial
- Municipalities (can be permittee or co-permittee)
- Small businesses
 - To be considered a small business, a permittee must meet the Small Business Administration (SBA) definition of a “small business concern”:
 - For profit
 - US owned (>50%) and operated
 - Fewer than 500 employees

Rebate Program Ineligibility

Example ineligible recipients:

- Projects that have previously received other State or federal funds for the permitting of the project
- Applicants with any State tax delinquency are not eligible until all arrears are remedied
- Large businesses (those which do not meet the SBA definition of a small business concern)
- Public elementary, secondary, and post-secondary educational institutions are not eligible and should seek funding assistance through the Green Schools Initiative (<https://www.greenprintpartners.com/vtgreenschools-engineering>)

Eligibility Dates

- This program goes into effect on **DATE**
- Applications must be received **prior to October 31, 2024**
- Eligible projects must have received permit coverage under General Permit 3-9050 **on or after March 3, 2021**

Rebate Amount Formula

\$1,000 plus \$2,000 per acre; \$9,000 maximum

- Rebate amount based on the impervious surface subject to three-acre requirements under Section 1.3.D. of General Permit 3-9050 (impervious surfaces of three or more acres).
- Where a project obtains permit coverage for both impervious surfaces subject to 1.3.D. and impervious surfaces not subject to 1.3.D. (e.g., new impervious, or existing impervious surface that meets the standards of the 2002 Vermont Stormwater Management Manual), the per-acre rebate rate shall be based solely on the portion of the impervious surface subject to 1.3.D.
- All acreage shall be rounded to the nearest tenth and rebates shall be prorated.
- Acreage, for these purposes, is limited to impervious surfaces subject to 1.3.D. of General Permit 3-9050.
- Formula for calculating the rebate amount:

$\$1,000 + [\text{Number of permitted acres of impervious surface}] * [\$2,000 \text{ per acre}] = \text{Rebate amount}$

Rebate Application Requirements

1. Permittee(s) name and contact information;
2. Permit Navigator Number;
3. Stormwater Permit Number and permit issue date;
4. Eligible impervious surface (acres);
5. Rebate amount; and
6. Any other information requested by the Secretary
 - Attestation that the project has not received other State or Federal funding for permitting services, if applicable
 - ~~Act 154 of 2016 Certificate of Good Standing, if applicable~~
7. W-9 form

Office of Planning can help with permit coordination before obtaining permit or beginning construction!

The Rebate Process

- Landowners or engineering firms on behalf of landowners must submit the information listed in the Rebate Application Requirements section electronically through ANROnline by October 31, 2024.
- Once the information has been reviewed by DEC staff, the rebate will be processed and payment will be issued to the permittee(s). The Department reserves the right to verify all information provided by applicants seeking support under this program.
- ~~Please note that funds awarded to recipients under this program will be reported to the Internal Revenue Service and may be considered taxable income. Individuals or entities receiving a rebate should consult a tax professional with any concerns or questions.~~

Discussion and Q&A Session

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