

# VT Low-Impact Hydropower Screening

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The Vermont Public Service Department, Vermont Agency of Natural Resources, and Vermont Agency of Commerce and Community Development will coordinate to assist developers with understanding the Federal Energy Regulatory Commission (FERC) hydropower permitting process and federal and state resource protection regulations that are part of that process. These state agencies will assist developers of low-impact hydropower projects that do not propose new dams and that protect natural and historic resources by organizing an interagency site visit to identify potential historic and natural resource issues.

To qualify for enhanced state agency assistance, a project must meet all of the following criteria:

1. Will qualify for a FERC 10 MW exemption.<sup>1</sup>
2. Will be located at an existing dam, **or** project will not require a dam or other impoundment.
3. Will not change the impoundment elevation.
4. Will be operated as true run of river.<sup>2</sup>
5. Proposed bypass flows will meet hydrologic standards as defined by the ANR Flow Procedure.<sup>3</sup>
6. When the Agency of Natural Resources determines, based on a site-specific determination, that
  - a. Fish passage facilities 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.
7. Will comply with ANR Stream Alteration Standards.<sup>4</sup>
8. 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.<sup>5</sup>

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<sup>1</sup> See definition at <http://www.ferc.gov/industries/hydropower/gen-info/licensing/small-low-impact/get-started/exemp-licens/project-comparison.asp>.

<sup>2</sup> A true run-of-river project is one which does not operate out of storage and, therefore, does not artificially regulate streamflows below the project's tailrace. Outflow from the project is equal to inflow to the project's impoundment on an instantaneous basis.

<sup>3</sup> Reference for further detail: [http://www.anr.state.vt.us/dec/waterq/rivers/docs/rv\\_flowprocedure.pdf](http://www.anr.state.vt.us/dec/waterq/rivers/docs/rv_flowprocedure.pdf) and [www.fws.gov/newengland/pdfs/Flowpolicy.pdf](http://www.fws.gov/newengland/pdfs/Flowpolicy.pdf).

<sup>4</sup> See Environmental Protection Rule, Chapter 27, Vermont Stream Alteration Rule for further guidance: [http://www.vtwaterquality.org/rivers/docs/rv\\_StreamAltRULE\\_DRAFT\\_07092013.pdf](http://www.vtwaterquality.org/rivers/docs/rv_StreamAltRULE_DRAFT_07092013.pdf).

<sup>5</sup> 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](http://accd.vermont.gov/strong_communities/preservation/review_compliance/telecom_criteria).