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Notice of Intent (NOI)

for Stormwater Discharges from
Municipal Separate Storm Sewer Systems (MS4)
General Permit 3-9014

VERMONT
ENVIRONMENTAL CONSERVATION

Submission of this Notice of Intent (NOI) constitutes notice that the entity in Section A intends to be authorized to discharge pollutants to waters of the State under Vermont's Municipal Separate Storm Sewer Systems (MS4) permit. Submission of the NOI also constitutes notice that the party identified in Section A of this form has read, understands and meets the eligibility conditions; agrees to comply with all applicable terms and conditions; and understands that continued authorization under the MS4 General Permit is contingent on maintaining eligibility for coverage. In order to be granted coverage, all information required on this form and the Minimum Control Measure attachments must be completed and a complete Stormwater Management Program (SWMP) Plan must be submitted.

A. Permittee Information

Name of MS4: Town of Colchester

Name of Principle Executive Officer (PEO) or Chief Elected Official (CEO): Dawn Francis Title: Town Manager

Mailing Address:
Street/P.O. Box: 781 Blakely Road, Po. Box 55

City/Town: Colchester State: VT Zip: 05446

Phone: 802-264-5501 Email: dfrancis@colchestervt.gov

B. Primary contact responsible for overall coordination of SWMP, if different than PEO/CEO

Name: BRYAN K. Osborne

Mailing Address:
Street/P.O. Box: 781 Blakely Road, PO Box 55

City/Town: Colchester State: VT Zip: 05446

Phone: 802-264-5625 Email: bosborne@colchestervt.gov

C. Partnering organization responsible for Minimum Control Measure implementation (if applicable)

If you are participating in the CCRPC MOU to implement MCM1 &/or MCM2 check here: ☑ MCM 1 ☐ MCM 2

Or, if you are relying on another entity to implement a MCM, please complete the following:

Organization: CCRPC Contact: Dan Albrecht

Minimum Control Measure being implemented: MCM1

Mailing Address:
Street/P.O. Box: 110 West Canal St. Suite 202

City/Town: Winooski State: VT Zip: 05404

Phone: 802-846-4490 x.29 Email: dalbrecht@ccrpcvt.org

Organization: _____ Contact: _____

Minimum Control Measure being implemented: _____

Mailing Address:
Street/P.O. Box: _____

City/Town: _____ State: _____ Zip: _____

Phone: _____ Email: _____

D. Municipal Separate Storm Sewer System (MS4) Information

Estimate of the square mileage served by the MS4: 13

Identify the names of all know waters that receive a discharge from the MS4:

Receiving water	# of outfalls	Impaired status	Nature of impairment
Sunderland	42	☑ Yes ☐ No	Stormwater
Indian Brook	4	☐ Yes ☐ No	
Pond Brook	3	☐ Yes ☐ No	
Gilbrook	3	☐ Yes ☐ No	
Morehouse	2	☑ Yes ☐ No	Stormwater
Smith Brook	6	☐ Yes ☐ No	
Winooski River	15	☐ Yes ☐ No	
Winooski River Trib's.	3	☐ Yes ☐ No	
Lake Champlain	2	☐ Yes ☐ No	
Malletts Bay	15	☐ Yes ☐ No	
Malletts Bay Trib's.	5	☐ Yes ☐ No	

E. Stormwater Impaired Waters Information

Does the MS4 discharge into a stormwater impaired water? ☑ Yes ☐ No

If yes, the MS4 must comply with all requirements listed in Part IV.C. of the permit, including the requirement to develop a Flow Restoration Plan (FRP) for the stormwater impaired water.

F. Certification

This NOI shall be signed by a principal executive officer, ranking elected official or other duly authorized employee consistent with 40 CFR §122.22(b) and certified as follows:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: Dawn H. Francis Title: Town Manager

Signature: Dawn H Francis Date: 5/28/2013

Submit this *Original* form and the $1320 fee to:

MS4 Permit Coordinator
VTDEC · Watershed Management Division
Stormwater Management Program
One National Life Drive
Montpelier, Vermont 05620-3522

Instructions for Public Comment, Public Hearings, and Appeals

PUBLIC COMMENT

Public comments concerning this Notice of Intent to discharge under General Permit No 3-9014 and the accompanying Stormwater Management Plan (SWMP) are invited and must be submitted within 10 days of receipt of this Notice by the Municipal Clerk. Comments should address how the application complies or does not comply with the terms and conditions of General Permit No. 3-9014. A letter of interest should be filed by those persons who elect not to file comments but who wish to be notified if the comment period is extended or reopened for any reason. All written comments received within the time frame described above will be considered by the Department of Environmental Conservation in its final ruling to grant or deny authorization to discharge under General Permit No. 3-9014.

All submitted NOIs and SWMPs can be found on the Stormwater Program's website at:
http://www.vtwaterquality.org/stormwater/htm/sw_ms4.htm

Send written comments to:

VT DEC, Watershed Management Division
Stormwater Management Program, MS4 Permit Coordinator
One National Life Drive
Montpelier, VT 05620-3522

PUBLIC HEARING REQUEST

During the notice period, any person may submit a written request to this office for a public hearing to consider the proposed permit authorization. The request must state the interest of the party filing such request and the reasons why a hearing is warranted. A hearing will be held if there is a significant public interest (including the filing of requests or petitions for such hearing) in holding such a hearing. If the Secretary determines that useful information and data may be obtained thereby, the Secretary may hold a public hearing any time prior to the issuance of the authorization. Notice of a public hearing will be circulated 30 days prior to the hearing. (40 C.F.R. § 124.12 and Vermont Water Pollution Control Permit Regulations, Chapter 13.3G)

APPEALS

Pursuant to 10 V.S.A. Chapter 220, any appeal of this decision must be filed with the clerk of the Environmental Court within 30 days of the date of the decision. The appellant must attach to the Notice of Appeal the entry fee of $250.00, payable to the state of Vermont.

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 Court; 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 and the name of the applicant or 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 Court is 2418 Airport Road, Suite 1, Barre, VT 05641 (Tel. # 802-828-1660)

A copy of General Permit No. 3-9014 may be obtained by calling (802) 490-6173; by visiting the Department at the above address between the hours of 7:45 am and 4:30 pm; or by downloading from the Watershed Management Division's Web site at www.vtwaterquality.org.

Appendix

Attachment A: Selected Minimum Control Measures

BMP ID	Public Education	Responsible Dept. or Person	Measurable Goal
1-1	Maintain SW website	Department of Public Works	Annually update departmental storm water website or as otherwise required to provide educational materials to the community with the ovarll goal of improving water quality.
1-2,3,4	Participate in RSEP, other regional SW ed. strategy, or submit individual plan	Department of Public Works	Annually participate in RSEP to provide educational materials to the region with the ovarll goal of improving water quality.
1-5a	Develop or acquire informational brochures	N/A	N/A
1-5b	Distribute SW brochures 2x in first year and 1x in subsequent years	N/A	N/A
1-5c	Seek local news media to run at least 2 news or feature stories per year	N/A	N/A
1-5d	For municipalities: Develop school materials and teacher trainings	N/A	N/A
1-5e	For non-traditionals: Develop public ed campaign for facility users	N/A	N/A

Attachment A: Selected Minimum Control Measures

BMP ID	Public Participation	Responsible Dept. or Person	Measurable Goal
2-9	Participate in the Stream Team or other regional SW participation program, or submit individual plan	N/A	N/A
Implement a program that includes at least 3 of the following:			
2-1	Form a citizen SW advisory panel	N/A	N/A
2-2	Establish or support a WQ monitoring program involving citizen volunteers	N/A	N/A
2-3	Insititute an on-going public workshop series on SW awareness	N/A	N/A
2-4	Institute a continuing storm drain stenciling project	Department of Public Works	Stencile approximately 10% of the Town's basins per year with the overall goal of improving water quality.
2-5	Sponsor periodic community stream corridor clean-up days	Department of Public Works	As a part of the Town's annual Green Up Day activities, strategically target 25 major stream and roadway crossings for the removal of solid waste with the ovarll goal of improving water quality.
2-6	Establish and support a citizen "stormwater watch" group	Department of Public Works	Maintain storm water watch representatives in all Town watersheds with the overall goal of improving water quality.
2-7	Create or support an "adopt-a-stream" program	N/A	N/A
2-8	Undertake a program similar in content and scope to the above with permission of Secretary	N/A	N/A

Attachment A: Selected Minimum Control Measures

BMP ID	Illicit Discharge Detection & Elimination	Responsible Dept. or Person	Measurable Goal
3-1	Develop and enforce a program to detect and eliminate illicit discharges	Department of Public Works	Continue existing program with the overall goal of improving water quality.
3-2	Develop and maintain storm sewer GIS or AutoCAD map	Department of Public Works	Continue existing program with the overall goal of improving water quality.
3-3	Develop and enforce illicit discharge ordinance	Department of Public Works	Continue existing program with the overall goal of improving water quality.
3-4	Develop and implement illicit discharge detection plan, focus on impaired waters and random dumping	Department of Public Works	Continue existing program including the testing of 34 outfalls annually with the overall goal of improving water quality.
3-5	Inform public of illicit discharge and disposal hazards	Department of Public Works	Continue existing program including the annual distribution if IDDE educational materials to the business community with the overall goal of improving water quality.
3-6	Address specific categories of illicit discharges, if necessary	Department of Public Works	Continue existing program with the overall goal of improving water quality.
3-7	Prepare annual report of monitoring and corrective actions taken	Department of Public Works	Continue existing program with the overall goal of improving water quality.

Attachment A: Selected Minimum Control Measures

BMP ID	Construction Site Runoff Control	Responsible Dept. or Person	Measurable Goal
4-1	Develop and implement procedures to ensure MS4 construction activites are properly permitted	Department of Public Works and the Department of Planning & Zoning.	Continue existing program with the overall goal of improving water quality.
4-2	Review existing MS4 regulations for effectiveness in managing construction-related E&S and consistency with state construction permit	Department of Public Works and the Department of Planning and Zoning	Continue existing program with the overall goal of improving water quality.
4-2a	Adopt E&S requirments that are at least as stringent as state requirements	Department of Public Works and the Department of Planning and Zoning	Continue existing program with the overall goal of improving water quality.
4-3	Develop and implement an erosion control ordinance that regulates development not subject to state permitting	Department of Public Works	Continue existing program with the overall goal of improving water quality.

Attachment A: Selected Minimum Control Measures

BMP ID	Post Construction Runoff Control	Responsible Dept. or Person	Measurable Goal
5-1	Review existing MS4 regulations for effectiveness in managing stormwater runoff and consistency with state operational permit	Department of Public works and Department of Plannng and Zoning	Continue existing program with the overall goals of improving water quality, stream channel stabilization, ground water recharge and flood protection.
5-1a	Assess changes to regulations to support LID	Department of Public works and Department of Plannng and Zoning	Continue existing program with the overall goals of improving water quality, stream channel stabilization, ground water recharge and flood protection.
5-1b	Assess changes to regulations to minimize impervious surface through street & parking lot design	Department of Public works and Department of Plannng and Zoning	Continue existing program with the overall goals of improving water quality, stream channel stabilization, ground water recharge and flood protection.
5-1c	Adopt requirments that are at least as stringent as state requirements	Department of Public works and Department of Plannng and Zoning	Continue existing program with the overall goals of improving water quality, stream channel stabilization, ground water recharge and flood protection.
For development and redevelopment that disturbs ≥ 1 acre but is not subject to state permitting:			
5-2	Develop and implement procedures to identify the development	Department of Public works and Department of Plannng and Zoning	Continue existing program with the overall goals of improving water quality, stream channel stabilization, ground water recharge and flood protection.
5-3	Develop and implement an ordinance that regulates the development	Department of Public works and Department of Plannng and Zoning	Continue existing program with the overall goals of improving water quality, stream channel stabilization, ground water recharge and flood protection.
5-4	Develop and implement inspection procedures for the development	Department of Public works and Department of Plannng and Zoning	Continue existing program with the overall goals of improving water quality, stream channel stabilization, ground water recharge and flood protection.
5-5	Develop and implement procedures to ensure MS4 development activites are properly permitted	Department of Public works and Department of Plannng and Zoning	Continue existing program with the overall goals of improving water quality, stream channel stabilization, ground water recharge and flood protection.

Attachment A: Selected Minimum Control Measures

BMP ID	Pollution Prevention & Good Housekeeping	Responsible Dept. or Person	Measurable Goal
6-1	Describe operation and maintenance program for reducing pollutant runoff from MS4 operations, including, at a minimum:	Department of Public Works and Department of Recreation	Continue the existing program with the overall goal of improving water quality.
6-1a	New construction and land disturbance	Department of Public works and Department of Plannng and Zoning	Continue the existing program with the overall goal of improving water quality.
6-1b	Maintenance of fleet and buildings, all municipal garages, parks, open space, contruction and maintenance practices for gravel backroads, snow disposal and stormater systems	Department of Public Works and Department of Recreation	Continue the existing program with the overall goal of improving water quality.
6-1c	Training, maintenance schedules, and inspection procedures for long term structural controls	Department of Public works and Department of Plannng and Zoning	Continue the existing program with the overall goal of improving water quality.
6-1d	For municipal facilities where fertilizers are applied, prohibit the use of fertilizers containing phosphorus (unless warranted by a soil test)	Department of Parks and Recreation	Continue the existing program with the overall goal of improving water quality.
6-2	For Municipal garages, an MS4 may participate in ANR's Municipal Compliance Assistance Program	Department of Public Works	Continue the existing program with the overall goal of improving water quality.
6-3	Provide a list of all industrial facilities that the MS4 owns or operates that are subject to the MSGP	Department of Public Works	Continue the existing program with the overall goal of improving water quality.

Attachment B: Minimum Control Measure Implementation Timeframe

BMP ID	Permit Year One				Permit Year Two				Permit Year Three				Permit Year Four				Permit Year Five				Next Permit
	Spring 2013	Summer 2013	Fall 2013	Winter 2013-2014	Spring 2014	Summer 2014	Fall 2014	Winter 2014-2015	Spring 2015	Summer 2015	Fall 2015	Winter 2015-2016	Spring 2016	Summer 2016	Fall 2016	Winter 2016-2017	Spring 2017	Summer 2017	Fall 2017	Winter 2017	
Public Education																					
1-1	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
1-2,3,4	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
1-5a																					
1-5b																					
1-5c																					
1-5d																					
1-5e																					
Public Participation																					
2-9																					
2-1																					
2-2																					
2-3																					
2-4	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
2-5	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
2-6	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
2-7																					
2-8																					
Illicit Dishare Detection & Elimination																					
3-1	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
3-2	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
3-3	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
3-4	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
3-5	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
3-6	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
3-7	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Construction Site Runoff Control																					
4-1	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
4-2	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
4-2a	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
4-3	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Post-Construction Runoff Control																					
5-1	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
5-1a	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
5-1b	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
5-1c	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
5-2	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
5-3	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
5-4	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
5-5	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Pollution Prevention and Good Housekeeping																					
6-1	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
6-1a	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
6-1b	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
6-1c	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
6-1d	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
6-2	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
6-3																					