

**Notice of Intent (NOI)**  
for Stormwater Discharges from  
Municipal Separate Storm Sewer Systems (MS4)  
General Permit 3-9014



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: City of South Burlington  
 Name of Principle Executive Officer (PEO) or Chief Elected Official (CEO): Kevin Dorn Title: Interim City Manager  
 Mailing Address:  
 Street/P.O. Box: 575 Darset Street  
 City/Town: South Burlington State: VT Zip: 05403  
 Phone: (802) 658-7961 x108 Email: kdorn@sburl.com

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

Name: Thomas J. DiPietro Jr.  
 Mailing Address:  
 Street/P.O. Box: 104 Landfill Rd  
 City/Town: South Burlington State: VT Zip: 05403  
 Phone: (802) 658-7961 x108 Email: tdipietro@sburl.com

**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  
 Or, if you are relying on another entity to implement a MCM, please complete the following:  MCM 2

Organization: Chittenden County Regional Planning Commission Contact: Dan Albrecht  
 Minimum Control Measure being implemented: 1  
 Mailing Address:  
 Street/P.O. Box: 110 W Canal Street  
 City/Town: Winooski State: VT Zip: 05404  
 Phone: (802) 846-4490 Email: dalbrecht@ccrpcvt.org

Organization: Chittenden County Regional Planning Commission Contact: Dan Albrecht  
 Minimum Control Measure being implemented: \_\_\_\_\_  
 Mailing Address:  
 Street/P.O. Box: 110 W Canal Street  
 City/Town: Winooski State: VT Zip: 05404  
 Phone: (802) 846-4490 Email: dalbrecht@ccrpcvt.org

**D. Municipal Separate Storm Sewer System (MS4) Information**Estimate of the square mileage served by the MS4: 29.6

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

Receiving water	# of outfalls	Impaired status	Nature of impairment
Lake Champlain	202	<input type="checkbox"/> Yes <input type="checkbox"/> No	Phosphorus
Winooski River	64	<input type="checkbox"/> Yes <input type="checkbox"/> No	Mercury
Muddy Brook	18	<input type="checkbox"/> Yes <input type="checkbox"/> No	Nutrients, Temperature
Potash Brook	112	<input type="checkbox"/> Yes <input type="checkbox"/> No	Stormwater, E. coli
Bartlett Brook	19	<input type="checkbox"/> Yes <input type="checkbox"/> No	Stormwater
Centennial Brook	20	<input type="checkbox"/> Yes <input type="checkbox"/> No	Stormwater
Munroe Brook	4	<input type="checkbox"/> Yes <input type="checkbox"/> No	Stormwater
Englesby Brook	0	<input type="checkbox"/> Yes <input type="checkbox"/> No	Stormwater, E. coli
North Brook	0	<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	

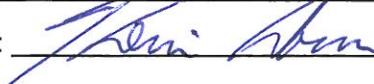
**E. Stormwater Impaired Waters Information**Does the MS4 discharge into a stormwater impaired water?  Yes  No

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: KEVIN DORN Title: INTERIM CITY MANAGERSignature:  Date: 6/13/13**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](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](http://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](http://www.vtwaterquality.org).

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	The City's annual report will contain information on web site visitors and other web statistics.
1-2,3,4	Participate in RSEP, other regional SW ed. strategy, or submit individual plan	Department of Public Works	The City will continue to participate on the RSEP steering committee and make payments in accordance with the terms of the MOU. The City will provide a summary of RSEP activities, RSEP web site statistics, and a total of the City's cash contributions to the RSEP program on an annual basis.

Attachment A: Selected Minimum Control Measures

BMP ID	Public Participation	Responsible Dept. or Person	Measurable Goal
2-1	Participate in the Stream Team or other regional SW participation program, or submit individual plan	Department of Public Works	The City will report annually on CCST activities including the number of volunteers that participated in stormwater related events and a total of the City's cash contributions to the CCST program.
2-2	Continue with a storm drain stenciling program	Department of Public Works	The City will continue its storm drain stenciling program and report the number of new "no dumping" labels put in place on an annual basis.

## 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	The City will continue to enforce its existing ordinance. The City will review its existing ordinance and make any updates required by the new permit within 2 years of authorization under the 2012 MS4 permit.
3-2	Develop and maintain storm sewer GIS or AutoCAD map	Department of Public Works	The City's annual report will contain information on the number of stormwater drainage structures, miles of stormwater conveyance, and stormwater outfalls that are located in South Burlington. Digital versions of the map will be made available upon request.
3-3	Develop and enforce illicit discharge ordinance	Department of Planning and Zoning & Department of Public Works	The City will continue to enforce its existing ordinance. The City will review its existing ordinance and make any updates required by the new permit within 2 years of authorization under the 2012 MS4 permit.
3-4	Develop and implement illicit discharge detection plan, focus on impaired waters and random dumping	Department of Public Works	The City will inspect no less than 50% of its stormwater outfalls each year and report the number of inspections completed annually.
3-5	Inform public of illicit discharge and disposal hazards	Department of Public Works	The City will dedicate a section on its stormwater website ( <a href="http://www.sburlstormwater.com/stormwater-projects/">http://www.sburlstormwater.com/stormwater-projects/</a> ) to illicit discharge detection and elimination success stories.
3-6	Address specific categories of illicit discharges, if necessary	Department of Public Works	The City will report the number of illicit discharges encountered each year and provide a summary of the discharge and actions taken to correct the situation.
3-7	Prepare annual report of monitoring and corrective actions taken	Department of Public Works	The City will inspect no less than 50% of its stormwater outfalls each year and report the number of inspections completed annually. The City will report the number of outfall samples collected annually. Sample results will be made available upon request.
3-8	Coordination with drinking water suppliers	Department of Public Works	The CWD will continue to use BMPs to prevent pollution from entering the MS4. Before the end of the permit cycle the City will meet with CWD to review their BMPs relating to discharges of drinking water to the MS4. If necessary, improvements will be made to CWD BMPs.

Attachment A: Selected Minimum Control Measures

BMP ID	Illicit Discharge Detection & Elimination	Responsible Dept. or Person	Measurable Goal
4-1	Develop and implement procedures to ensure MS4 construction activities are properly permitted	Department of Planning and Zoning & Department of Public Works	When a project will disturb greater than 1 acre of land the City will include in its findings of fact a note that we believe the project requires a State of Vermont Construction General Permit (3-9020). A summary of the projects in South Burlington that will exceed 1 acre of disturbance will be reported each year.
4-2	Review existing MS4 regulations for effectiveness in managing construction-related E&S and consistency with state construction permit	Department of Planning and Zoning & Department of Public Works	Continue to enforce the existing LDRs pertaining to Construction and Erosion Control Standards.
4-2a	Adopt E&S requirements that are at least as stringent as state requirements	Department of Planning and Zoning & Department of Public Works	Continue to enforce the existing LDRs pertaining to Construction and Erosion Control Standards.
4-3	Develop and implement an erosion control ordinance that regulates development not subject to state permitting	Department of Planning and Zoning & Department of Public Works	Continue to enforce the existing LDRs pertaining to Construction and Erosion Control Standards. The City will report the number of construction site inspections it conducts each year. Before the conclusion of permit year 3 the City will develop a simple informational brochure that can be distributed to construction contractors working in the City. After year 3 of the permit, the City will report the number of building permits and construction site BMP brochures it distributes each year.

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 Planning and Zoning & Department of Public Works	When a project will create greater than 1 acre of impervious area the City will include in its findings of fact a note that we believe the project requires a State of Vermont Construction General Permit (3-9015). A summary of the projects in South Burlington that will exceed 1 acre of disturbance will be reported each year.
5-1a	Assess changes to regulations to support LID	Department of Planning and Zoning & Department of Public Works	Continue to enforce the stormwater management regulations contained in the LDRs. Before the conclusion of permit year 3, the City will evaluate the existing Stormwater Management Overlay district found in section 12.03 of the LDRs and determine what changes could be made to improve and expand these regulations. Progress towards this goal will be reported annually until completed. City staff in the department of planning and zoning and the SBSU will ensure that stormwater management related regulations found in the City's LDRs are properly interpreted and implemented during the City's project approval process. Within two years of receiving authorization under the 2012 MS4 permit the City will develop a program to identify opportunities for and provide technical assistance related to low impact Best Management Practices (BMPs) to landowners in South Burlington.
5-1b	Assess changes to regulations to minimize impervious surface through street & parking lot design	Department of Planning and Zoning & Department of Public Works	Continue to enforce the stormwater management regulations contained in the LDRs. Before the conclusion of permit year 3, the City will evaluate the existing Stormwater Management Overlay district found in section 12.03 of the LDRs and determine what changes could be made to improve and expand these regulations. Progress towards this goal will be reported annually until completed.
5-1c	Adopt requirements that are at least as stringent as state requirements	Department of Planning and Zoning & Department of Public Works	Continue to enforce the stormwater management regulations contained in the LDRs. Before the conclusion of permit year 3, the City will evaluate the existing Stormwater Management Overlay district found in section 12.03 of the LDRs and determine what changes could be made to improve and expand these regulations. Progress towards this goal will be reported annually until completed.
For development and redevelopment that disturbs $\geq 1$ acre but is not subject to state permitting:			

Attachment A: Selected Minimum Control Measures

5-2	Develop and implement procedures to identify the development	Department of Planning and Zoning & Department of Public Works	Continue to enforce the stormwater management regulations contained in the LDRs. Before the conclusion of permit year 3, the City will evaluate the existing Stormwater Management Overlay district found in section 12.03 of the LDRs and determine what changes could be made to improve and expand these regulations. Progress towards this goal will be reported annually until completed.
5-3	Develop and implement an ordinance that regulates the development	Department of Planning and Zoning & Department of Public Works	Continue to enforce the stormwater management regulations contained in the LDRs. Before the conclusion of permit year 3, the City will evaluate the existing Stormwater Management Overlay district found in section 12.03 of the LDRs and determine what changes could be made to improve and expand these regulations. Progress towards this goal will be reported annually until completed.
5-4	Develop and implement inspection procedures for the development	Department of Planning and Zoning & Department of Public Works	Continue to enforce the stormwater management regulations contained in the LDRs. Before the conclusion of permit year 3, the City will evaluate the existing Stormwater Management Overlay district found in section 12.03 of the LDRs and determine what changes could be made to improve and expand these regulations. Progress towards this goal will be reported annually until completed.
5-5	Develop and implement procedures to ensure MS4 development activities are properly permitted	Department of Planning and Zoning & Department of Public Works	Continue to enforce the stormwater management regulations contained in the LDRs. Before the conclusion of permit year 3, the City will evaluate the existing Stormwater Management Overlay district found in section 12.03 of the LDRs and determine what changes could be made to improve and expand these regulations. Progress towards this goal will be reported annually until completed.
5-6	Assist the ANR with implementation of its stormwater permitting program (3-9015)	Department of Planning and Zoning & Department of Public Works	When a project will create greater than 1 acre of impervious area the City will include in its findings of fact a note that we believe the project requires a State of Vermont Construction General Permit (3-9015). A summary of the projects in South Burlington that will exceed 1 acre of disturbance will be reported each year.

Attachment A: Selected Minimum Control Measures

<p>5-7</p>	<p>Maintain a list of Stormwater Treatment Practices (STPs) maintained by the City and conduct inspections to ensure their proper operation.</p>	<p>Department of Public Works</p>	<p>The City will maintain a list of the STPs for which it has maintenance responsibility. This list will be reported annually. In addition, the City will track the number of new STPs constructed by the City and the existing STPs that were transferred to the City and report this information annually. The City will inspect all STPs for which it has maintenance responsibility twice a year. The City will report the number of inspections conducted on an annual basis. The results of these inspections will be available upon request.</p>
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## 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:		Sweep all curbed streets, curbed bike paths, and parking lots with curb that the City owns at least twice per year. The total volume of material removed will be reported annually. The SBSU will clean a minimum of 250 storm drains and the associated piping each year. The total volume of material removed will be reported annually. Inspect a minimum of 350 storm drains each year. The total number of storm drains inspected will be reported annually.
6-1a	New construction and land disturbance		Continue to enforce the stormwater management regulations contained in the LDRs. Before the conclusion of permit year 3, the City will evaluate the existing Stormwater Management Overlay district found in section 12.03 of the LDRs and determine what changes could be made to improve and expand these regulations. Progress towards this goal will be reported annually until completed. The City will inspect all STPs for which it has maintenance responsibility twice a year. The City will report the number of inspections conducted on an annual basis. The results of these inspections will be available upon request.
6-1b	Maintenance of fleet and buildings, all municipal garages, parks, open space, construction and maintenance practices for gravel backroads, snow disposal and stormwater systems		The City will work with ANR staff and complete an MCAP inspection before the end of the 5 year permit cycle.
6-1c	Training, maintenance schedules, and inspection procedures for long term structural controls		The City will inspect all STPs for which it has maintenance responsibility twice a year. The City will report the number of inspections conducted on an annual basis. The results of these inspections will be available upon request.
6-2	For Municipal garages, an MS4 may participate in ANR's Municipal Compliance Assistance Program		The City will work with ANR staff and complete an MCAP inspection before the end of the 5 year permit cycle.
6-3	Provide a list of all industrial facilities that the MS4 owns or operates that are subject to the MSGP		A list of the industrial facilities operated by the facility is included in the City's stormwater management plan.
6-4	Proper disposal of animal waste		The City will report the number of pet waste bags distributed on an annual basis.
6-5	Properly dispose of materials collected from street sweeping, pond maintenance, and the stormwater drainage system		Continue to implement the City's approved procedure for handling of materials collected during street sweeping, maintenance of STPs, and cleaning of the stormwater drainage
6-6	Minimize winter sand and salt usage		The salt delivery systems on plow trucks will be calibrated at the beginning of each winter to ensure proper distribution of salt.

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	
<b>Public Education</b>																					
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	
<b>Public Participation</b>																					
2-1	x																				
2-2	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
2-3	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
<b>Illicit Dishare Detection &amp; Elimination</b>																					
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	
3-8	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	

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	
<b>Construction Site Runoff Control</b>																					
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	
<b>Post-Construction Runoff Control</b>																					
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	
5-6	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
5-7	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
<b>Pollution Prevention and Good Housekeeping</b>																					
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			
6-1c	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
6-2																	x	x			
6-3	x																				
6-4	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
6-5	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
6-6	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	