

**Vermont Agency of Natural Resources
Department of Environmental Conservation**

**NOTICE OF COMPLETED APPLICATION AND PUBLIC HEARING
APPLICATION FOR CLEAN WATER ACT § 401**

November 21, 2019

A request for a Section 401 Water Quality Certification, required pursuant to the provisions of Section 401 of the federal Clean Water Act, 33 USC §1341, has been received by the Vermont Department of Environmental Conservation (Department) from the Vermont Fish and Wildlife Department.

The applicant is proposing to withdrawal water from Flint Brook for the purposes of fish rearing. The applicant is proposing to provide conservations flows of 0.3 cfs, or inflow if less (0.3 csm; cubic feet per second per square mile) from June 1- September 30, and 4.4 cfs, or inflow if less (1.0 csm) from October 1 – May 31 each year.

The applicant must demonstrate that the project will be in compliance with the Vermont Water Quality Standards by not having an undue adverse impact on the aquatic environment, or the designated and existing uses of the waters of the State. Agency’s tentative determination is to grant the certification with conditions to mitigate impacts on water quality.

The Department is seeking public comments on this tentative determination, during a 30-day public notice period. All timely comments will be considered in the formulation of a final decision. During this notice period, a person may request a public informational meeting regarding this draft decision. Any meeting request must state the person’s interest and the reasons why a meeting is warranted. Such a meeting will be held if there is sufficient interest. Pursuant to 10 V.S.A. Chapter 220, any appeal of this decision must be filed with the clerk of the Environmental Division of the Superior Court within 30 days of the date of the decision. An aggrieved person shall not appeal this decision unless the person submitted to the Secretary a written comment during the applicable public comment period or an oral comment at the public meeting conducted by the Secretary. For further information, see the Vermont Rules for Environmental Court Proceedings, available online at www.vermontjudiciary.org. The address for the Environmental Division is 32 Cherry Street, 2nd Floor, Suite 303; Burlington, VT 05401 (Tel. 802.951.1740).

Copies of the draft determination can be obtained at the Watershed Management Division web address: <http://dec.vermont.gov/watershed/permits/public-notices/401>. Comments regarding the draft determination may be filed in writing using the below address or using the below email through **December 22, 2019** with:

For information on the application, access to related documents, or copies of the Water Quality Standards, interested persons should contact:

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