

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

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

September 1, 2021

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 Agency of Natural Resources (Agency) from Sugarbush Mountain Resort August 13, 2021.

Sugarbush proposes to install a new weir on the Mad River to withdraw water for snowmaking purposes. The current concrete weir which is seasonally fitted with flashboards will be replaced with a weir equipped with an inflatable rubber bladder. The Applicant is proposing to increase the site-specific February Mean Flow during the snowmaking season to 1.3 cubic feet per second per square mile (csm) from November 1 to March 31, and to 4.0 csm from April 1 through April 15. Additionally, the Applicant has proposed, in concept, to increase water storage in the near term. Permitting for the additional storage would take place at a later date.

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 certification constitutes the Agency's draft flow determination under the *Environmental Protection Rules – Chapter 16: Water Withdrawals for Snowmaking* for the Sugarbush Mountain snowmaking system.

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. Written comments will be accepted at the address below, or via e-mail to Jeff.Crocker@vermont.gov, until **4:30 PM on October 6th, 2021**.

Public Hearing: a public hearing will be held on **October 5, 2021, from 9:00-11:00 am** at Lincoln Peak School House building located at 84 Forest Drive, Warren, Vermont. Additionally, an option to join the meeting virtually will be provided. Persons having an interest in the project and the affected waters are encouraged to attend and provide oral testimony or written statements and data that would bear on the final water quality certification decision.

Copies of the draft determination and Water Quality Standards are available by mail or on the Agency website: <https://dec.vermont.gov/watershed/permits/public-notices/401>

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

Jeff Crocker, Supervising River Ecologist
Vermont Agency of Natural Resources
Department of Environmental Conservation
1 National Life Drive, Davis 3
Montpelier, VT 05620-3522
Telephone: 802.490.6151 Email: Jeff.Crocker@vermont.gov