

7693-9020



VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION
WATERSHED MANAGEMENT DIVISION
STORMWATER PROGRAM

Notice of Intent (NOI) for Stormwater Discharges

Associated with Construction Activities on **LOW RISK SITES**

Under Vermont Construction General Permit 3-9020

Submission of this completed Notice of Intent (NOI) constitutes notice that the entities in Section A intend to be authorized to discharge pollutants to Waters of the State, from the project identified in Section 3, under Vermont's Construction General Permit (CGP). Submission of the NOI constitutes notice that the parties identified in Section 1 of this form have read, understand, and meet the eligibility conditions of the CGP; have determined that the project qualifies for coverage as a Low Risk project in conformance with Appendix A of the CGP; agree to comply with all applicable terms and conditions of the CGP; understand that continued authorization under the CGP is contingent on maintaining eligibility for coverage; and that all applicable practices in the Low Risk Site Handbook for Erosion Prevention and Sediment Control must be implemented and maintained for the duration of construction activities. In order to be granted coverage, all information required on this form must be provided and an application fee payable to the State of Vermont must be submitted.

A. Applicant(s) Information

1. Name: ER Paper Mill Village Solar, LLC

2a. Mailing Address: 110 Main St. Suite 2E

2b. Town: Burlington

2c. State: VT

2d. Zip: 05401

3. Phone: 802-861-3023

4. Email: derek@encorerenewableenergy.com

5. Additional Contact Name/Email (if applicable): Derek Moretz

6. Principal Operator (if known): Encore Renewable Energy

7a. Mailing Address: Same as above

7b. Town: -

7c. State: -

7d. Zip: -

8. Phone: -

9. Email: -

10. Additional Contact Name/Email (if applicable): -

B. Application Preparer / Consultant Information

1. Company: VHB Inc.

2. Name: Zack Clark

3a. Mailing Address: 40 IDX Drive, Building 100, Suite 200

3b. Town: South Burlington

3c. State VT

3d. Zip 05403

4. Phone: 802-497-6177

5. Email: zclark@vhb.com

6. Additional Contact Name/Email (if applicable):

C. Project Information (all fields are required)

1. Project Name: Randall Hill Solar

2a. Is this project part of a Common Plan of Development?

Yes

No

2b. If yes, name of Development:

3a. Does this project have any previously issued or pending stormwater discharge permits?

Yes

No

3b. If yes, prior NOI number(s):

4a. Physical Address of Project: Murphy Rd

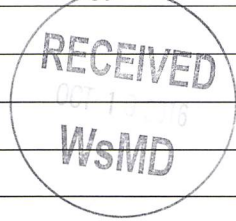
4b. Town: Bennington

4c. County: Bennington

Project Coordinates (project center in Decimal Degrees with 6 digits to the right of the decimal)

5a. Latitude: 4.2909975

5b. Longitude: -73.238942



6. SPAN: Enter the 11-digit number that is printed on the property tax bill for the applicable parcel(s). Projects that involve more than 1 parcel shall list all applicable SPANs.

0 5 1 - 0 1 5 - 6 3 8 9 6

_____ - _____ - _____

_____ - _____ - _____

_____ - _____ - _____

_____ - _____ - _____

_____ - _____ - _____

7. Name of receiving water(s): Walloomsac River

Include a topographic location map - Must provide sufficient information to determine the location of the project. Must be in the form of a USGS topographical map or directional map.

8. Total area of disturbance: 1.9 Acres (<= 5 acres: \$100 per application, > 5 acres: \$220 per application)

9. Description of construction activities to be permitted:

Construction of an approximately 270 foot gravel access road and installation of a solar power generating facility including: ground mounted photo-voltaic panels, support racking systems and associated equipment, perimeter fence, interconnection components, transformer, and a temporary staging area.

D. Public Notice Requirement

Prior to submitting the complete NOI for review, you must provide a copy of this complete NOI and related Appendix A to the municipal clerk for posting in the municipality in which the project is located. If the project and the related discharge(s) are located in different municipalities, then the completed NOI must be filed with the municipal clerk in each municipality. In order to be considered complete, you must include the date of posting.

Date of Posting at Municipal Office(s): October 14, 2016

Information for the Municipal Clerk regarding posting instructions can be found on Page 3 of this NOI.

* In addition to the NOI and Appendix being posted in the Town Clerk(s) office(s), once the application is deemed administratively complete, the Stormwater Program starts its required 10 day public comment period. This includes sending an email notice to a list of interested parties as well as posting on our Division website for 10 days.

E. Certification Relating to the Accuracy of the Information Submitted

I hereby 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, 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. I also certify that the applicable practices in The Low Risk Site Handbook for Erosion Prevention and Sediment Control will be implemented for the duration of the project for which this NOI is submitted.

Landowner Name: Estate of Henry Randall Title: Encore with site control

Signature: Derek Moretz Digitally signed by Derek Moretz Date: 2016.10.03 10:31:13 -04'00' Date: 10/03/16

Principal Operator (if known): Encore Renewable Energy Title: VP of Development

Signature: Derek Moretz Digitally signed by Derek Moretz Date: 2016.10.03 10:31:36 -04'00' Date: 10/03/16

Application Preparer (if applicable): Zack Clark Title: Environmental Scientist

Signature:  Date: 10/14/16

Submit this form, Appendix A, location map, and the \$ 100.00 fee to:

Vermont DEC - Watershed Management Division, Stormwater Program
1 National Life Drive, Main Building Second Floor
Montpelier, VT 05620-3522

PUBLIC COMMENT

Public comments concerning this Notice of Intent to discharge under CGP 3-9020 (amended 2008) 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 CGP 3-9020 (amended 2008). 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 CGP 3-9020 (amended 2008). Send written comments to:

Vermont Department of Environmental Conservation
Watershed Management Division, Stormwater Program
1 National Life Drive, Main Building Second Floor
Montpelier, VT 05620-3522

Please cite the NOI number in any correspondence

APPEALS

Renewable Energy Projects – Right to Appeal to Public Service Board

If this decision relates to a renewable energy plant for which a certificate of public good is required under 30 V.S.A. §248, any appeal of this decision must be filed with the Vermont Public Service Board pursuant to 10 V.S.A. §8506. This section does not apply to a facility that is subject to 10 V.S.A. §1004 (dams before the Federal Energy Regulatory Commission), 10 V.S.A. §1006 (certification of hydroelectric projects) or 10 V.S.A. Chapter 43 (dams). Any appeal under this section must be filed with the clerk of the Public Service Board within 30 days of the date of this decision. For further information, see the Public Service Board website at <http://psb.vermont.gov> or call (802) 828-2358. The address for the Public Service Board is 112 State Street Montpelier, Vermont 05620-2701.

All Other Projects – Right to Appeal to Environmental Court

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 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 online at www.vermontjudiciary.org or call (802) 951-1740. The address for the Environmental Court is 32 Cherry Street, 2nd Floor Suite 303, Burlington, Vermont 05401.

A copy of CGP 3-9020 (amended 2008) may be obtained by calling (802) 828-1535; by visiting the Department at the above address between the hours of 7:45 am and 4:30 pm; or by download from the Watershed Management Division's Web site at: <http://dec.vermont.gov/watershed>

INFORMATION FOR MUNICIPAL CLERK

Please post this notice and instruction sheet in a conspicuous place for 10 days from the date received (per 10 V.S.A. Chapter 47 §1263(b)). If you have any questions, contact the Watershed Management Division of the Department of Environmental Conservation at (802) 828-1535.

APPENDIX A

Part I – Basic Risk Evaluation

A project may automatically be categorized as Low Risk based on a few basic project characteristics. Answer each question below to determine if a project is automatically categorized as Low Risk. For definitions of terms used in the following questions (e.g. disturbance, vegetated buffer) refer to Appendix C.

Basic Risk Evaluation				
	Criteria	Answer	Score Direction	Enter Score
1.	Will the proposed independent project alone disturb more than 2 acres of land?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If YES, enter 1, if NO enter 0	0
2.	Is the project within a watershed impaired due to stormwater or sediment as specified on Part A of the Vermont 303(d) list?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If YES, enter 1, if NO enter 0	0
3.	Will the project have any stormwater discharges from the construction site to receiving water(s) that do not first pass through a 50 ft vegetated buffer area?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If YES, enter 1, if NO enter 0	0
4.	Will the project have disturbed earth in any one location for more than 14 consecutive calendar days without temporary or final stabilization?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If YES, enter 1, if NO enter 0	0
5.	Will the project have more than five acres of disturbed earth at any one time?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If YES, enter 1, if NO enter 0	0
Total Score for Basic Risk Evaluation (add score from questions 1-5)				0

If the Total Score for Basic Risk Evaluation is 0, the proposed project is eligible for coverage under this permit as a Low Risk project. Proceed to Part IV of Appendix A for a summary of the application requirements for Low Risk Projects. If not, proceed to Part II.

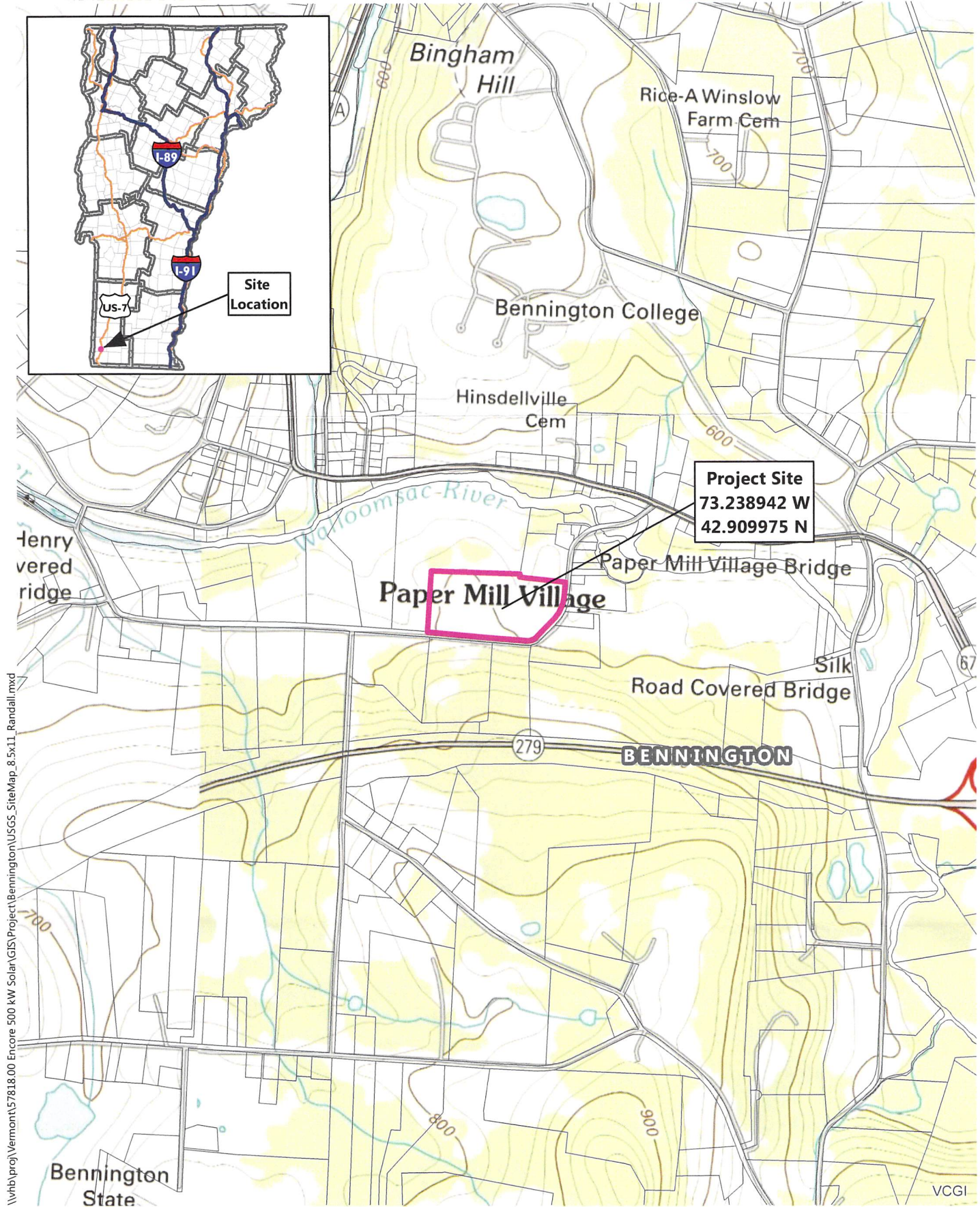
Criterion 1: Only include the disturbance planned for an independent project. For example, if a lot owner is only building on a single house lot in a residential subdivision, only consider the disturbance associated with that lot, not the entire common plan. Refer to Appendix C for definitions of independent project and disturbance.

Criterion 2: Refer to the following web page for a list of waters in these categories:
http://www.vtwaterquality.org/stormwater/html/sw_cgpeligibility.htm

Criterion 3: Refer to the Appendix C for the definition of vegetated buffer area.

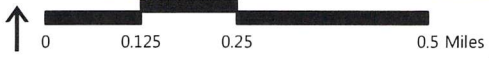
Criterion 4: Refer to Appendix C for definitions of temporary and final stabilization.

Criterion 5: Refer to Appendix C for the definition of disturbed earth.



Project Site
73.238942 W
42.909975 N

\\vhb\proj\Vermont\57818.00 Encore 500 kW Solar\GIS\Project\Bennington\USGS_SiteMap_8.5x11_Randall.mxd



Rnadall Hill Solar

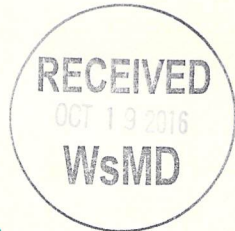
Bennington, Vermont

- Project Site (VHB)
- Town Boundary (VCGI)
- Parcel Boundary (VCGI)

Sources:
USGS Topo Background served by VCGI - 2012
VCGI (Vermont Center for Geographic Information - Various Dates)
VHB - 2016

Site Location

VCGI



October 14, 2016

Ref: 57818.00

Winn Wilson
Stormwater District Reviewer
Vermont Department of Environmental Conservation
Watershed Management Division, Stormwater Section
1 National Life Drive, Main 2
Montpelier, Vermont 05620-3522

RE: Randall Hill Solar
Bennington, Vermont
Application for Coverage under CGP 3-9020 (Low-Risk)

Dear Winn,

On behalf of ER Paper Mill Village Solar, LLC, please find attached an application for coverage under GP 3-9020 for construction stormwater runoff from the project site. The project generally consists of installation of a new solar array and gravel access road along with electrical interconnection work along the proposed access road. The project qualifies as a low-risk site according to the risk scoring procedure of Appendix A of GP 3-9020.

Please let me know if you have any questions or comments or if additional materials are required.

Sincerely,

Peter Smiar, P.E.
Project Manager

- Enclosures
-Appendix A
-NOI for Low Risk Site – Randall Hill
-Locator Map

cc: Derek Moretz, Randall Hill Solar (electronic copy only)

\\VTSBDATA\projects\57818.00 Encore 500 kW Solar\docs\Permits\Bennington-Randall\RandallHill.Lowrisk.NOICoverletter.doc

Engineers | Scientists | Planners | Designers

40 IDX Drive, Building 100
Suite 200
South Burlington, Vermont 05403
P 802.497.6100
F 802.495.5130