

7697-9020

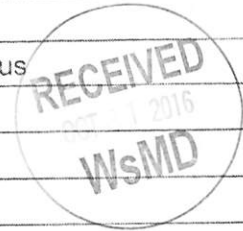


Notice of Intent (NOI) for Stormwater Discharges
Associated with Construction Activities on LOW RISK SITES
Under Vermont Construction General Permit 3-9020

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).

A. Applicant(s) Information

1. Name: Town of Wilmington, c/o Town Manager, Scott Murphy
2a. Mailing Address: P.O. Box 217
2b. Town: Wilmington 2c. State: VT 2d. Zip: 05363
3. Phone: (802) 464-8591 4. Email: smurphy@wilmingtonvt.us
5. Additional Contact Name/Email (if applicable):
6. Principal Operator (if known): To Be Determined
7a. Mailing Address:
7b. Town: 7c. State: 7d. Zip:
8. Phone: 9. Email:
10. Additional Contact Name/Email (if applicable):



B. Application Preparer / Consultant Information

1. Company: Trinity Engineering and Technical Services, LLC
2. Name: John E. Dupras, P.E.
3a. Mailing Address: 751 Main Road
3b. Town: Stamford 3c. State VT 3d. Zip 05352
4. Phone: 802-694-1919 5. Email: jdupras@trinityeng.com
6. Additional Contact Name/Email (if applicable):

C. Project Information (all fields are required)

1. Project Name: Cold Brook Fire District No. 1 Sewer and Water Expansion
2a. Is this project part of a Common Plan of Development? [ ] Yes [x] No
2b. If yes, name of Development:
3a. Does this project have any previously issued or pending stormwater discharge permits? [ ] Yes [x] No
3b. If yes, prior NOI number(s):
4a. Physical Address of Project: Haystack Road and Off Haystack Road
4b. Town: Wilmington 4c. County: Windham
Project Coordinates (project center in Decimal Degrees with 6 digits to the right of the decimal)
5a. Latitude: 42.906680 5b. Longitude: -72.886380

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.

7 6 2 - 2 4 2 - 1 3 1 0 6    7 6 2 - 2 4 2 - 1 3 7 4 3    7 6 2 - 2 4 2 - 1 1 5 9 3

7. Name of receiving water(s): Cold Brook

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: 3.03 Acres (<= 5 acres: \$100 per application, > 5 acres: \$220 per application)

9. Brief description of construction activities to be permitted:

*Extension of water lines and sewer lines along Haystack Rd.*

#### D. Public Notice Requirement

Pr-or 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): 10/28/2016


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: Town of Wilmington (Scott Murphy) Title: Town Manager

Signature:  Date: 10/27/2016

Principal Operator (if known): To Be Determined Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Application Preparer (if applicable): John E. Dupras, P.E. Title: Engineer

Signature:  Date: 10-20-16

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](http://www.vermontjudiciary.org) or call (802) 951-1740. The address for the Environmental Court is 32 Cherry Street, 2<sup>nd</sup> 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.

<b>Basic Risk Evaluation</b>				
	<b>Criteria</b>	<b>Answer</b>	<b>Score Direction</b>	<b>Enter Score</b>
1.	Will the proposed independent project alone disturb more than 2 acres of land?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	If YES, enter 1, if NO enter 0	1
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 <b>do not</b> 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
<b>Total Score for Basic Risk Evaluation (add score from questions 1-5)</b>				1

**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/htm/sw\\_cgpeeligibility.htm](http://www.vtwaterquality.org/stormwater/htm/sw_cgpeeligibility.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.

## Part II – Detailed Risk Evaluation

For projects not automatically categorized as Low Risk in Part I, this Detailed Risk Evaluation must be completed to determine if a project is Low Risk, Moderate Risk, or requires an Individual Permit. This evaluation determines the risk category by weighing the balance of factors which contribute to and mitigate against the risk of a discharge of sediment from the construction project. Complete all questions in Part II for the independent project. For definitions of terms used in the evaluation, refer to Appendix C.

Detailed Risk Evaluation – Identify Risk Factors				
Criteria		Answer	Score Direction	Enter Score
A.	Will the proposed project have earth disturbance within 100 ft (horizontal) upslope of any lake or pond or 50 feet (horizontal) upslope of any rivers or stream (perennial or seasonal)?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	If YES, enter 1, if NO enter 0	1
B.	Will the project have stormwater discharges by direct conveyance (tributary, channel, ditch, storm sewer, etc.) to a water of the state listed on the 303 (d) Part A list as being impaired by stormwater or sediment; a Class A Water; or an Outstanding Resource Water?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If YES, enter 1, if NO enter 0	0
C.	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
D.	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
E.	Will the project include more than one acre of disturbance on soil that is greater than 15% slope?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If YES, enter 1, if NO enter 0	0
F.	Will the project include more than one acre of disturbance of soils with a high ( $K > 0.36$ ) erodibility rating?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If YES, enter 1, if NO enter 0	0
G.	<b>Total Score for Risk Factors (add A through F)</b>			1

**Criterion A:** Measure lake distance from mean water level, and stream or river distance from top of bank. Do not include disturbance for the installation of stormwater treatment facilities or road stream crossings if there are no reasonable alternative locations.

**Criterion B:** Refer to [http://www.vtwaterquality.org/stormwater/html/sw\\_cgpeligibility.htm](http://www.vtwaterquality.org/stormwater/html/sw_cgpeligibility.htm) for the listing.

**Criterion C:** The maximum allowable for Low Risk Projects is 7 acres. **Moderate risk projects over 5 acres may be required to file an Individual Discharge Permit application if determined necessary by the Secretary.**

**Criterion D:** The maximum allowable for Low Risk Projects is 21 days. **Moderate risk projects over 21 days may be required to file an Individual Discharge Permit application if determined necessary by the Secretary.**

**Criterion E:** Include disturbance for the duration of the project, not at any one point in time. Slope determinations should be based on a site survey of the future disturbance area.

**Criterion F:** Include disturbance for the entire individual project, not at any one point in time. The Erosion Factor K, is a measure of the inherent erodibility of a soil type. Refer to NRCS soil maps for your county. If soils data is not available (e.g. if the site is built on assorted fill material), contact ANR for directions on evaluating soil erodibility.

**Part II Continued – Detailed Risk Mitigation Factor Evaluation**

<b>Detailed Risk Evaluation – Identify Risk Mitigation Factors</b>				
	<b>Criteria</b>	<b>Answer</b>	<b>Score Direction</b>	<b>Enter Score</b>
H.	Will stormwater leaving the construction site pass through at least 50 feet of established vegetated buffer before entering a receiving water?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If YES, enter 1, if NO enter 0	0
I.	Will the project be limited to two acres or less of disturbed earth at any one time?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	If YES, enter 1, if NO enter 0	1
J.	Will the project have a maximum of 7 consecutive days of disturbed earth exposure in any location before temporary or final stabilization is implemented?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	If YES, enter 1, if NO enter 0	1
K.	Will the project disturb less than two acres of soil with an erodibility higher than K=0.17?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	If YES, enter 1, if NO enter 0	0
L.	Will the project include less than two acres of disturbance on soil that is greater than 5% slope?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	If YES, enter 1, if NO enter 0	1
M.	<b>Total Score for Risk Mitigation Factors (add H through L.)</b>			<b>3</b>

**Criterion H:** Refer to Appendix C for a definition of vegetated buffer.

**Criterion I:** Refer to Appendix C for a definition of earth disturbance.

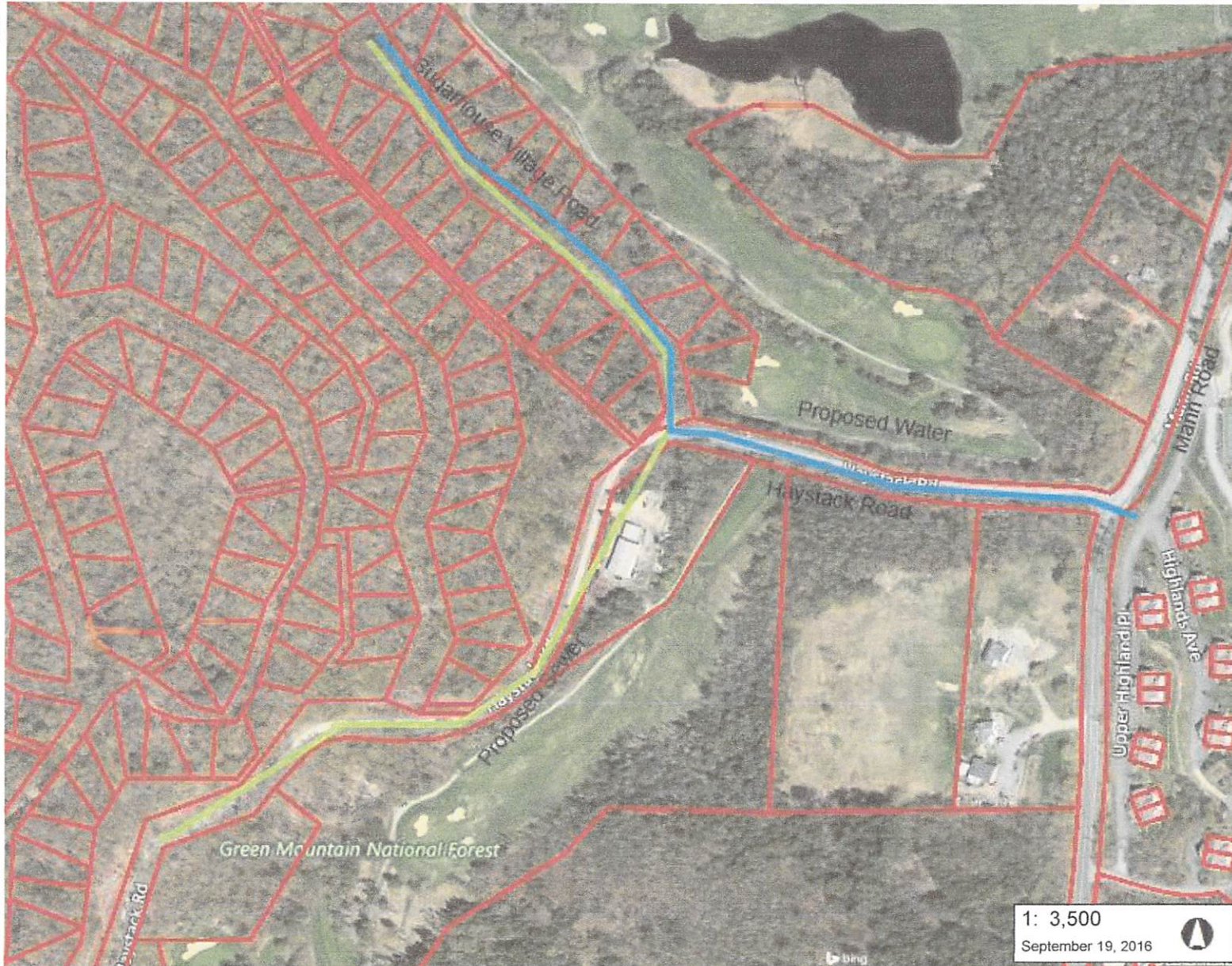
**Criterion J:** Refer to Appendix C for definitions of temporary and final stabilization.

**Criterion K:** Include disturbance for the duration of the project, not at any one point in time. The Erosion Factor K, is a measure of the inherent erodibility of a soil type. Refer to NRCS soil maps available at USDA-NRCS District Offices. If soils data are not available (e.g. if the site is built on assorted fill material), contact DEC for directions on evaluating soil erodibility.

**Criterion L:** Include disturbance for the duration of the project, not at any one point in time. Slope determinations should be based on a site survey of the proposed disturbance area.

<b>Total Risk Score</b>		
N.	<b>Moderate Risk Base Score</b>	<b>2</b>
O.	<b>Enter Score from Line G above (Risk Factor Total)</b>	<b>1</b>
P.	<b>Add lines N and O</b>	<b>3</b>
Q.	<b>Enter Score from Line M above (Risk Mitigation Factor Total)</b>	<b>3</b>
R.	<b>OVERALL RISK SCORE: Subtract line Q from line P</b>	<b>0</b>





**LEGEND**

- Parcels (where available)
- Town Boundary

1: 3,500  
September 19, 2016



WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere 1" = 292 Ft. 1cm = 35 Meters  
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**DISCLAIMER:** This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

**NOTES**

Map created using ANR's Natural Resources Atlas