



**Vermont Department of Environmental Conservation**  
Commissioner's Office  
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*Agency of Natural Resources*

May 21, 2018

Honorable David Allaire, Mayor of the City of Rutland  
City of Rutland  
PO Box 969  
Rutland City, VT 05702

Re: Proposed Designation of Rutland City as a Regulated Small MS4

Dear Mayor Allaire,

Pursuant to Vermont's authority as a state approved to administer a program consistent with the minimum requirements of the National Pollutant Discharge Elimination System (NPDES) and the Vermont Agency of Natural Resources' (Agency) "Procedure for Designation of Regulated Small MS4s" (May 16, 2016) (Designation Procedure), the Secretary of Natural Resources (Secretary) designates the City of Rutland (City) as a regulated small municipal separate storm sewer system (regulated small MS4). The designation covers those portions of the City that discharge to its separate storm sewer system, and excludes those portions of the City that discharge stormwater to the City's combined sewer system. If future activities eliminate stormwater discharges to the combined sewer system, those portions of the City no longer discharging stormwater to the combined sewer system shall automatically be incorporated under this designation.

The Secretary is designating the City as a regulated small MS4 based upon: (1) the City's population, and (2) the extent of impervious surface within the municipality that is currently regulated under a stormwater permit. Designation Procedure § IV(a)(4) and (7). Based on the 2010 U.S. Census, the City has a population of 16,495 people with a population density of 2,182.7 people per square mile. Pursuant to 40 C.F.R. § 123.35(b) and the Designation Procedure, cities of such a size and population density must be considered for designation.

Based upon the records of the Agency's Stormwater Program, there are approximately 1,178 acres of impervious surface in the City. Consequently, the City is approximately 24% impervious surface. Of this impervious surface, approximately 93.2 acres are covered by an operational stormwater operational permit, 38.6 acres are covered by a stormwater offset permit, and 3.3 acres are subject the Transportation Separate Storm Sewer System (TS4) General Permit. The remaining 1,043 acres of impervious surface, or 89% of the total, are not subject to an operational stormwater permit.

Larger more populated areas that are densely developed and their associated impervious surfaces are correlated with negative impacts to surface waters. Stormwater flows in these areas are generally higher in volume, pollutants, and temperature than the flows in areas with less impervious cover. (U.S. EPA, 1997. Urbanization and Streams: Studies of Hydrologic Impacts. EPA 841-R-97-009. Office of Water. Washington, DC).

Given the population density of the City, the extent of impervious surface, and the fact that the large majority of these surfaces are not subject to stormwater management practices as part of an operational stormwater permit, the Department hereby designates the City of Rutland as a regulated small MS4.

This proposed designation will be placed on public notice via the Department's Environmental Notice Bulletin (ENB) for a period of thirty days. At the close of this comment period the Department shall respond to all comments and provide a decision on the final designation.

Sincerely,

A handwritten signature in black ink, appearing to read "Emily Boedecker". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Emily Boedecker, Commissioner  
Vermont Department Environmental Conservation