



Vermont Department of Environmental Conservation

Agency of Natural Resources

FACILITIES ENGINEERING DIVISION
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John O'Conner
Authorized Representative
Town of Brattleboro
Municipal Center, 230 Main Street
Brattleboro, Vermont 05301

November 6, 2013

**Re: Black Mountain Sewer
formerly Wastewater Treatment Plant Upgrade and Pump Station Upgrades
Vermont/ USEPA Clean Water Revolving Loan Number RF1-171
Notice of Intent to Issue an Amended Finding of No Significant Impact**

Dear Mr. O'Conner:

The Department of Environmental Conservation intends to issue an amended Finding of No Significant Impact (FONSI) for the proposed Black Mountain Sewer project. This project was formerly approved as a pump station upgrade project through the FONSI environmental review process. Since the scope of the project has changed to eliminate the pump station and install a new gravity sewer, the existing FONSI needs to be amended. Otherwise, this project may have been eligible for Categorical Exclusion from detailed environmental review; additionally the direct and indirect environmental effects of the project are still not significant enough to necessitate an Environmental Impact Statement (EIS).

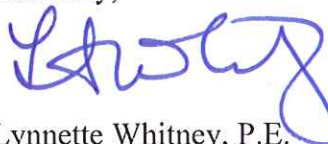
The Department's environmental review procedures require a **30 day public comment period** following the issuance of a Notice of Intent to Issue a Finding of No Significant Impact. If no public comments received during that period demonstrate that this Notice of Intent is in error, then the Finding of No Significant Impact will become effective.

Copies of documents supporting a Finding of No Significant Impact are enclosed. Please keep copies of the **enclosed documents**, along with any pertinent reports by your consulting engineers, **available for public inspection** during a public comment period of 30 days. A full

John O'Conner, Authorized Representative, Town of Brattleboro
Black Mountain Sewer Project
Finding of No Significant Impact
November 6, 2013

listing of the documents that must be available for public inspection is attached. Please call, (802) 490-6226, if you have any questions or concerns.

Sincerely,



Lynnette Whitney, P.E.
Pollution Control Design Chief
Facilities Engineering Division

Enclosures.

Documents Enclosed for Finding of No Significant Impact Public Comment Period (30 days)

1. **Notice of Intent** to Issue a **Finding of No Significant Impact** (Signed by Eric Blatt, P.E., Director, Facilities Engineering Division.)
2. **Evaluation** of Eligibility for Finding of No Significant Impact (Approved by Eric Blatt, P.E., Director, Facilities Engineering Division.)
3. **Environmental Review Procedures** for Projects Funded Through the Vermont/ EPA Revolving Loan Program
4. **Environmental Information Document** titled "*Brattleboro Wastewater Treatment Facility Upgrade, Environmental Information Document*", and dated **May 2009**, by **Hoyle, Tanner & Associates, Inc.**, of Burlington, Vermont.

Additional Documents Needed for Finding of No Significant Impact Public Comment Period (30 days)

5. **Environmental Report and Information Document** entitled, "*Environmental Report*" and dated August 19, 2013.
6. **Facilities Plan** entitled, "*Black Mountain Feasibility Study, Final Report*" and dated February 2013.
7. **Facilities plan** titled "*Brattleboro Wastewater Treatment Facility Upgrade, Conceptual Design Report*", and dated **March 2009**, by **Hoyle, Tanner & Associates, Inc.**
8. **Preliminary engineering report** titled "*Wastewater Treatment Facility Upgrade, Preliminary Engineering Report*", and dated **August 22, 2007**, by **DuBois & King, Inc.**, of Randolph, Vermont.

John O'Conner, Authorized Representative, Town of Brattleboro, Vermont
Black Mountain Sewer Project
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9. **Facilities evaluation report** titled "*Brattleboro Wastewater Treatment Facility, 20-Year Evaluation and Interim Report*", dated **2005**, by **DuBois & King, Inc.**

COPY LIST

Stephen Barrett, Director of Public Works, Town of Brattleboro

Dave DiDomenico, Wastewater Program, VT-DEC, Watershed Management Division

Ryan McCall, Environmental Analyst, Stormwater Section (Construction Sites), VT-DEC, Watershed Management Division

Everett Marshall, Information Manager, Nongame and Natural Heritage Program, VT Dept of Fish & Wildlife

Kenneth Cox, Fisheries Biologist, VT Dept of Fish & Wildlife

Rebecca Chalmers, District Wetlands Ecologist, Wetlands Section, VT-DEC, Water Quality Division

Scott Dillon, Archeologist, Division for Historic Preservation, VT Dept of Housing and Community Affairs

Department of Environmental Conservation
Facilities Engineering Division
1 National Life Drive, Main 1
Montpelier, VT 05620

(802) 490-6226

Notice of Intent to Issue a Finding of No Significant Impact

**Town of Brattleboro, Vermont
Black Mountain Sewer**

Vermont/ USEPA Clean Water Revolving Loan Number: **RF1-171**

The Department of Environmental Conservation intends to issue a Finding of No Significant Impact (FONSI) for the proposed Black Mountain Sewer project, a partly directional-drilled, gravity sewer replacing an existing ejector pump station.

This project was formerly approved as part of a FONSI under the Department's Environmental Review Procedures for Projects Funded Through the Vermont/ EPA Revolving Loan Program, where it was combined with the treatment plant upgrade which was ineligible for Categorical Exclusion from detailed environmental review. This FONSI amends the former FONSI.

A FONSI hearing was held October 15, 2013 during a regular meeting of the Brattleboro Selectboard. The hearing was televised. There were no adverse comments. Gratitude was expressed towards the municipal employee, Skip Fletcher, who thought of this alternative project to the pump station upgrade.

Also, the direct and indirect environmental effects of the project are not significant enough to necessitate an Environmental Impact Statement (EIS), under the Department's environmental review procedures. The project will not increase the current permitted flow capacity of the treatment plant, and the project will not include sewer extensions to the extent that the service area is not increased by the project.

Town of Brattleboro, Vermont
Wastewater Treatment Plant Upgrade and Pump Station Upgrades
Notice of Intent to Issue a Finding of No Significant Impact
November 6, 2013

Further information on the project and this Notice of Intent is available for inspection at the following locations:

John O'Conner, Authorized Representative
Town of Brattleboro
Municipal Center, 230 Main Street
Brattleboro, Vermont 05301

Telephone: (802) 251-8102

Vermont Department of Environmental Conservation
Facilities Engineering Division
1 National Life Drive, Main 1
Montpelier, VT 05620

Telephone: (802) 490-6226

Hoyle, Tanner & Associates, Inc.
125 College Street, 4th Floor
Burlington, VT 05401

Telephone: (802) 860-1331

No significant administrative action will be taken on this project for thirty (30) days from issuance of this Notice of Intent, to allow for public comment.



Eric Blatt, P.E., Director
Facilities Engineering Division

11/8/2013

Date

Department of Environmental Conservation
Vermont Agency of Natural Resources



Vermont Department of Environmental Conservation

Agency of Natural Resources

TO: Eric Blatt, P.E., Director, Facilities Engineering Division

FROM: Lynnette Whitney, P.E., Pollution Control Design Chief, Facilities Engineering Division

SUBJECT: **Town of Brattleboro**
Black Mountain Sewer

Evaluation of Eligibility for Finding of No Significant Impact

DATE: November 6, 2013

A. Project Identification

Project Name: Town of Brattleboro
Black Mountain Sewer

Address: John O'Conner, Authorized Representative
Town of Brattleboro
Municipal Center, 230 Main Street
Brattleboro, Vermont 05301

Project Location: Brattleboro, Vermont
Black Mountain ejector station, Black Mountain Road

Vermont/ USEPA Clean Water Revolving Loan Number: **RF1-171**

Mr. John O'Conner, Authorized Representative, Town of Brattleboro
Evaluation of Eligibility for Finding of No Significant Impact
Black Mountain Sewer
Vermont/ USEPA Clean Water Loan Number RF1-171
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B. Summary of Environmental Review

The Department of Environmental Conservation, Facilities Engineering Division, has reviewed this proposed project in accordance with the Department's Environmental Review Procedures for Projects Funded Through the Vermont/ EPA Revolving Loan Program.

The Department has reviewed the following planning documents:

- **Environmental Report and Information Document** entitled, "*Environmental Report*" and dated August 19, 2013.
- **Facilities Plan** entitled, "*Black Mountain Feasibility Study, Final Report*" and dated February 2013.
- **Environmental Information Document** titled "*Brattleboro Wastewater Treatment Facility Upgrade, Environmental Information Document*", and dated **May 2009**, by **Hoyle, Tanner & Associates, Inc.**, of Burlington, Vermont.
- **Facilities Plan** titled "*Brattleboro Wastewater Treatment Facility Upgrade, Conceptual Design Report*", and dated **March 2009**, by **Hoyle, Tanner & Associates, Inc.**
- **Preliminary Engineering Report** titled "*Wastewater Treatment Facility Upgrade, Preliminary Engineering Report*", and dated **August 22, 2007**, by **DuBois & King, Inc.**, of Randolph, Vermont.
- **Facilities Evaluation Report** titled "*Brattleboro Wastewater Treatment Facility, 20-Year Evaluation and Interim Report*", dated **2005**, by **DuBois & King, Inc.**

A **Finding of No Significant Impact (FONSI)** is the appropriate environmental review response for this project. With the exception of the proposed pump station upgrades, this project is **not** eligible for **Categorical Exclusion** from detailed environmental review. Also, the project's direct and indirect environmental effects do necessitate issuance of an **Environmental Impact Statement (EIS)**, consistent with the criteria as described in section XI of the Department's environmental review procedures.

Mr. John O'Conner, Authorized Representative, Town of Brattleboro
Evaluation of Eligibility for Finding of No Significant Impact
Black Mountain Sewer
Vermont/ USEPA Clean Water Loan Number RF1-171
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1. Project Description

The Town of Brattleboro is located in **Windham** County, Vermont. The proposed project consists of:

- a. Demolition of the Black Mountain ejector station and construction of a gravity sewer through partial open cut and partial directional drill in order to install the pipe underneath Interstate 91 without disturbing the interstate or its traffic. This contract is expected to be constructed with **clean water revolving loan** funding.

2. Justification for Finding of No Significant Impact

We have determined that the proposed project meets the criteria for issuance of a Finding of No Significant Impact.

The project is ineligible for Categorical Exclusion because it was formerly approved under the FONSI process and requires an amendment. Otherwise, this project would have been eligible for Categorical Exclusion.

A FONSI hearing was held October 15, 2013 during a regular meeting of the Brattleboro Selectboard. The hearing was televised. There were no adverse comments. Gratitude was expressed towards the municipal employee, Skip Fletcher, who thought of this alternative project to the pump station upgrade.

In addition, the direct and indirect environmental effects of the project will not necessitate an Environmental Impact Statement (EIS). The project will not increase the current 3 mgd (million gallons per day) permitted flow capacity of the treatment plant. The project is not expected to stimulate major residential development. Since the year 2000, the estimated population of Windham County and much of southern Vermont has declined slightly. The project will not include sewer extensions. The environmental footprint of food or beverage industries that might be accommodated by the municipal wastewater project is expected to be limited. A major bond article for the project has been approved by elected Town representatives, and the project is not expected to be controversial.

Construction of the project is not expected to directly affect wetlands, wetlands buffer zones, floodplains; habitats of rare, threatened or endangered species; or other environmentally sensitive areas. The project site has been reviewed by Scott Dillon in the field due to the presence of a cemetery on the proposed alignment. The proposed pipe will be substantially below the cemetery.