



Vermont Department of Environmental Conservation

Agency of Natural Resources

FACILITIES ENGINEERING DIVISION
National Life Building, MAIN 1
1 National Life Drive
Montpelier, VT 05620-3510
FAX: (802)828-1552

E-Mail Address: Eric.Blatt@state.vt.us
Telephone: (802) 585-4901

E-Mail Address: Lynnette.Whitney@state.vt.us
Telephone: (802) 490-6226

Evan Pilachowski, P.E.
Authorized Representative
City of Rutland
52 Washington Street
PO Box 969
Rutland, Vermont 05702

November 6, 2013

**Re: Northwest Neighborhood CSO
formerly Library Ave CSO Project
Vermont/ USEPA Clean Water Revolving Loan Number RF1-166
Notice of Intent to Issue an Amended Finding of No Significant Impact**

Dear Mr. Pilachowski:

The Department of Environmental Conservation intends to issue an amended Finding of No Significant Impact (FONSI) for the proposed Northwest Neighborhood CSO project. The project has positive environmental impacts by reduction of storm water conveyed to the municipal wastewater treatment plant and reduction of the frequency of combined sewer overflows in the neighborhood. This project involves some subgrade construction in the flood hazard zone, as well as several new discharge locations to the East Creek and groundwater (through green infrastructure elements). 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.

Evan Pilachowski, Authorized Representative, City of Rutland
Northwest Neighborhood CSO Project
Finding of No Significant Impact
November 6, 2013

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 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

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

4. **Environmental Information Document** titled "*Environmental Report and Environmental Information Document*", and dated **October, 2013**, by **Otter Creek Engineering** of Rutland, Vermont.
5. **Preliminary Engineering Report** entitled "*City of Rutland Preliminary Engineering Report Library Avenue Sewer Separation Project*", and dated **August, 2013**, by **Otter Creek Engineering** of Rutland, Vermont.

Evan Pilachowski, Authorized Representative, City of Rutland, Vermont
Northwest Neighborhood CSO Project
Notice of Intent to Issue a Finding of No Significant Impact
November 6, 2013

COPY LIST

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

Randy Bean, Wastewater Program, VT-DEC, Watershed Management Division

Jenna Calvi, Environmental Analyst, Stormwater Section, 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

Julie Foley, District Wetlands Ecologist, Wetlands Section, VT-DEC, Water Quality Division

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



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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

**City of Rutland, Vermont
Northwest Neighborhood CSO**

Vermont/ USEPA Clean Water Revolving Loan Number: **RF1-166**

The Department of Environmental Conservation intends to issue a Finding of No Significant Impact (FONSI) for the proposed Northwest Neighborhood CSO project. This project involves construction of a new separate stormwater collection system that will remove storm water flows from the existing sewer collection system, as well as some stormwater treatment components.

Under the Department's Environmental Review Procedures for Projects Funded Through the Vermont/ EPA Revolving Loan Program, the CSO project is ineligible for Categorical Exclusion from detailed environmental review. The project involves construction in the flood hazard area and several new discharge points.

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.

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:

Evan Pilachowski, P.E., City Engineer
Authorized Representative
City of Rutland
52 Washington Street
PO BOX 969
Rutland, Vermont 05702

Telephone: (802) 773-1813

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

Telephone: (802) 490-6226

Otter Creek Engineering
110 Merchant's Row
4th Floor, Suite 15
Rutland, Vermont 05701

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

11/6/2013
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: **City of Rutland**
Northwest Neighborhood CSO (formerly Library Ave CSO)
Evaluation of Eligibility for Finding of No Significant Impact

DATE: November 6, 2013

A. Project Identification

Project Name: City of Rutland
Northwest Neighborhood CSO Project

Address: Evan Pilachowski, P.E., Authorized Representative
City of Rutland
52 Washington Street
PO Box 969
Rutland, Vermont 05702

Project Location: Rutland, Vermont
Northwest Neighborhood: bounded on the north by Crescent Street, to the east by Grove Street, to the south by Library Ave, and to the west by East Creek.

Vermont/ USEPA Clean Water Revolving Loan Number: **RF1-166**

Mr. Evan Pilachowski, Authorized Representative, City of Rutland
Evaluation of Eligibility for Finding of No Significant Impact
Northwest Neighborhood CSO Project
Vermont/ USEPA Clean Water Loan Number RF1-166
November 6, 2013

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 Information Document** titled "*Environmental Report and Environmental Information Document*", and dated **October, 2013**, by **Otter Creek Engineering** of Rutland, Vermont.
- **Preliminary Engineering Report** entitled "*City of Rutland Preliminary Engineering Report Library Avenue Sewer Separation Project*", and dated **August, 2013**, by **Otter Creek Engineering** of Rutland, Vermont.

A public hearing was held on October 21, 2013 prior to the regularly scheduled Board of Aldermen's Meeting in the municipal office. Aldermen Donahue, Siliski, and Wallstrom had several questions about the project which were answered by Craig Jewitt of Otter Creek Engineering. Cam Johnston, a neighbor of the project, raised the concern that he was worried that modifications to the storm drain system might move the point at which the system floods into the streets. Evan Pilachowski, City Engineer, and Craig Jewitt indicated that they were aware of the concern and that they would be taking this into account during final design.

A **Finding of No Significant Impact (FONSI)** is the appropriate environmental review response for this project. This project is **not** eligible for **Categorical Exclusion** from detailed environmental review due to construction within the flood hazard zone, new surface water discharge points, and new groundwater discharge points. Also, the project's direct and indirect environmental effects do **not** 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. Evan Pilachowski, Authorized Representative, City of Rutland
Evaluation of Eligibility for Finding of No Significant Impact
Northwest Neighborhood CSO Project
Vermont/ USEPA Clean Water Loan Number RF1-166
November 6, 2013

1. Project Description

The City of Rutland is located in **Rutland** County, Vermont. The proposed project consists of:

- a. This project involves the construction of a new storm drain network for six city blocks, current storm drains discharge to the municipal sewer collection system and contribute to combined sewer overflow events. The project will involve minor changes to some portions of the existing water and sewer utilities where necessary. This contract is expected to be constructed with **clean water state revolving loan funding (CWSRF)**.

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 Northwest Neighborhood is not eligible for Categorical Exclusion. The proposed CSO project will involve construction in the flood hazard zone and several new discharge points, both to surface water on East Creek and to groundwater through the use of green infrastructure elements. Under the Department's environmental review procedures, a Categorical Exclusion may not be issued when there are environmental concerns, such as the flood hazard zone, or for new discharges.

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 permitted flow capacity of the treatment plant. The project is not expected to stimulate residential development. The project will not include sewer extensions. The environmental footprint of commercial and industrial connections that might be accommodated by the municipal wastewater project is expected to be limited.

A FNSI hearing was held on October 21, 2013 at 6:45pm at the Rutland City Hall at 52 Washington Street prior to a regular Alderman's meeting. Several questions were asked about the project, which were answered by the consultant. Additionally, a neighbor, Cam Johnson, discussed his concerns that changing the pipe capacities might move the areas first prone to waters backflowing into the streets. Otter Creek Engineering represented that they were aware of the concern and would be examining the situation during final design to avoid this situation. A major bond article for the project is required, but is not yet scheduled.

Construction of the project is not expected to directly affect wetlands, wetlands buffer zones, habitats of rare, threatened or endangered species; or other culturally or environmentally sensitive areas.