



Vermont Department of Environmental Conservation

EC7 Facilities Engineering Division

1 National Life Drive

Main Building, 1st Floor

Montpelier, VT 05620-3510

Agency of Natural Resources

Mr. Justin C. Rabidoux, Director of Public Works
Authorized Representative
City of South Burlington
575 Dorset Street
South Burlington, Vermont 05403

July 16, 2018

Re: City of South Burlington, Kennedy Pond 3 Project
Vermont/ USEPA Clean Water Revolving Loan Number RF1-2xx (Pending)
Categorical Exclusion from Detailed Environmental Review

Dear Justin:

The Department of Environmental Conservation has determined that the City's proposed project: **City of South Burlington, Kennedy Pond 3 Project** may be excluded from the detailed environmental review procedures that are required for projects that have significant environmental effects. The Department's (Clean Water) environmental review procedures require a **30 day public comment period** following the issuance of a Notice of Determination of Eligibility for Categorical Exclusion. If no public comments received during that period demonstrate that this Determination is in error, then the Categorical Exclusion exempting the project from detailed review will become effective.

Copies of documents supporting a Categorical Exclusion are enclosed. Please keep copies of the **enclosed documents 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 me at (802) 490-6226 if you have any questions or concerns, or you can email me at Lynnette.Claudon@Vermont.gov.

Sincerely,

A handwritten signature in blue ink that reads "LW Claudon".

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

Documents Enclosed for Categorical Exclusion Public Comment Period (30 days)

1. *“Notice of Determination of Eligibility for Categorical Exclusion”*
(Signed by Eric Blatt, PE, Director, Facilities Engineering Division.)
2. *“Evaluation of Eligibility for Categorical Exclusion”*
(Approved by Eric Blatt, PE, Director, Facilities Engineering Division.)

Additional Documents Needed for Categorical Exclusion Public Comment Period (30 days)

1. *“Environmental Review Procedures for Projects Funded Through the Vermont/EPA Revolving Loan Program”*, <https://anrweb.vt.gov/DEC/IronPIG/DownloadFile.aspx?DID=129684&DVID=0>
2. **Categorical Exclusion** (CatEx) request letter, City of South Burlington, July 12, 2018.
<https://anrweb.vt.gov/DEC/IronPIG/DownloadFile.aspx?DID=170536&DVID=0>
3. **Preliminary Engineering Report** (PER) entitled *“Hadley Road Sewer Service Area Preliminary Engineering Report”* and dated February 29, 2017, by Hoyle Tanner & Associates of Burlington, Vermont.
<https://anrweb.vt.gov/DEC/IronPIG/DownloadFile.aspx?DID=133524&DVID=0>
4. **Preliminary Engineering Report** (PER) **Amendment #3** entitled *“Addendum #3 to the Hadley Road Sanitary Sewer Service Area Preliminary Engineering Report”* dated July 2, 2018.
<https://anrweb.vt.gov/DEC/IronPIG/DownloadFile.aspx?DID=170533&DVID=0>
5. **Environmental Information Document** (EID) signed July 2, 2018, by Hoyle Tanner and Associates, of Burlington, Vermont and by the City of South Burlington on July 6, 2018.
<https://anrweb.vt.gov/DEC/IronPIG/DownloadFile.aspx?DID=170534&DVID=0>

COPY LIST

John Reilly, P.E., Hoyle Tanner and Associates

Scott Dillon, Historic Preservation, ACCD

Tom Brown, CWSRF Program Lead, Financial Management Section, VT-DEC-FED

Julia Stone & Mercedes Pinon, CWSRF Financial Management Section, VT-DEC-FED

Notice of Determination of Eligibility for Categorical Exclusion

City of South Burlington

City of South Burlington, Kennedy Pond 3

Vermont/ USEPA Clean Water Revolving Fund Loan Number RF1-2xx (Pending)

In accordance with section VII of the Department's "*Environmental Review Procedures for Projects Funded Through the Vermont/ EPA Revolving Loan Program*", the City of South Burlington has requested that its proposed City of South Burlington, Kennedy Pond 3 Project be evaluated for eligibility for a Categorical Exclusion from the detailed environmental review that is described in the Procedures and required for projects with significant environmental effects.

Consideration of the requests for Categorical Exclusion included a review of the following documents:

- Environmental information documents signed July 2, 2018, by Hoyle Tanner and Associates, of Burlington, Vermont and by the City of South Burlington on July 6, 2018.

Upon completion of its independent evaluation, the Department has determined that the proposed project meets the criteria for issuance of a Categorical Exclusion.

Specifically, the project will not increase the permitted annual average flow (hydraulic) capacity of either of the existing City wastewater treatment plants, and it will not increase permitted pounds of pollutants that may be discharged by those plants. Also, the project will not increase the design organic (equivalent population) treatment capacity of the wastewater treatment plant. The project will not add a new permanent discharge of stormwater or treated wastewater to surface waters or groundwater. Further, the project does not involve (create) serious local or environmental issues, or meet any of the criteria that would result in denial of an Exclusion, nor does the project meet the definition of sewer extension.

Kennedy Pond 3 Project

Notice of Determination of Eligibility for Categorical Exclusion from Detailed Environmental Review

Further information on the project and this Determination is available for inspection at the following locations:

Thomas J. DiPietro Jr., Deputy Director Department of Public Works
City of South Burlington
104 Landfill Road
South Burlington, Vermont 05403

telephone (802) 658-7961 x6108
Tdipietro@sburl.com

Lynnette Whitney Claudon, P.E.
Vermont Department of Environmental Conservation
Facilities Engineering Division
1 National Life Drive, Main 1
Montpelier, VT 05620-3510

telephone (802) 490-6226
Lynnette.Claudon@Vermont.gov

(Note: National Life requires photo identification to obtain an access badge for entry.)

John Reilly, P.E.
Hoyle Tanner and Associates, Inc
125 College Street, 4th Floor
Burlington, VT 05401

tel. (802) 860-1331
jreilly@hoyletanner.com

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



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

July 16, 2018

Department of Environmental Conservation
Vermont Agency of Natural Resources



Vermont Department of Environmental Conservation

EC7 Facilities Engineering Division

1 National Life Drive

Main Building, 1st Floor

Montpelier, VT 05620-3510

Agency of Natural Resources

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

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

SUBJECT: City of South Burlington
City of South Burlington, Kennedy Pond 3 Project

Evaluation of Eligibility for Categorical Exclusion
from Detailed Environmental Review

DATE: July 12, 2018

A. Project Identification

Project Name: Kennedy Pond 3 Project

Address: Mr. Justin C. Rabidoux
Authorized Representative
City of South Burlington
575 Dorset Street
South Burlington, Vermont 05403

Project Location: Kennedy Pond 3 is an existing stormwater pond located north of Kennedy Drive in South Burlington between Hinesburg Road and Dorset Street.

Vermont/ USEPA Clean Water Revolving Loan Number RF1-2xx (Pending)

B. Summary of Environmental Review

In accordance with section VII of the Department's "*Environmental Review Procedures for Projects Funded Through the Vermont/EPA Revolving Loan Program*", the **City of South Burlington** has requested that their proposed **City of South Burlington, Kennedy Pond 3 Project** be evaluated for eligibility for a Categorical

City of South Burlington
Kennedy Pond 3 Project
Evaluation of Eligibility for Categorical Exclusion from Detailed Environmental Review
July 12, 2018

Exclusion from the detailed environmental review that is described in the Procedures and required for projects with significant environmental effects.

The applicant's request and the following planning documents have been reviewed, and our findings are summarized below:

Environmental information documents signed July 2, 2018, by Hoyle Tanner and Associates, of Burlington, Vermont and by the City of South Burlington on July 8, 2018.

1. Project Description

The City of South Burlington is located in **Chittenden** County, Vermont.

The proposed project will **alter the flow path of existing stormwater collection piping to direct additional flows to the Kennedy Pond 3, which will be an expanded and refurbished system** in the Kennedy Drive area in South Burlington, Vermont. The current pond is undersized and some stormwater is discharged without treatment. The project will redirect the discharge to the Kennedy Pond 3.

The contract documents will contain standard requirements to limit hours of construction and to control noise, dust and discharges of stormwater runoff or pollutants during construction.

2. Justification for Categorical Exclusion

We have determined that the proposed project meets the criteria for issuance of a Categorical Exclusion.

Specifically, the project will not increase the **design hydraulic** capacity of the wastewater treatment plant by more than 20 percent, and it will not increase the design **organic** treatment capacity (**equivalent population** served) by more than 30 percent. In fact, the project will not increase the hydraulic or organic capacity of the treatment plant at all.

The project will **not** create a **new permanent discharge** of stormwater or treated wastewater to surface waters or groundwater, and there will be **no increase** of effluent **pollutant loadings** (pounds per day) permitted to be discharged from the City of South Burlington treatment plant.

The project is not expected to adversely affect wetlands, wetlands buffer zones, floodplains, historic sites, archeological sites, habitats of threatened or endangered species, or other environmentally or culturally sensitive areas.

The project does not involve serious local or environmental issues or meet any of the criteria that would result in denial of an Exclusion.