



Vermont Department of Environmental Conservation

*Agency of Natural Resources*

WATER INVESTMENT DIVISION  
National Life Building, DAVIS 3  
1 National Life Drive  
Montpelier, VT 05620-3510  
FAX: (802)828-1552

Ms. Megan Moir, Assistant DPW Director of Water Resources  
Authorized Representative  
City of Burlington  
234 Penny Lane  
Burlington, VT 05401

January 14, 2021  
Expiration Date: January 14, 2026

**Re:     Manhattan Drive Outfall Repairs Project  
          Vermont/ USEPA Clean Water Revolving Loan Number RF1-2xx (Pending)**

**Notice of Intent to Issue a Finding of No Significant Impact**

Dear Megan:

The Department of Environmental Conservation intends to issue a Finding of No Significant Impact (FONSI) for the Manhattan Drive Outfall Repairs Project.

The project has positive environmental impacts consisting of the reduction of erosion and sediment movement into the adjacent waters of the state and improved reliability and resiliency of the adjacent municipal sewer and stormwater systems.

This project additionally involves impacts to wetlands and floodplains in the form of permitted wetlands impacts and *de minimus* floodplain impacts.

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.

**Megan Moir, Authorized Representative, City of Burlington**  
**Manhattan Drive Outfall Repairs**  
**Finding of No Significant Impact**  
**January 14, 2021**

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 Claudon, PE  
Chief Pollution Control Design Engineer  
Water Investment Division

Enclosures

Documents Posted 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 of Engineering, Water Investment Division, enclosed.)
2. Evaluation of Eligibility for Finding of No Significant Impact (Approved by Eric Blatt, P.E., Director of Engineering, Water Investment Division, enclosed.)
3. State Environmental Review Procedures for Projects Funded Through the Vermont/ EPA Revolving Loan Program, <http://dec.vermont.gov/facilities-engineering/water-financing/srf/environmental-review>

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 1/11/2021, by City of Burlington.  
<https://anrweb.vt.gov/DEC/IronPIG/DownloadFile.aspx?DID=187748&DVID=0>
5. Preliminary Engineering Report entitled "*Final Draft Preliminary Engineering Report Stormwater Outfall Repair Project*," and dated 2018, by City of Burlington.  
<https://anrweb.vt.gov/DEC/IronPIG/DownloadFile.aspx?DID=179184&DVID=0>

**COPY LIST**

**Amy Polaczyk and David DiDomenico**, Wastewater Program, VT-DEC  
**Tina Heath**, Wetland Biologist  
**Jenna Olsen and Kate Komoroski**, City of Burlington  
**Christy Witters and Emily Shelley**, Stormwater Program, VT-DEC  
**Nick Hadriaris**, VHB



Vermont Department of Environmental Conservation

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Department of Environmental Conservation  
Water Investment Division  
1 National Life Drive, Davis 3  
Montpelier, VT 05620

**802-490-6226**

Notice of Intent to Issue a Finding of No Significant Impact

**City of Burlington  
Manhattan Drive Outfall Repairs**

Vermont/ USEPA Clean Water Revolving Loan Number: RF1-xxx

In accordance with section VII of the Department's *"Environmental Review Procedures for Projects Funded Through the Vermont/ EPA Revolving Loan Program,"* the Department of Environmental Conservation intends to issue a Finding of No Significant Impact (FNSI) for the proposed Manhattan Drive Outfall Repairs Project. This project involves global slope stabilization and stormwater outfall repair to 3 municipal separate stormwater system outfalls.

Under the Procedure, the project is ineligible for Categorical Exclusion (CATEX) from detailed environmental review. The project involves impacts to wetlands and floodplains and therefore exceeds the threshold for CATEX.

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.

Consideration of the FNSI included a review of the following document:

- **Environmental Information Document (EID)** signed 1/11/2021, by City of Burlington, of South Burlington, VT.

**City of Burlington**  
**Manhattan Drive Outfall Repairs**  
**Notice of Intent to Issue a Finding of No Significant Impact**  
**January 12, 2021**

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

Megan Moir, Assistant DPW Director of Water Resources  
City of Burlington  
234 Penny Lane  
Burlington, VT 05401

tel. (802) 863-4501  
mmoir@burlingtonvt.gov

Lynnette Claudon, PE  
Vermont Department of Environmental Conservation  
Water Investment Division  
1 National Life Drive, Davis 3  
Montpelier, VT 05620-3510

tel. 802-490-6226  
Lynnette.Claudon@Vermont.gov

*(Note: National Life requires photo identification to obtain an access badge for entry and entry is likely limited due to the global pandemic.)*

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.

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Eric Blatt, P.E., Director of Engineering  
Water Investment Division

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Date

Department of Environmental Conservation  
Vermont Agency of Natural Resources

TO: Eric Blatt, P.E., Director of Engineering, Water Investment Division

FROM: Lynnette Claudon, PE,  
Chief Pollution Control Design Engineer, Water Investment Division

SUBJECT: City of Burlington  
Manhattan Drive Outfall Repairs Project

**Evaluation of Eligibility for Finding of No Significant Impact**

DATE: January 12, 2021

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A. Project Identification

Project Name: City of Burlington  
Manhattan Drive Outfall Repairs

Address: Megan Moir, Authorized Representative  
City of Burlington  
234 Penny Lane  
Burlington, VT 05401

Project Location: City of Burlington, Vermont  
This project is located in the ravine area north of Manhattan Drive and south of Vermont Route 127 in the City of Burlington, Chittenden County, Vermont. The project is located in the Lake Champlain Basin watershed.

Vermont/ USEPA Clean Water Revolving Loan Number: **RF1-xxx** (Pending)

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**Megan Moir, Authorized Representative, City of Burlington**  
**Evaluation of Eligibility for Finding of No Significant Impact**  
**Manhattan Drive Outfall Repairs**  
**Vermont/ USEPA Clean Water Loan Number RF1-xxx (Pending)**  
**January 12, 2021**

B. Summary of Environmental Review

The Department of Environmental Conservation, Water Investment Division, has reviewed this proposed project in accordance with the Department's State 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 1/11/2021, by City of Burlington.
- Preliminary Engineering Report entitled “Final Draft Preliminary Engineering Report Stormwater Outfall Repair Project,” and dated 2018 by City of Burlington.

A Finding of No Significant Impact (FNSI) is the appropriate environmental review response for this project if the issues presented can be resolved with mitigation or permits. This project is not eligible for Categorical Exclusion from detailed environmental review due to potential impacts to wetlands and floodplains. 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.

1. Project Description

The City of Burlington is located in Chittenden County, Vermont in the Lake Champlain Basin major watershed.

The project involves global slope stability and stabilization of the earth of the embankment below Manhattan Drive, as well as improvements to and replacements of the stormwater outfalls. The proposed project will replace three existing stormwater outfalls in the Manhattan Drive area in City of Burlington, Vermont. The existing outfalls have experienced failures due to high velocity waters, erosion, and movement of sediments. The project will stabilize the slope of the embankment and rebuild the outfalls to dissipate energy from the stormwater runoff and abate erosion potential.

A secondary benefit of the project is improving the resiliency of the sewer collection and stormwater infrastructure located in Manhattan Drive.

This work is expected to be constructed with a Clean Water State Revolving Fund (CWSRF) loan.

Eligibility for clean water revolving loan (CWSRF) construction funding will be limited to the eligible clean water work as detailed in the Preliminary Engineering Report and to physical areas cleared through this environmental review process.

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.

**Megan Moir, Authorized Representative, City of Burlington**  
**Evaluation of Eligibility for Finding of No Significant Impact**  
**Manhattan Drive Outfall Repairs**  
**Vermont/ USEPA Clean Water Loan Number RF1-xxx (Pending)**  
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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.

This project involves impacts to wetlands and floodplains; however, both have been mitigated by their respective permit processes and with limited environmental effect due to the nature of the selected project.

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).

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. The project does not include sewer extensions.

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 Burlington Main Wastewater Treatment Facility.

A public hearing will be held on February 25, 2021 at 6pm by zoom as part of this FNSI process. Please contact the City for additional details or a link to join the meeting.