



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

Mr. Kurt Motyka, P.E., Public Works Director
Authorized Representative
City of Montpelier
39 Main Street, Montpelier VT, 05602

5/17/2023

Expiration Date: 5/17/2028

**Re: Montpelier East State Street Reconstruction Project
Vermont/ USEPA Clean Water Revolving Loan Number RF1-190, RF3-446**

Notice of Intent to Issue a Finding of No Significant Impact

Dear Mr. Motyka:

The Department of Environmental Conservation intends to issue a Finding of No Significant Impact (FNSI) for the East State Street Reconstruction Project.

The project has positive environmental impacts consisting of separation of stormwater from the combined sewer system, and construction of a separate storm sewer and hydrodynamic swirl separator for solids removal. This project will help Montpelier meet the combined sewer overflow (CSO) abatement goals. Additionally, the project will replace a length of sanitary sewer and in doing so will remove roof drain connections to the sewer system. This work will further reduce the inflow and infiltration to the sanitary sewer system and in turn reduce the potential for a sewer overflow.

This project additionally involves impacts to the 100-year flood plain as a result of the trench work required within the East State Street right-of-way as well as boring through the Rialto Bridge for the storm sewer outfall location. These impacts will be mitigated by the post-construction project area matching the existing elevation and surface cover.

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

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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 listing of the documents that must be available for public inspection is attached. Please call, (802) 490-8019, if you have any questions or concerns.

Sincerely,



Winn Wilson, EI
Environmental 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 3/17/2022, by Brad Washburn, P.E., City of Montpelier, Department of Public Works.
<https://anrweb.vt.gov/DEC/IronPIG/DownloadFile.aspx?DID=199793&DVID=0>

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5. Preliminary Engineering Report entitled "East State Street Reconstruction Project" and dated 10/4/2022, by Brad Washburn, P.E., City of Montpelier, Department of Public Works.
<https://anrweb.vt.gov/DEC/IronPIG/DownloadFile.aspx?DID=199794&DVID=0>
6. USDA Rural Development No Adverse Impact Section 106 Request, Vermont Division for Historic Preservation Review.
<https://anrweb.vt.gov/DEC/IronPIG/DownloadFile.aspx?DID=199796&DVID=0>
7. Project Review Sheet dated 4/1/2022.
<https://anrweb.vt.gov/DEC/IronPIG/DownloadFile.aspx?DID=199795&DVID=0>

COPY LIST

Amy Polaczyk and John Merrifield, Wastewater Program, VT-DEC
Allison Murphy, Division of Drinking Water and Groundwater Protection, Engineering Program
Scott Dillon and Elizabeth Peebles, Division for Historic Preservation, ACCD



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Water Investment Division
1 National Life Drive, Davis 3
Montpelier, VT 05620

(802) 490-8019

Notice of Intent to Issue a Finding of No Significant Impact

**City of Montpelier
East State Street Reconstruction Project**

Vermont/ USEPA Clean Water Revolving Loan Number: RF1-190
Vermont/ USEPA Drinking Water Revolving Loan Number: RF3-446

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 East State Street Reconstruction Project. This project involves the replacement of the existing sewer collection mains and structures as well as the water mains, valves and hydrants along East State Street from the intersection of East State St. and Main St. to approximately the intersection with College St. Additionally, a section of storm sewer will be installed to separate the stormwater from the combined sewer system. This separation will include the construction of a hydrodynamic swirl separator and a new outfall at the Rialto Bridge to the North Branch Winooski River.

Under the Procedure, the project is ineligible for Categorical Exclusion (CATEX) from detailed environmental review. The project involves impacts to the 100-year floodplain 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.

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

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- **Environmental Information Document (EID)** titled “Environmental Report and Environmental Information Document” and dated 3/17/2022, by Brad Washburn, P.E., City of Montpelier, Department of Public Works.
- **Preliminary Engineering Report (PER)** entitled “East State Street Reconstruction Project” and dated 10/4/2022, by Brad Washburn, P.E., City of Montpelier, Department of Public Works.

Required Mitigation: This project will impact the 100-year flood plain as a result of the trench work required within the East State Street right-of-way as well as boring through the Rialto Bridge for the storm sewer outfall location. These impacts will be mitigated by the post-construction project area matching the existing elevation and surface cover.

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

Kurt Motyka, P.E., Public Works Director
City of Montpelier
Department of Public Works
39 Main St., City Hall 05602

tel. (802) 262-6277
KMotyka@montpelier-vt.org

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

tel. (802) 490-8019
william.wilson@vermont.gov

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

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.

DocuSigned by:

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

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 of Engineering, Water Investment Division

FROM: Winn Wilson,
Environmental Engineer, Water Investment Division

SUBJECT: City of Montpelier
East State Street Reconstruction Project
Environmental Assessment
evaluation of eligibility for Finding of No Significant Impact

DATE: 5/17/2023

A. Project Identification

Project Name: City of Montpelier
East State Street Reconstruction Project

Address: Kurt Motyka, Authorized Representative
City of Montpelier
Department of Public Works
39 Main St., City Hall 05602

Project Location: City of Montpelier, Vermont
Linear project from the intersection of East State Street & Main Street
along East State St. to College Street.

Vermont/ USEPA Clean Water Revolving Loan Number: **RF1-190**
Vermont/ USEPA Drinking Water Revolving Loan Number: **RF3-446**

Kurt Motyka, Authorized Representative, City of Montpelier
Evaluation of Eligibility for Finding of No Significant Impact
East State St. Reconstruction Project
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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 3/17/2022, by Brad Washburn, P.E., City of Montpelier, Department of Public Works.
- Preliminary Engineering Report entitled “East State Street Reconstruction Project” and dated 10/4/2022, by Brad Washburn, P.E., City of Montpelier, Department of Public Works.

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 the 100-year floodplain. 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 Montpelier is located in Washington County, Vermont in the Winooski River watershed.

The proposed project involves the replacement of the existing sewer collection mains and structures as well as the water mains, valves and hydrants along East State Street from the intersection of East State St. and Main St. to approximately the intersection with College St. in Montpelier, Vermont. Additionally, a section of storm sewer will be installed to separate the stormwater from the combined sewer system. This separation will include the construction of a hydrodynamic swirl separator and a new outfall at the Rialto Bridge to the North Branch Winooski River. This project is needed to both replace the water and sewer infrastructure which has reached the end of its useful life as well as address one of the CSO locations regulated under Vermont Environmental Protection Rules Chapter 34. The storm sewer separation will help to abate the potential for discharge of raw sewage to Vermont surface waters during an overflow event.

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This work is expected to be constructed with Clean Water State Revolving Fund (CWSRF) loan, Drinking Water State Revolving Fund (DWSRF) loan and CSO American Rescue Plan Act Grant.

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. As well as any mitigation requirements for managing contaminated soil if found on site.

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 will impact the 100-year flood plain as a result of the trench work required within the East State Street right-of-way as well as boring through the Rialto Bridge for the storm sewer outfall location. These impacts will be mitigated by the post-construction project area matching the existing elevation and surface cover.

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 associated wastewater treatment plant.

A public hearing will be scheduled during the 30-day comment period before a final decision is made to finalize the FNSI process.