



Vermont Department of Environmental Conservation

EC7 Water Investment Division

1 National Life Drive, Davis 3
Montpelier, VT 05620-3510

Agency of Natural Resources

Emmalee Cherington, Director of Public Works
Authorized Representative
Town of Middlebury
77 Main Street
Middlebury, VT 05753

March 10, 2026

**Re: Middlebury, South Street Phase V – Sewer and Stormwater Replacement Project
Vermont/ USEPA Clean Water Revolving Loan Number RF1-369**

Categorical Exclusion from Detailed Environmental Review

Dear Emmalee Cherington:

The Department of Environmental Conservation has determined that the Town's proposed Middlebury, South Street Phase V – Sewer and Stormwater Replacement Project may be excluded from the detailed environmental review procedures that are required for projects that have 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 contact Winn Wilson at (802) 490-8019 or by e-mail at william.wilson@vermont.gov if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "William Wilson". The signature is written in a cursive, flowing style.

Winn Wilson
Environmental Engineer
Water Investment Division

Town of Middlebury, Vermont
South Street Phase V – Sewer and Stormwater Replacement Project
Notice of Determination of Eligibility for Categorical Exclusion from Detailed Environmental Review

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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 of Engineering, Water Investment Division.)
2. *“Evaluation of Eligibility for Categorical Exclusion”*
(Approved by Eric Blatt, PE, Director of Engineering, Water Investment 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. **Preliminary Engineering Report (PER)** entitled "Town of Middlebury, Vermont – Overflow Control Plan", and dated June 2018, by Wayne Elliott, PE of Aldrich + Elliot, PC in Essex Junction, VT.
<https://anrweb.vt.gov/DEC/IronPIG/DownloadFile.aspx?DID=212687&DVID=0>
3. **Environmental Information Document (EID)** and **Categorical Exclusion (CatEx)** request letter, signed 9/21/2023, by Emmalee Cherington, Director of Public Works, Town of Middlebury
<https://anrweb.vt.gov/DEC/IronPIG/DownloadFile.aspx?DID=212685&DVID=0>
4. **Section 106 Vermont Department of Historic Preservation Project Form** Review
<https://anrweb.vt.gov/DEC/IronPIG/DownloadFile.aspx?DID=212686&DVID=0>

COPY LIST

Robert Clark, PE, Otter Creek Engineering
Jamie Bates, Wastewater Management Program, Watershed Management Division
Tom Brown, CWSRF Program Lead, Financial Management Section, VT-DEC-WID
Scott Dillon, ACCD, Vermont Division of Historic Preservation



Vermont Department of Environmental Conservation

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1 National Life Drive, Davis 3
Montpelier, VT 05620-3510

Agency of Natural Resources

Notice of Determination of Eligibility for Categorical Exclusion

Town of Middlebury

Middlebury, South Street Phase V – Sewer and Stormwater Replacement Project

Vermont/ USEPA Clean Water Revolving Fund Loan Number RF1-369

In accordance with section VII of the Department's *"Environmental Review Procedures for Projects Funded Through the Vermont/ EPA Revolving Loan Program"*, the Town has requested that its proposed South Street Phase V – Sewer and Stormwater Replacement 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 Document (EID)** and **Categorical Exclusion (CatEx)** request letter, signed 9/21/2023, by Emmalee Cherington, Director of Public Works, Town of Middlebury

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 the existing Middlebury Wastewater Treatment Facility and it will not increase permitted pounds of pollutants that may be discharged by that plant. 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.

Town of Middlebury, Vermont
South Street Phase V – Sewer and Stormwater Replacement Project
Notice of Determination of Eligibility for Categorical Exclusion from Detailed Environmental Review

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

Emmalee Cherington, Director of Public Works
Town of Middlebury
77 Main Street
Middlebury, VT 05753

tel. (802) 388-4045
echerington@townofmiddlebury.org

Winn Wilson
Vermont Department of Environmental Conservation
Water Investment Division
1 National Life Drive, Main 2
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.

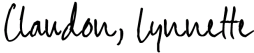
Signed by:

C13D237CC28247C...

Emily Bird, Director
Water Investment Division
Department of Environmental Conservation
Vermont Agency of Natural Resources

3/11/2026

Date

Signed by:

B268524B1357446...

Lynnette Claudon, PE
Senior Water Infrastructure Program Engineer
Water Investment Division

3/10/2026

Date



Vermont Department of Environmental Conservation

EC7 Water Investment Division

1 National Life Drive
Main Building, 2ND Floor
Montpelier, VT 05620-3510

Agency of Natural Resources

TO: Emily Bird, Director, Water Investment Division

FROM: Winn Wilson
Environmental Engineer, Water Investment Division

SUBJECT: Town of Middlebury
South Street Phase V – Sewer and Stormwater Replacement Project

Evaluation of Eligibility for Categorical Exclusion
from Detailed Environmental Review

DATE: March 10, 2026

A. Project Identification

Project Name: South Street Phase V – Sewer and Stormwater Replacement Project

Address: Emmalee Cherington, Director of Public Works
Authorized Representative
Town of Middlebury
77 Main Street
Middlebury, VT 05753

Project Location: The work includes replacement and improvements to the storm and sanitary sewer lines along South St. from South Main Street to Chipman Park South. This work will take place within the ROW along South St. as well as a short overland section from South St. to S. Main St. between 14&16 South St. This work will take place in the Otter Creek Watershed.

Vermont/ USEPA Clean Water Revolving Loan Number RF1-369

Town of Middlebury
South Street Phase V – Sewer and Stormwater Replacement Project
Evaluation of Eligibility for Categorical Exclusion from Detailed Environmental Review
3/10/2026

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 Town of Middlebury has requested that the proposed South Street Phase V – Sewer and Stormwater Replacement 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.

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

Environmental Information Document (EID) and Categorical Exclusion (CatEx) request letter, signed 9/21/2023, by Emmalee Cherington, Director of Public Works, Town of Middlebury

1. Project Description

The Town of Middlebury is located in Addison County, Vermont.

The proposed project involves replacement and improvements to the storm and sanitary sewer lines along South Street from South Main Street to Chipman Park South in Middlebury, Vermont. The South Street water and sewer zone serves Porter Hospital, Eastview at Middlebury (senior retirement community), residential and Middlebury College properties. Previous phases of this project were focused on increasing capacity to the waterline serving this area and separating a section of stormwater pipe from the previously combined sewer system. This phase is planned to complete improvements to deficiencies in the wastewater and stormwater systems by replacing aging and undersized infrastructure, which will address inflow and infiltration to the sewer system. This project will have a positive environmental impact by improving water quality by preventing or controlling periodic discharges related to combined sewer overflows that occur when the capacity of the sewer system is exceeded during a wet-weather event.

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.

2. Justification for Categorical Exclusion

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

**Town of Middlebury
South Street Phase V – Sewer and Stormwater Replacement Project
Evaluation of Eligibility for Categorical Exclusion from Detailed Environmental Review
3/10/2026**

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 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.

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 a Categorical Exclusion.