

STATE OF VERMONT
AGENCY OF NATURAL RESOURCES
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

STORMWATER DISCHARGE PERMIT

STORMWATER RUNOFF TO WATERS OF THE STATE

In compliance with provisions of 10 V.S.A. §1264, the Stormwater Management Rule, the Department's Interim Procedure for Offsets for Discharges of Phosphorus to Lake Champlain and Waters that Contribute to the Impairment of Lake Champlain, and in accordance with "Terms and Conditions" hereinafter specified,

McMahon Bros., LLC
32 VT Route 15E
Morrisville, VT 05661

Impervious Area: 2.53 acres

the permittee, is hereby granted permission to discharge stormwater runoff from McMahon Chevrolet located at 868 VT Route 15E in Hyde Park, Vermont to an unnamed tributary to Centerville Brook.

1. Expiration Date: Five years from issuance date of final permit. Note: This permit, unless revoked, modified or suspended, shall be valid until the designated expiration date notwithstanding any intervening change in water quality, effluent, or treatment standards, or classification of the receiving waters including groundwater. However, any such changed standard or classification, and any applicable requirement in a total maximum daily load (TMDL) for an unnamed tributary of Centerville Brook, shall be applied in determining whether or not to renew this permit, and in determining the conditions of a renewed permit.

The permittee shall reapply for a renewed discharge permit ninety days prior to the expiration date of this permit.

2. Revocation: 10 V.S.A. §1267 provides as follows:

The Secretary may, after notice and opportunity for a public hearing, revoke, modify or suspend this permit if it is found that the permittee submitted false or inaccurate information in its application or has violated any requirement, restrictions, or condition of this permit, or if there is any change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge. The Secretary shall impose conditions as the Secretary deems necessary for regulating the discharges of a permittee whose permit has been revoked, modified or suspended. Revocation shall be effective upon actual notice thereof to the permittee.

3. Operating Fees: This discharge is subject to operating fees under 3 V.S.A. §2822. The permittee shall submit the operating fees to the Agency in accordance with procedures provided by the Secretary.
4. Recording in Land Records: The permittee shall record a one-page notice of issuance of this discharge permit in the local land records within fourteen (14) days of issuance of this permit

on the form provided by the Secretary, per §22-312 of the Stormwater Management Rule for Stormwater-Impaired Waters. A copy of this form is available on the Stormwater Management Program website. The permittee shall provide a copy of the recording to the Stormwater Management Program within fourteen (14) days of the permittee's receipt of the copy of the recording from the local land records.

5. Transfer of Permit: This permit is not transferable without prior written approval of the Secretary. Provided all applicable fees under 3 V.S.A. §2822 have been paid, a permittee may submit a notice of transfer to the Stormwater Management Program. The notice shall be submitted at least five (5) days prior to the proposed date of transfer. The notice shall state that the prospective permittee has adequate funding to comply with this permit. The permittee shall provide a copy of this permit to the new owner or tenant and inform him of the responsibility to make application for a permit which shall be issued in his name. Any failure to do so shall be considered a violation of this permit.
 6. Right of Entry: The permittee shall allow the Secretary, or his or her authorized representatives, at reasonable times, upon presentation of credentials, to enter upon and inspect the permitted premises, and the stormwater collection, treatment and control system; and to sample any discharge to determine compliance with this permit; and to have access to and inspect and copy any records required to be kept pursuant to this permit.
 7. Receiving Waters: Unnamed Tributary of Centerville Brook
 8. Manner of Discharge:
S/N 001: Stormwater runoff from proposed parking area through dry swale structures and a grass channel before discharge to an unnamed tributary of Centerville Brook.

S/N 002: Stormwater runoff from a walking path by disconnection, and a rooftop/ parking area through catch basins and pipes and into a wet extended detention basin, before discharge to an unnamed tributary of Centerville Brook.
 9. Wastes Permitted: Stormwater runoff from S/N 001 and S/N 002 of the McMahon Chevrolet project after treatment from wet detention basin, dry swales, grass channels, and the Non-Rooftop Runoff Disconnection Credit .
 10. Volumes Permitted and Frequency of Discharge: Such volumes and frequency as required by the discharge specified in #8 above.
 11. Approved Project Design: This project shall be constructed and operated in accordance with the following site plans and details prepared by Chenette Associates, P.C. (Sheets: Stormwater Management Plan C-6, dated 11/11/2015; Sheet C-7, dated 11/11/2015; and supporting information).
- By reference, the above noted plans are made a part of this permit.
12. Inspection and Maintenance Reporting Requirements:
 - a. The basins, grass channels, and related stormwater collection, treatment and control system shall be maintained in good operating condition at all times and **shall be**

inspected annually and cleaned as necessary to maintain design specifications. The inspections shall be conducted between the conclusion of spring snow melt and June 15th of each year.

- b. Any sediment removed from the basins, grass channels, and related stormwater collection, treatment and control system shall be disposed of properly in accordance with state and federal statutes and regulations.
- c. **By July 15 of each year the permittee shall submit an annual inspection report to the Secretary; or by July 30 of each year if performed by a utility or municipality pursuant to a duly adopted stormwater management ordinance. Annual Inspection Reports shall be submitted to:**

Department of Environmental Conservation
Watershed Management Division
Stormwater Program
1 National Life Drive, Main 2
Montpelier, Vermont 05620-3522

Or by email to anr.wsmdstormwatergeneral@state.vt.us

This report shall include, at a minimum items c.i. through c.vii. below. The permittee(s) may utilize the Annual Inspection Report form available from the Stormwater Program if determined by inspector to be sufficient to fully document inspection and maintenance of the authorized system.

- i. Unless previously submitted by the permittee(s) under a previously issued authorization or discharge permit, the first report shall include an inspection and designer's certification that the project was built in compliance with the Approved Project Design per #11 above;
 - ii. A description of any vegetated areas that require mowing or other maintenance;
 - iii. A description of any catch basins that require maintenance or sediment removed from sumps;
 - iv. A description of any illicit discharges to the system (illicit discharges would include dumping of oil, gas, detergent, vehicle wash water, etc.) and corrective action/preventative measures taken if applicable;
 - v. A description of any re-routing of stormwater to avoid the system;
 - vi. A description of any erosion noted during inspection (i.e. areas of exposed soil in channels, outlets, or on pond berms);
 - vii. A description of any cleaning, maintenance operations, or repairs needed to maintain design specifications, including a schedule for correction of any identified deficiencies;
- d. Should any erosion problems occur, the permittee is required to immediately correct

any such problems.

- e. Any basins, grass channels, or related stormwater devices used during construction for erosion control shall be inspected and cleaned to design specifications immediately after construction has been completed.
- 13. Description of Required Offset: In order to meet the statutory standard for new discharges set forth in 10 V.S.A. §1264 and the and the Department's Interim Procedure for Discharges of Phosphorus to Lake Champlain and Waters that Contribute to the Impairment of Lake Champlain, the permittee is not required to offset because the permittee is infiltrating the 1 year storm. The project achieves a net zero in phosphorus loading to an unnamed tributary of Centerville Brook.
 - 14. Secretary's Determination: The Secretary has determined that this project meets the requirements of the Agency's 2002 Stormwater Management Manual and does not increase the phosphorus load of the receiving waters. The Secretary has determined that the proposed discharge will not reduce the quality of the receiving waters below the classification established for them.
 - 15. Personnel and Training Requirements: Such personnel and training as necessary to fulfill the requirements of #12 above.
 - 16. Monitoring and Reporting Requirement: No monitoring required; reporting requirement as specified in #12 above.
 - 17. Other Requirements:
 - a. Treated stormwater runoff is the only waste authorized for disposal under the terms and conditions of this permit. The discharge of any hazardous materials or hazardous waste into the stormwater management system is prohibited.
 - b. The issuance of this permit does not relieve the permittee from the responsibility to obtain any other local, state or federal permits required by law.
 - 18. Compliance with Anti-degradation and Water Quality Standards: The Secretary has determined that the permitted discharges satisfy Vermont's Anti-degradation Policy provided in Section 1-03 of the Vermont Water Quality Standards and the Department of Environmental Conservation's Interim Anti-degradation Implementation Procedure because the applicant has demonstrated how the proposed development will implement practices and offset projects as necessary to ensure water quality is maintained in receiving waters. In particular, the applicant has demonstrated how the proposed development will implement appropriate best management practices (BMPs) designed in accordance with the Department's Interim Procedure for Offsets for Discharges of Phosphorus to Lake Champlain and Waters that Contribute to the Impairment of Lake Champlain. Requirements of the Vermont Stormwater Management Manual, Volume I. These BMPs and offset projects where necessary will manage and mitigate the proposed stormwater discharge from the project such that no lowering of water quality is expected to occur in the receiving waters.
 - 19. Renewable Energy Projects – Right to Appeal to Public Service Board:
Any appeal of this decision must be filed with the clerk of the Vermont Public Service Board


pursuant to 10 V.S.A. §8506 within 30 days of the date of this decision. The appellant must file with the Clerk an original and six copies of its appeal. The appellant shall provide notice of the filing of an appeal in accordance with 10 V.S.A. §8504(c)(2), and shall also serve a copy of the Notice of Appeal on the Vermont Department of Public Service. For information, see the Rules and General orders of the Public Service Board available on line at www.psb.vermont.gov. The address for the Public Service Board is 112 State Street Montpelier, Vermont 05620-2701 (Tel. #802-828-2358).

All Other Projects – Right to Appeal to Environmental Court:

Pursuant to 10 V.S.A. Chapter 220, any appeal of this decision must be filed with the clerk of the Environmental Court within 30 days of the date of the decision. The Notice of Appeal must specify the parties taking the appeal and the statutory provision under which each party claims party status; must designate the act or decision appealed from; must name the Environmental Court; and must be signed by the appellant or their attorney. In addition, the appeal must give the address or location and description of the property, project or facility with which the appeal is concerned and the name of the applicant or any permit involved in the appeal. The appellant must also serve a copy of the Notice of Appeal in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings. For further information, see the Vermont Rules for Environmental Court Proceedings, available online at www.vermontjudiciary.org or call (802) 951-1740. The address for the Environmental Court is 32 Cherry Street, 2nd Floor Suite 303 Burlington, Vermont 05401.

20. Dated this 22nd day of April, 2016

Alyssa B. Schuren, Commissioner
Department of Environmental Conservation

By 

Kevin Burke, Environmental Analyst
Stormwater Management Program

**NOTICE OF ISSUANCE OF STORMWATER DISCHARGE PERMIT
BY THE VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

Notice is hereby given that an individual stormwater discharge permit or an authorization to discharge pursuant to a general stormwater discharge permit has been issued by the Vermont Department of Environmental Conservation to Permittee(s) named herein for the discharge of stormwater runoff from impervious surfaces (e.g. roadways, rooftops, parking lots, walkways) pursuant to 10 V.S.A. Section 1264 for the property identified below. The permit/authorization requires treatment and control of stormwater runoff, long-term maintenance of the treatment and control structures and payment of yearly operational fees.

Permittee(s): _____

Permit/Authorization Number: _____

911 Address of Property: _____

Name of condominium, subdivision or planned community association (if applicable):

Signature of Permittee or Authorized Representative: _____

Printed Name of Permittee or Authorized Representative: _____

Date of Signature: _____

Recording information: Municipal clerks - please index this document listing the State of Vermont, Department of Environmental Conservation as "Grantee". Please index this document listing the above named Permittee(s) as "Grantor(s)". Additionally, if this notice lists the name of a condominium, subdivision or planned community association, please list the named association as an additional "Grantor".

Please mail this stamped/recorded/completed form to:

**DEC – Watershed Management Division
Stormwater Management Program
1 National Life Drive, Main 2
Montpelier, VT 05620-3522**

Or email to: anr.wsmdstormwatergeneral@vermont.gov