Notice of Intent (NOI)

for Stormwater Discharges Associated with Construction Activity on

Low Risk Sites

Under Vermont Construction General Permit 3-9020

For Department Use Only
NOI Number:

RECEIVED JUN 12 2015 WSMD

VERMONT
ENVIRONMENTAL CONSERVATION

Submission of this completed Notice of Intent (NOI) constitutes notice that the entity in Section A intends to be authorized to discharge pollutants to waters of the State, from the project identified in Section C, under Vermont's Construction General Permit (CGP). Submission of the NOI constitutes notice that the party identified in Section A of this form has read, understands, and meets the eligibility conditions of the CGP; has determined that the project qualifies for coverage as a Low Risk project in conformance with Appendix A of the CGP; agrees to comply with all applicable terms and conditions of the CGP; understands that continued authorization under the CGP is contingent on maintaining eligibility for coverage; and that all applicable practices in the Low Risk Site Handbook for Erosion Prevention and Sediment Control must be implemented and maintained for the duration of construction activities. In order to be granted coverage, all information required on this form must be provided and an application fee of **$50** payable to the State of Vermont must be submitted.

A. Landowner Information

1a. Name: Ben & Jerry's Homemade, Inc. 1b. Contact (if applicable): Daniel Peters

2. Mailing Address
a. Street/P.O. Box: 1281 Waterbury Stowe Road, PO Box 240

b. City/Town: Waterbury c. State: VT d. Zip: 05676

3. Contact Information
a. Phone: (802) 393-6333 b. Email: Peters@unilever.com

B. Principal Operator Information *(if known)*

1. Name: Unknown

2. Mailing Address
a. Street/P.O. Box:

b. City/Town: c. State: d. Zip:

3. Contact Information
a. Phone: b. Email:

C. Application Preparer Information *(if applicable)*

1a. Name: Krebs & Lansing Consulting Engineers, Inc. 1b. Contact (if applicable): Seth Goddard

2. Mailing Address:
a. Street/P.O. Box: 164 Main Street

b. City/Town: Colchester c. State: VT d. Zip: 05446

3. Contact Information
a. Phone: (802) 878-0375 b. Email: sethgoddard@krebsandlansing.com

See Filing Directions for Low Risk Projects

Form revised May 2015

D. Project Information

1. Project Name: Ben & Jerry's Homemade, Inc. Proposed Solar Array

2a. Is this project part of a Common Plan of Development[1]? ■ Yes ☐ No
2b. If Yes, Name of Development: Ben & Jerry's Homemade, Inc.

3a. Does this project have any previously issued or pending stormwater discharge permits? ■ Yes ☐ No
3b. If Yes, Prior NOI Number(s): 3016-9015

4. Location Address
a. Street: 1281 Waterbury Stowe Road b. City/Town: Waterbury
c. Latitude: 44 ° 21 ' 06.8 " d. Longitude: 72 ° 44 ' 36.4 " e. County: Washington

5. Name of receiving water(s)[2]: Thatcher Brook 6. Include a topographic location map.

7. Project Type: ☐ Residential ☑ Commercial ☐ Industrial ☑ Other: Renewable Energy

8. Total Area of Disturbance: 2.45 acres 9. Description of construction activities to be permitted (below):

New solar array to be built in an existing field/wooded area. (2) new 12 foot access roads totalling +/-185 ft in length, new transformer pad, new inverter pad, new utility pole, new solar array, temporary construction staging areas and perimeter fence.

E. Public Notice Requirement

You must provide a copy of this complete NOI and related Appendix A to the municipal clerk for posting in the municipality in which the project is located. If the project and the related discharge(s) are located in different municipalities, then the completed NOI must be filed with the municipal clerk in each municipality. The municipal clerk must post the completed NOI. In order to be considered complete, ***you must include the date of posting.***

Date of Posting at Municipal Office(s): 06/10/15

Information for the Municipal Clerk regarding posting instructions can be found on **Page 4** of this NOI.

F. Certification Relating to the Accuracy of the Information Submitted

I hereby certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I also certify that the applicable practices in The Low Risk Site Handbook for Erosion Prevention and Sediment Control will be implemented for the duration of the project for which this NOI is submitted.

Landowner Name: Bob Bellezza Title: Factory Director

Signature: [signature] Date: 6-3-15

Principal Operator: Unknown Title:
(if known)

Signature: Date:

Application Preparer: Seth Goddard Title: Professional Engineer
(if applicable)

Signature: [signature] Date: 06/10/15

[1] "Common Plan of Development" is defined within the CGP 3-9020, Appendix C – Definitions, page A-12
[2] "Waters of the State" (i.e. receiving water) is defined within the CGP 3-9020, Appendix C – Definitions, page A-16

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VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION AUTHORIZATION TO DISCHARGE

A determination has been made that the proposed construction activities qualify for coverage under General Permit 3-9020 (amended 2008) as a Low Risk project. Subject to the conditions of General Permit 3-9020 (amended 2008) the applicant is hereby authorized to discharge stormwater runoff from a construction site as described in this Notice of Intent Number 3016-9020.

Dated this 25th day of June, 2015

David K. Mears, Commissioner Department of Environmental Conservation

By: Padraic Monks

Padraic Monks, Program Manager
Stormwater Program

PUBLIC COMMENT

Public comments concerning this Notice of Intent to discharge under CGP 3-9020 (amended 2008) are invited and must be submitted within 10 days of receipt of this Notice by the Municipal Clerk. Comments should address how the application complies or does not comply with the terms and conditions of CGP 3-9020 (amended 2008). A letter of interest should be filed by those persons who elect not to file comments but who wish to be notified if the comment period is extended or reopened for any reason. All written comments received within the time frame described above will be considered by the Department of Environmental Conservation in its final ruling to grant or deny authorization to discharge under CGP 3-9020 (amended 2008). Send written comments to:

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

Please cite the NOI number in any correspondence.

APPEALS

Renewable Energy Projects – Right to Appeal to Public Service Board
If this decision relates to a renewable energy plant for which a certificate of public good is required under 30 V.S.A. §248, any appeal of this decision must be filed with the Vermont Public Service Board pursuant to 10 V.S.A. §8506. This section does not apply to a facility that is subject to 10 V.S.A. §1004 (dams before the Federal Energy Regulatory Commission), 10 V.S.A. §1006 (certification of hydroelectric projects) or 10 V.S.A. Chapter 43 (dams). Any appeal under this section must be filed with the clerk of the Public Service Board within 30 days of the date of this decision. For further information, see the Public Service Board website at http://psb.vermont.gov or call (802) 828-2358. The address for the Public Service Board is 112 State Street Montpelier, Vermont 05620-2701.

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.

A copy of CGP 3-9020 (amended 2008) may be obtained by calling (802) 828-1535; by visiting the Department at the above address between the hours of 7:45 am and 4:30 pm; or by download from the Watershed Management Division's Web site at: www.watershedmanagement.vt.gov

INFORMATION FOR MUNICIPAL CLERK

10 V.S.A. Chapter 47 §1263(b) provides for the public notice of an applicant's intent to discharge stormwater runoff associated with construction activity. Please post this notice and instruction sheet in a conspicuous place for 10 days from the date received. If you have any questions, contact the Watershed Management Division of the Department of Environmental Conservation at (802) 828-1535.

Submit this form and the $50 fee to:

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