



Vermont Department of Environmental Conservation
Water Quality Division
103 South Main Street, Building 10 North
Waterbury, VT 05671-0408

Agency of Natural Resources

[phone] 802-241-3770
[fax] 802-241-3287

January 11, 2010

Lark Inns, LP
John Larkin
410 Shelburne Road
South Burlington, VT 05403

Re: National Pollutant Discharge Elimination System (NPDES) General Permit 3-9030 for Designated Discharges to the Bartlett, Centennial, Englesby, Morehouse and Poash Brook Watersheds

Authorization of Notice of Intent # 6297-9030

Dear Mr. Larkin,

The Department of Environmental Conservation has received the Notice of Intent (NOI) to seek coverage under the General Permit 3-9030. A ten-day comment period was provided after the NOI submittal. No public comments were received.

Enclosed is your copy of an Authorization to Discharge pursuant to General Permit 3-9030, which has been signed by the Stormwater Program Manager on behalf of the Commissioner of the Department of Environmental Conservation.

This authorizes the discharge of stormwater from Holiday Inn Express located on 1720 Shelburne Road in South Burlington, Vermont to Bartlett Brook. To maintain coverage under General Permit 3-9030, an Engineering Feasibility Analysis must be conducted and submitted to VTDEC in accordance with Appendix A of the permit by **June 30, 2011**.

Please read this Authorization to Discharge carefully and note the terms, conditions and eligibility provisions of General Permit 3-9030. If you have any questions, please call the Stormwater Section at (802) 241-3770.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Callahan".

Jennifer Callahan
Environmental Analyst
Stormwater Program

For Department Use:

NOI Number: 6899-9030

Notice of Intent (NOI)

for Designated Discharges
Under National Pollution Discharge Elimination
General Permit 3-9030



For Category IV.A and IV.B Stormwater Discharges (Discharges from Residually Designated Sites from property with existing impervious surfaces that are subject to a previously issued state stormwater permit and property with existing impervious surfaces equal to, or greater than one acre that do not have a previously issued state stormwater permit.)

A. Landowner Information

1. Name: Lark Inns, LP

2. Mailing Address:
a. Street/PO Box: 410 Shelburne Road

b. City/Town: South Burlington c. State: Vermont d. Zip: 05403

3. Contact Information:
a. Phone: 802-864-7444 b. Fax: 802-864-0649 c. Email: debsherman@larkinrealt.net

B. Project Information

1. Project Name: Holiday Inn Express (a.k.a Harbor Inn)

2. Is this NOI being submitted in connection with a subdivision (e.g. residential or commercial subdivisions, condominiums and industrial parks)? Yes No

3. If Yes, Name of Development: _____

4. Location Address
a. Street: 1720 Shelburne Road b. City/ Town: South Burlington

5. Name(s) of receiving waters: Bartlett Brook

6. Existing VTDEC Stormwater Permit Number related to this project (if any): 2-1073

7. Act 250 Permit Number (if any): 4C0526-4 and amendments

C. Certification Relating to the Accuracy of the Information Submitted

I 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 diligent inquiry of the person or persons who manage the system or actions required by this permit, 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.

Landowner Name: JOHN P. WICKIN Title: OWNER
Signature: John P. Wickin Date: 12/14/09

D. Public Notice Requirement

You must provide a copy of this completed NOI form to the municipal clerk for posting in the municipality in which the discharge is to be located. If the project and the related discharge(s) are located in different municipalities, then the completed NOI shall be filed with the municipal clerk in each municipality.

E. RECORDING REQUIREMENTS UPON ISSUANCE

The permittee shall file a copy of this NOI and authorization to discharge in the land records within fourteen (14) days of its issuance and a copy of the recording shall be provided to the Department within fourteen (14) days of the permittee's receipt of a copy of the recording from the local land records.

For Department Use Only:

AUTHORIZATION

VERMONT DEPARTMENT OF ENVIRONMENTAL CONSERVATION AUTHORIZATION TO DISCHARGE

A determination has been made that the applicant meets the requirements for coverage under General Permit 3-9030. Subject to the conditions of General Permit No. 3-9030, the applicant is hereby authorized to discharge stormwater runoff as described in this Notice of Intent Number 6297 -9030.

This authorization shall continue until November 19, 2014. The permittee shall reapply for coverage at least (60) days prior to the expiration of the permit.

Dated at Waterbury, Vermont this 11th day of January, 20 10.

Justin G. Johnson, Commissioner Department of Environmental Conservation

By Padraic Monks
Padraic Monks
Program Manager, Stormwater Section

PUBLIC COMMENT

Public comments concerning this Notice of Intent to discharge under General Permit No 3-9030 are invited and must be submitted within 10 days of receipt of the NOI being posted on DEC's stormwater website (www.vtwaterquality.org/stormwater.htm) and on the Agency's Environmental Notice Bulletin (www.anr.state.vt.us/dec/enb/enb.htm). Comments should address how the application complies or does not comply with the terms and conditions of General Permit No. 3-9030. 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 General Permit No. 3-9030.

Send written comments to:

VT Department of Environmental Conservation
Water Quality Division, Stormwater Section
103 South Main Street, Building 10 North
Waterbury, VT 05671-0408

Please cite the NOI number in any correspondence.

APPEALS

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 appellant must attach to the Notice of Appeal the entry fee of \$250.00, payable to the state of Vermont.

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 on line at www.vermontjudiciary.org. The address for the Environmental Court is 2418 Airport Road, Suite 1, Barre, VT 05641 (Tel. # 802-828-1660). A copy of General Permit No. 3-9030 may be obtained by calling (802) 241-3770; by visiting the Department at the above address between the hours of 7:45 am and 4:30 pm; or by downloading from the Water Quality Division's Web site at www.vtwaterquality.org.

INFORMATION FOR MUNICIPAL CLERK: Title 10 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 Water Quality Division of the Department of Environmental Conservation at (802) 241-3770. Please date this below as to when it was posted. Thank you for your assistance.

DATE OF POSTING: 12/16/09 *[Signature]*

Submit Original Form to:
VT DEC, Water Quality Division
103 South Main Street, Bldg 10 North
Waterbury, VT, 05671