



**NOTICE OF INTENT (NOI)
FOR STORMWATER DISCHARGES
ASSOCIATED WITH CONSTRUCTION ACTIVITIES
ON MODERATE RISK SITES**

For Dept. Use Only
Notice of Intent No:
7514-9020
Received updated NOI
1-19-2016 -HEC

Submission of this completed Notice of Intent (NOI) constitutes notice that the entities in Section 1 intend 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 this NOI also constitutes notice that the parties identified in Section 1 of this form have read, understand and meet the eligibility conditions of the CGP; have determined that the project qualifies for coverage as a Moderate Risk project in conformance with Appendix A of the CGP; agree to comply with all applicable terms and conditions of the CGP; understand that continued authorization under the CGP is contingent on maintaining eligibility for coverage; and, that the applicable practices within the authorized Erosion Prevention and Sediment Control Plans 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 payable to the State of Vermont must be submitted.

1. Applicant(s) Information¹ (all fields in part A are required)

A. Landowner Name: Vermont Railway
 Address: One Railway Lane
 City: Burlington State: VT Zip: 05401
 Telephone Number: (802) 658-2550 E-mail Address: dwulfson@vrs.us.com

B. Principal Operator (if known): Vermont Railways
 Address: One Railway Lane
 City: Burlington State: VT Zip: 05401
 Telephone Number: (802) 658-2550 E-mail Address: dwulfson@vrs.us.com

2. On-Site Plan Coordinator Information (if known) (all fields are required if completing this section)

On-Site Plan Coordinator Name: Tim Crowley
 On-Site Plan Coordinator Company: Wright & Morrissey
 Address: 99 Swift Street, Suite 100
 City: South Burlington State: VT Zip: 05403
 Telephone Number: 802-863-4541 E-mail Address: msammut@wmorrissey.com

3. EPSC/Application Preparer Information (if applicable) (all fields are required if completing this section)

EPSC Plan/Application Preparer Name: Briana O. Cronin, P.E.
 EPSC Plan/Application Preparer Company: VHB
 Address: 40 IDX Drive, Building 100, Suite 200
 City: South Burlington State: VT Zip: 05403
 Telephone Number: (802) 497-6116 E-mail Address: bcronin@vhb.com

4. Project Information - *All information in this section is required.

A. Project Name: Shelburne Transload Facility

Is this project part of a Common Plan of Development¹? Yes No

If yes, name of Development: _____

B. Does this project have any previously issued or pending stormwater discharge permits? Yes No

If yes, prior NOI number(s): _____

C. Location Address

Street: 4474 Shelburne Road (nearest, 911 address pending) City/Town: Shelburne

Latitude: 44 ° 23 ' 23.7 " Longitude: 73 ° 13 ' 43.6 " County: Chittenden

D. Name of Receiving Water(s)²: Wetland draining to La Platte River

E. Include a topographic location map - Must provide sufficient information to determine the location of the project. Must be in the form of a USGS topographical map or directional map.

F. Project Type: Residential Commercial Industrial Other: _____

G. Total Area of Disturbance: 18.66 acres (<= 5 acres: \$480 per application, > 5 acres: \$640 per application)

H. Description of construction activities to be permitted (below):

Construction of Storage and Distribution Facility, grading for access road, rail spur, buildings, and parking areas.

5. Public Notice Requirement

Prior to submitting the complete NOI for review, 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. In order to be considered complete, you must include the date of posting.

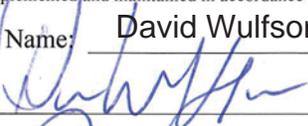
Date of Posting at Municipal Office(s): 12/23/15

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

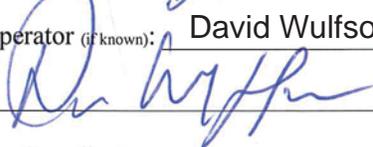
6. Certification Relating to the Accuracy of the Information Submitted

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 Erosion Prevention and Sediment Control Plan authorized with this Notice of Intent will be implemented and maintained in accordance with Construction General Permit 3-9020 (amended 2008).

Landowner Name: David Wulfson, VRS Title: President

Signature:  Date: 12/16/15

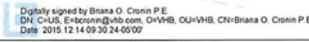
Principal Operator (if known): David Wulfson, VRS Title: President

Signature:  Date: 12/16/15

On-Site Plan Coordinator (if known): _____ Title: _____

Signature: _____ Date: _____

Application Preparer (if applicable): VHB, Briana O. Cronin P.E. Title: Project Manager

Signature: Briana O. Cronin P.E.  Date: 12/14/15

Submit this form and the \$ 640.00 fee to:

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

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

For Department Use Only

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 Moderate 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 7514-9020.

Dated this 24th day of February, 2016

Alyssa Schuren, Commissioner, Department of Environmental Conservation

By: _____
Padraic Monks, Program Manager

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) 338-4835; 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.vtwaterquality.org

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)490-6104.

Submit this form and the \$ 640.00 fee to:

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