

NOTICE OF PUBLIC COMMENT PERIOD
APPLICATION FOR CLEAN WATER ACT §401
June 18, 2021

A request for a Section §401 Water Quality Certification, required pursuant to the provisions of Section 401 of the federal Clean Water Act, 33 U.S.C §1341, has been received by the Vermont Agency of Natural Resources (ANR) from the Vermont Agency of Transportation (Applicant), 219 North Main Street, Barre, Vermont, 05661, (802) 279-0583. Approval is being requested for the rehabilitation of the three remaining sections of the 93-mile Lamoille Valley Rail Trail (LVRT) – 18.4 miles from Cambridge to Sheldon [LVRT(11)], 15.5 miles from Hardwick to Morrisville [LVRT(12)], and 17.9 miles from Danville to Hardwick [LVRT(13)] – to convert the Lamoille Valley Railroad into a multi-use recreation trail. Work under the Project includes trail resurfacing, ditch reestablishment and cleaning, culvert repairs, culvert replacement, bridge repair, pause place construction, guardrail installation, and sign installation. The entire Project is in the Lamoille Valley Railroad Right-of-Way (ROW).

The Project area includes the Passumpsic, Lamoille, and Missisquoi River basins. The Applicant identified 230 wetland features in the ROW ranging in size from 131 sq. ft. to 814,572 sq. ft. Under the Vermont Wetland Rules, ANR determined there are 190 jurisdictional Class II wetlands and/or wetland buffers impacted by the Project that would result in 34,315 sq. ft. of permanent wetland impacts, 87,386 sq. ft. of temporary wetland impacts, 96,681 sq. ft. of permanent buffer impacts, and 114,934 sq. ft. of temporary buffer impacts. The Project proposes stream crossings in the Lamoille and Missisquoi River basins. The existing LVRT alignment presently intersects all streams where stream crossing impacts are proposed. Two crossings of Black Creek, one crossing of Elm Brook, and crossing of eight unnamed tributaries to Black Creek are proposed in the Missisquoi watershed. Crossings of Perkins Meadow Brook, an unnamed tributary of Perkins Meadow Brook, an unnamed tributary of Haynesville Brook, 12 unnamed tributaries of the Lamoille River, Stevens Brook, Greensboro Brook, Kate Brook, Wild Branch, and the Lamoille River are proposed in the Lamoille River basin.

ANR is seeking public comments on the Section §401 Water Quality Certification tentative determination through 4:30 pm Friday, July 23, 2021. A public meeting to receive comments will be held Monday, July 19, 2021, 6:00 – 7:00 pm at the Memorial Building, 3rd Floor, 20 Church St., Hardwick, Vermont and online via Microsoft Teams. To participate online, join the meeting at the scheduled time by clicking “[Join Microsoft Teams Meeting](#)” (the link is also posted at <http://dec.vermont.gov/watershed/permits/public-notices/401>) or by calling 802-828-7667 and entering the Conference ID number: 221 653 178#. Note: the call-in option provides audio only. The public meeting will be conducted pursuant to Section 13.3i of the Vermont Water Pollution Control Permit Regulations. Any person shall be permitted to submit oral or written statements and data concerning the proposed project’s compliance with Vermont Water Quality Standards. All timely comments will be considered in the formulation of a final decision. To request to submit an oral statement during the public meeting, please email ANR.WSMD401@vermont.gov or call (802) 490-6131 by noon on Monday, July 19th. A list of names will be created chronologically from the time the request was received. Those who request to comment in advance will comment first. The ANR Secretary or her designee may fix reasonable limits on the time allowed for oral statements.

The application, tentative determination, and additional meeting details are posted online at: <http://dec.vermont.gov/watershed/permits/public-notices/401>. Comments regarding the tentative determination may be filed in writing using the below mailing or email address through 4:30 pm Friday, July 23, 2021:

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