



Department of Fish and Wildlife
Department of Forests, Parks & Recreation
Department of Environmental Conservation

STATE OF VERMONT

AGENCY OF NATURAL RESOURCES

Department of Environmental Conservation

Rivers Program

1 National Life Drive, Main 2
Montpelier, VT 05602

TEL 802-371-8342

Statutory Authority:

This permit is issued under Title 10,
Vermont Statutes Annotated, Chapter 41,
Subchapter 2, Alteration of Streams.

Attn: Harry Shepard
Town of Stowe
Akeley Memorial Building, 67 Main Street
Stowe, VT 05672
Phone: (802) 253-8770
Email: Hshepard@townofstovermont.org

Permit #: SA-06-0004

Re: W. Branch – Stowe, Phase I (only)

The project is located in the town of Stowe and will consist of approximately 1000lf of stream realignment, bank armoring and floodplain benching along the West Branch of the Little River. The purpose of Phase I is to protect existing farm infrastructure and agricultural fields while reducing risks to downstream infrastructure. The subject project is hereby approved under the above named statutes, subject to the following conditions:

1. This project shall be accomplished according to the permit information dated June 24, 2015 and plans submitted to this office dated 05/13/2015 prepared by Milone and MacBroom. No changes shall be made to the approved permit information and or plans without prior written approval from the permitting authority.
2. All construction equipment shall be clean and well maintained, free of fuel, hydraulic and gear oil leaks, especially if such equipment is to be used to work in or adjacent to the water. There shall be no equipment allowed in the river and no discharge of raw concrete into the river.
3. All areas of streambank disturbed during construction shall be constructed per plan. Strictly limit the extent of streambank disturbance. Maintain all established vegetation possible.
4. At the request of the District Fisheries Biologist, all in-stream work shall be restricted to the period from June 1st to October 1st. Contractor proposals for construction activities in or adjacent to flowing water during the restricted period must be isolated from stream flow and must receive prior approval from the Stream Alteration Engineer.
5. The project site shall be stabilized with appropriate erosion prevention and sediment control (EPSC) measures specified by the Vermont Department of Environmental Conservation and the Vermont Agency of Transportation.
6. Permittee shall contact Jaron Borg @ 802-371-8342 prior to construction so that a pre-construction meeting can be scheduled with the contractor to discuss construction procedures and materials required.

7. This permit expires on October 1, 2015 and it can be revoked at any time inspection reveals that the project is in non-compliance with the above conditions.

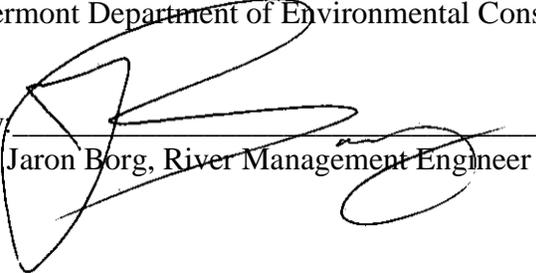
Please be aware that if the proposed project is located in a town that participates in the National Flood Insurance Program and involves any development (includes construction of structures, the placement of fill, storage of equipment, as well as grading, excavating, dredging) in the Special Flood Hazard Area as delineated on the National Flood Insurance Program Maps, a permit will be required from the town or city.

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 \$225.00, 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 permits 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. 05641-8701 (Tel.# 802-479-4487)

This permit does not relieve you of the responsibility of obtaining permission from the affected property owners, nor the responsibility of obtaining other necessary Local, State, or Federal permits.

Recent litigation involving the public trust doctrine raises concern that agency permits for stream alterations, dams or a water quality certificate may be challenged for lack of jurisdiction or authority. We want to alert you to the possibility that litigation or legislative action may modify or retroactively affect the agency's actions.

David K. Mears, Commissioner
Vermont Department of Environmental Conservation

By  Dated June 24th, 2015
Jaron Borg, River Management Engineer

Cc: SA-06-0004, e-file
Roy Schiff, Milone & MacBroom
Brian Cote, Milone & MacBroom
Michael Adams, ACOE