

**STATE OF VERMONT  
AGENCY OF NATURAL RESOURCES  
OFFICE OF PLANNING**

RE: AGENCY OF TRANSPORTATION -	)	DISTRICT ENVIRONMENTAL
MIDDLEBURY AIRPORT	)	COMMISSION # 9
	)	
	)	APPLICATION # 9A0158-12
	)	
	)	August 18, 2022

**ENTRY OF APPEARANCE**

Please enter the appearance of the Agency of Natural Resources ("Agency"), State of Vermont, by and through its staff, Jennifer Mojo, in the above-captioned matter.

**COMMENTS**

**Criteria 1 and 1B – Source Protection Areas**

Laura Ranker, Source Protection Specialist with the Agency's Drinking Water and Groundwater Protection Division, reviewed the project for impacts to public water systems and source protection areas. The project is in the Source Protection Area (SPA) of the Middlebury Water Department public water system, WSID 5004. The project activity is proposed in the Zone 2 boundary area of the SPA. The site plans do not show the SPA boundaries. The project property also falls within the zone three Source Protection Area of the East Middlebury Fire District 1 public water system, WSID 5003. It appears the East Middlebury Fire District 1 SPA is potentially located outside of the proposed project activity location.

Prior Land Use Permit 9A0158-8 dated 8/17/2016 contains conditions to protect the Middlebury Water Department Public Community water system with the requirement to use Best Management Practices and report any release or spills of toxic or hazardous substances within the SPA (permit condition #14). The applicant has obtained the required Construction Permit from the Drinking Water and Groundwater Protection Division for the extension of the water system to serve the project.

It is advisable to show the SPA boundary on the site plan or with the use of a separate map. See attached ANR NR Atlas map depicting the project location within the Source Protection Areas. Also, an enlarged map of the zone 2 SPA for WSID VT0005004 water system is attached.

Source Protection Areas (SPA's) are areas through which contaminants are reasonably likely to reach a public water system source. Extra precautions should be taken in a SPA to minimize the risk of contamination to the public drinking water source. Due to the sensitivity of the groundwater Source Protection Areas to impacts from potential sources of contamination and to protect public drinking water sources near the Project, the Agency requests the following permit condition to protect the SPA and water source:

*The Permittee or their representative shall immediately report a release of any toxic substance within VT0005004 (Middlebury Water Department) or VT0005003 (East Middlebury Fire District 1) Source Protection Areas ("SPAs") to the SPA water system owner or operator AND the Vermont Department of Conservation Spills Program in a person-to-person phone call. Persons reporting a release must provide the water system identification number ("WSID"). The Permittee shall provide all Project staff/contractors spill reporting instructions with current contact phone numbers, SPA name, SPA WSID, and the Spills Program 24-hour hotline (800) 641-5005 <http://dec.vermont.gov/waste-management/spills#Report>. Those instructions shall be visibly displayed onsite.*

Respectfully submitted,  
State of Vermont  
Agency of Natural Resources

By:

/s/Jennifer Mojo  
Jennifer Mojo  
Senior Planner  
ANR Office of Planning  
802-923-6647

E-Notification CERTIFICATE OF SERVICE FILE # 9A0158-12

I hereby certify that I, Jennifer Mojo, Senior Planner, for the Agency of Natural Resources Office of Planning, sent a copy of the foregoing **Agency Entry of Appearance and Comments** dated August 18, 2022, regarding File # 9A0158-12 by U.S. mail, postage prepaid, to the individuals without email addresses and by electronic mail to those with email addresses as indicated:

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/s/Jennifer Mojo  
Jennifer Mojo, Senior Planner  
Office of Planning



## LEGEND

### Public Water Sources

- Active
- Proposed
- Inactive

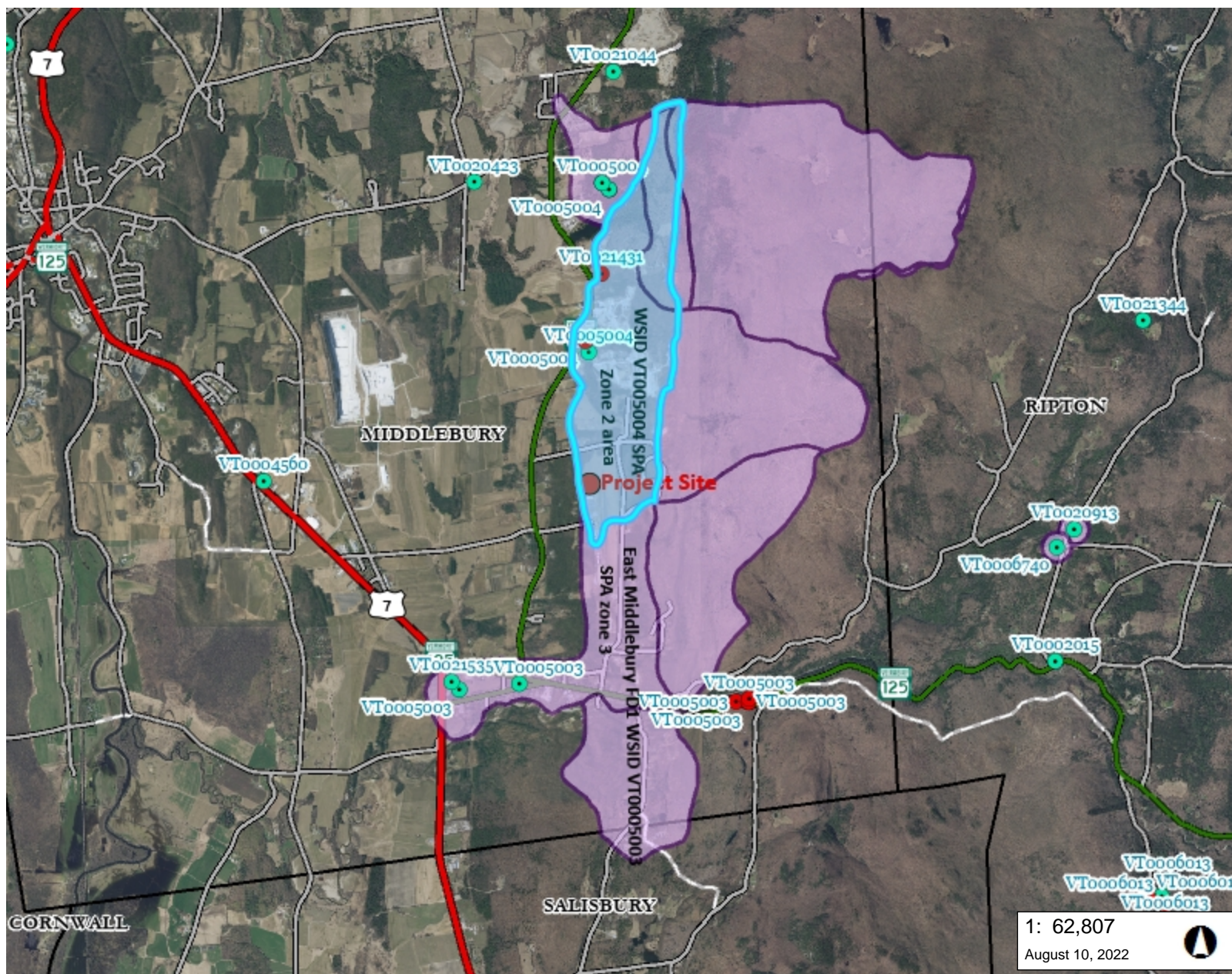
### Ground Water SPA

- Active/Shared SPA; SHARED
- Proposed
- Inactive

### Roads

- Interstate
- US Highway; 1
- State Highway
- Town Highway (Class 1)
- Town Highway (Class 2,3)
- Town Highway (Class 4)
- State Forest Trail
- National Forest Trail
- Legal Trail
- Private Road/Driveway
- Proposed Roads

Town Boundary



1: 62,807

August 10, 2022

## NOTES

Map created using ANR's Natural Resources Atlas. Project activity location within zone 2 of the Middlebury Water Department Source Protection Area, WSID VT0005004.

3,191.0 0 1,596.00 3,191.0 Meters

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

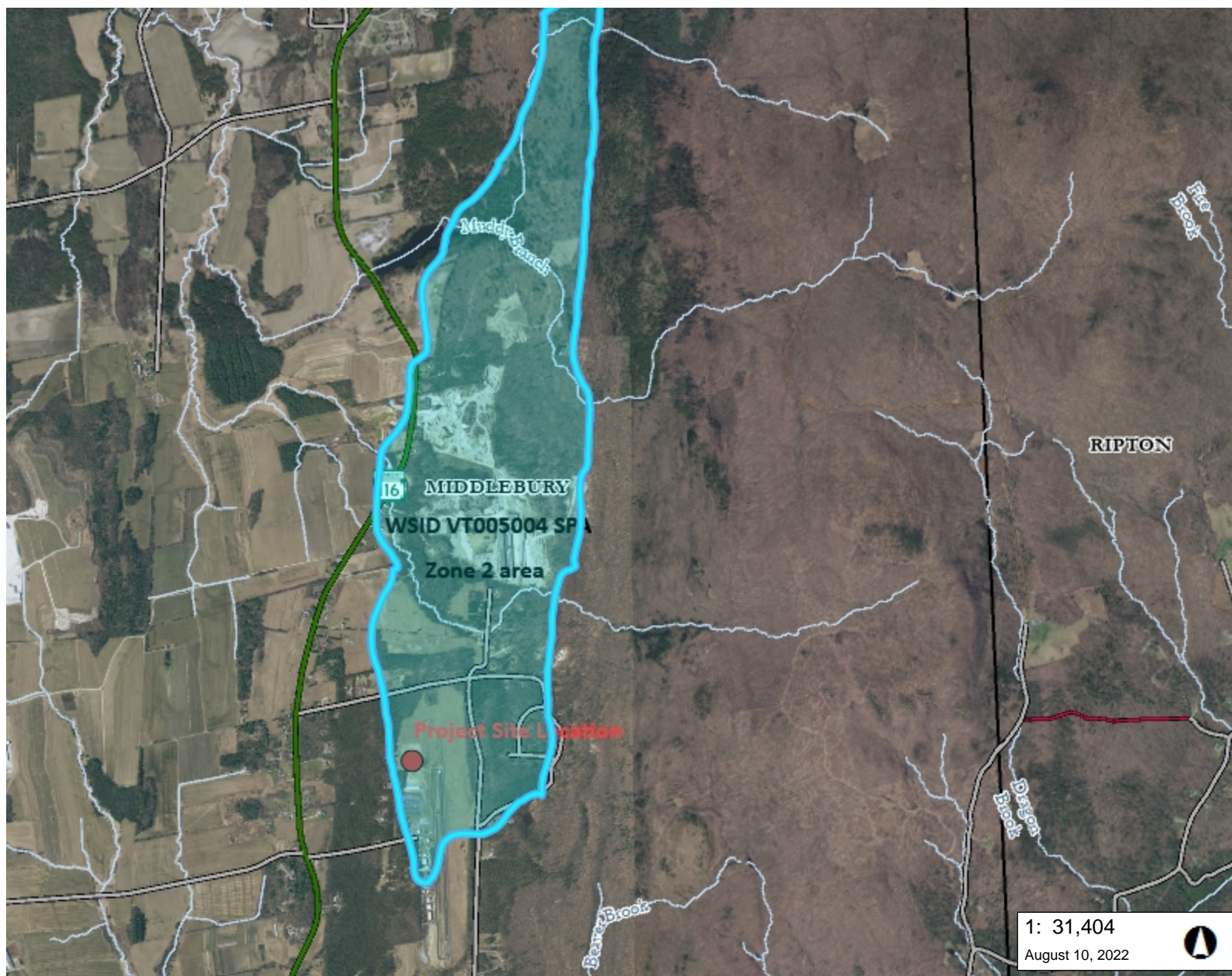
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1" = 5234 Ft. 1cm = 628 Meters

THIS MAP IS NOT TO BE USED FOR NAVIGATION












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



## LEGEND

### Roads

-  Interstate
-  US Highway; 1
-  State Highway
-  Town Highway (Class 1)
-  Town Highway (Class 2,3)
-  Town Highway (Class 4)
-  State Forest Trail
-  National Forest Trail
-  Legal Trail
-  Private Road/Driveway
-  Proposed Roads

### Stream/River

-  Stream
-  Intermittent Stream

-  Town Boundary

1: 31,404

August 10, 2022



1,595.0 0 798.00 1,595.0 Meters

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1" = 2617 Ft.

1cm = 314 Meters

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## NOTES

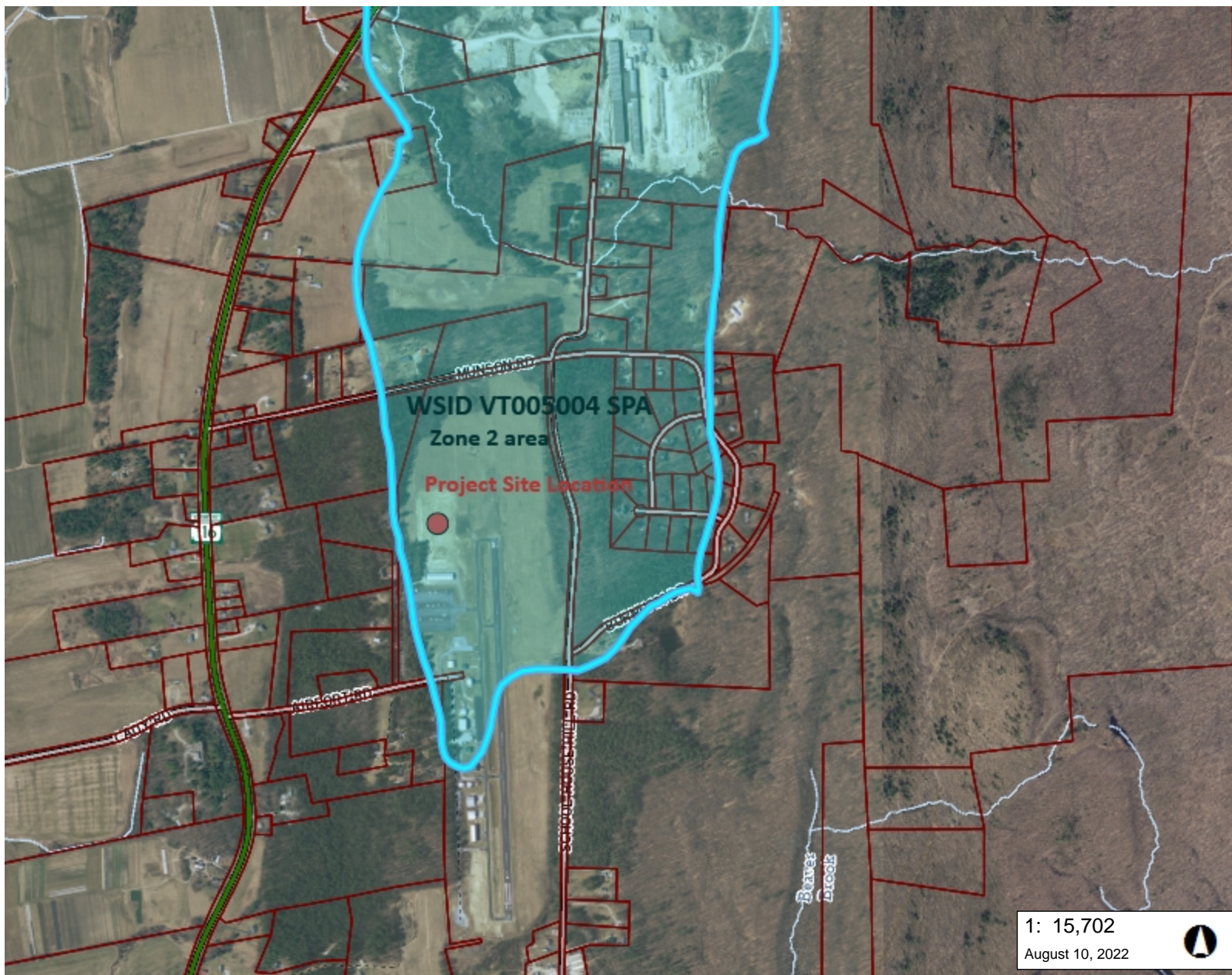
Map created using ANR's Natural Resources Atlas. Project location within zone 2 of the Middlebury Water Department Source Protection Area, WSID VT005004.





## LEGEND

- Parcels (standardized)
- Roads**
  - Interstate
  - US Highway; 1
  - State Highway
  - Town Highway (Class 1)
  - Town Highway (Class 2,3)
  - Town Highway (Class 4)
  - State Forest Trail
  - National Forest Trail
  - Legal Trail
  - Private Road/Driveway
  - Proposed Roads
- Stream/River**
  - Stream
  - Intermittent Stream
- Town Boundary



1: 15,702

August 10, 2022



798.0 0 399.00 798.0 Meters

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1" = 1308 Ft.

1cm = 157 Meters

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## NOTES

Map created using ANR's Natural Resources Atlas. Project location within zone 2 of the Middlebury Water Department Source Protection Area, WSID VT005004.