



**US Army Corps
of Engineers**®
New England District

8 Carmichael Street, Suite 205
Essex Junction, Vermont 05452

PUBLIC NOTICE

Date: JANUARY 26, 2010

Comment Period Ends: FEBRUARY 16, 2010

File Number: NAE-2009-391

In Reply Refer To: Marty Abair

Or by e-mail: Martha.a.abair@usace.army.mil

20-DAY PUBLIC NOTICE

The District Engineer has received a permit application from the applicant below to **conduct work in waters of the United States** as described below. The Corps is soliciting comments on both the project itself and the range of issues to be addressed in the environmental documentation.

APPLICANT: Vermont Electric Cooperative, ATTN: Harry Abendroth, 42 Wescom Road, Johnson, Vermont 05656-2667

ACTIVITY

Place fill in a total of about 21,608 sq. ft. (0.50 acre) of waters of the U.S. in conjunction with the replacement of 5.2 miles of existing 46 kV transmission line with a new 46 kV line in the Towns of Derby and Charleston, Vermont. About 378 sq. ft. (0.009 acre) of wetland will be permanently impacted by the installation of new poles. The remaining 21,230 sq. ft. (0.49 acre) of impact will be for temporary wetland and stream crossings to facilitate installation of the replacement line. The replacement transmission line will be located about 15' to one side of the existing line. The existing right-of-way (ROW) is about 120' wide and has generally been maintained as a 50' wide cleared corridor. A 90' wide cleared corridor, encompassing the existing 50' wide corridor, will be maintained centered on the new poles within the 120' ROW. This additional clearing will impact about 2.7 acres of forested wetland.

In an attempt to mitigate for the unavoidable impacts of the project, the applicants propose to vegetatively enhance and preserve about 7.7 acres of wetland and 1.7 acres of upland buffer adjacent to the Clyde River in West Charleston, Vermont.

The purpose of the project is to replace old and failing transmission line towers with new poles and new conductor in order to maintain service to the residents of this part of Vermont.

The work is partially described on the enclosed plans, in five sheets, entitled "46 kV TRANSMISSION LINE REPLACEMENT DERBY TO CHARLESTON, VERMONT", dated "8/14/09", "11-20-09", and "1/5/10". A complete set of plans can be viewed at the Vermont Project Office or by contacting Sonja Schuyler at The Johnson Company in Montpelier, Vermont, telephone 802 229-4600.

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed in unnamed tributaries to the Clyde River and adjacent wetlands near VT Route 5A in the Towns of Derby and Charleston, Vermont. The north end of the project is located on the USGS Newport, VT quadrangle sheet at UTM coordinates 4979821.0 N and 725706.0 E. The south end of the project is located on the USGS West Charleston, VT quadrangle sheet at UTM coordinates 4975904.0 N and 732131.0 E.

AUTHORITY

Permits are required pursuant to:

- Section 10 of the Rivers and Harbors Act of 1899
- Section 404 of the Clean Water Act
- Section 103 of the Marine Protection, Research and Sanctuaries Act).

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 as amended.

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. **Comments should be submitted in writing by the above date.** If you have any questions, please contact Marty Abair at (802) 872-2893.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

CENAE-R
FILE NO. NAE-2009-391

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to impinge upon properties with cultural or Native American significance, or listed in, or eligible for listing in, the National Register of Historic Places. Therefore, no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.
- e. Coordination with the State Historic Preservation Officer and/or Tribal Historic Preservation Officer(s)

Pursuant to the Endangered Species Act, the District Engineer is hereby requesting that the appropriate Federal Agency provide comments regarding the presence of and potential impacts to listed species or its critical habitat.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

The following authorizations have been applied for, or have been, or will be obtained:

- Permit, License or Assent from State of Vermont.
- Permit from Local Wetland Agency or Conservation Commission.
- Water Quality Certification in accordance with Section 401 of the Clean Water Act.

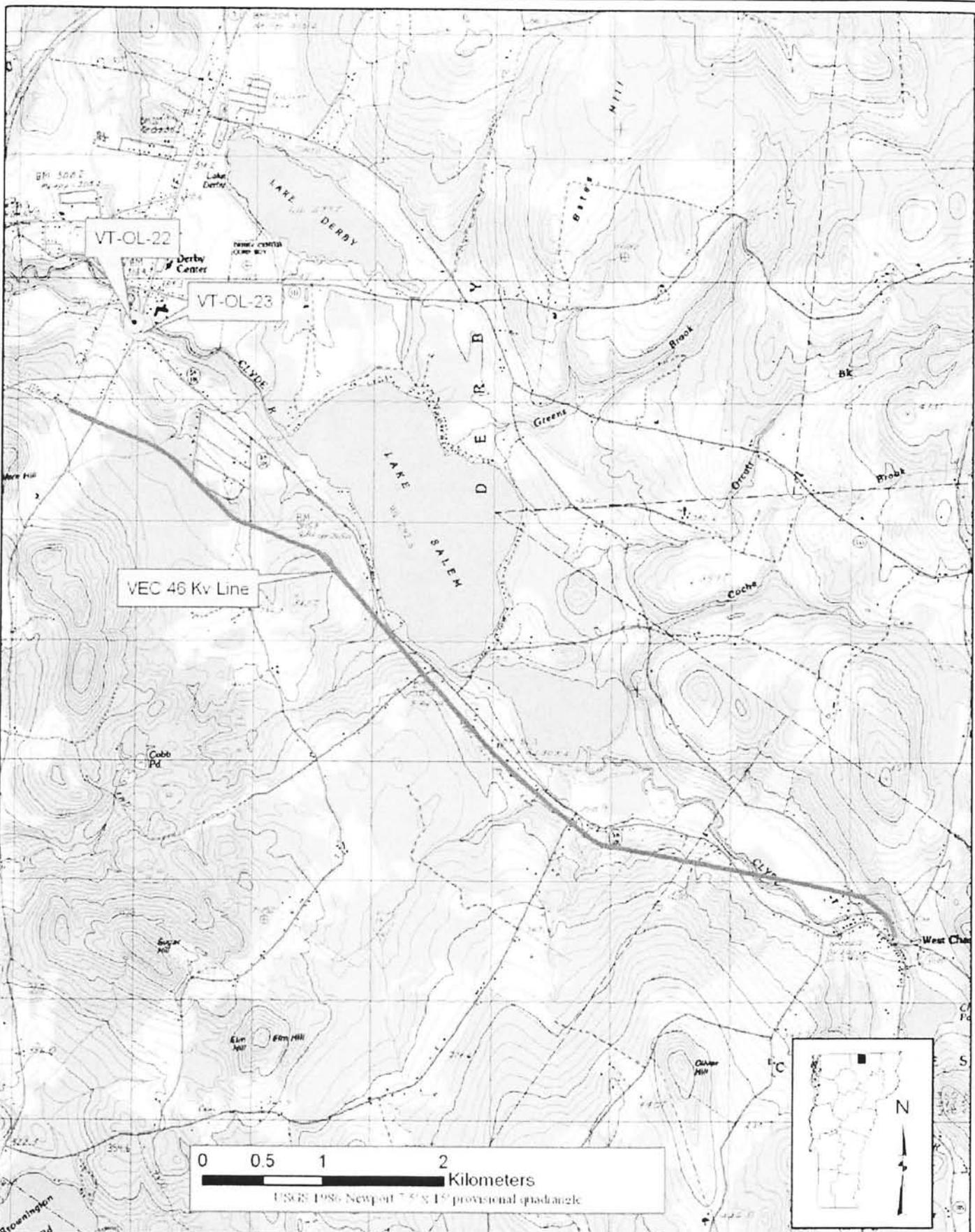
THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

For more information on the New England District Corps of Engineers programs, visit our website at <http://www.nae.usace.army.mil>.


Frank DelGiudice
Chief, Permits & Enforcement Branch
Regulatory Division

If you would prefer not to continue receiving Public Notices, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

NAME: _____
ADDRESS: _____



SOURCE: Consulting Archaeology Program, University of Vermont, Burlington, VT – September 9, 2008.

SITE LOCATION MAP
46 kV TRANSMISSION LINE REPLACEMENT
DERBY TO CHARLESTON, VERMONT

sheet
 1
 of
 5

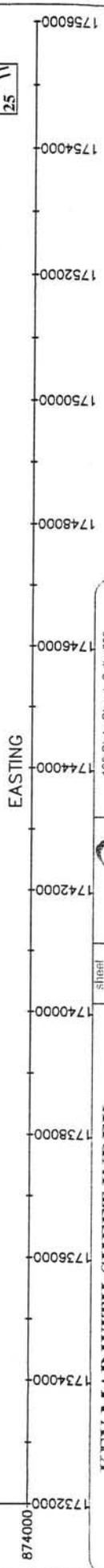
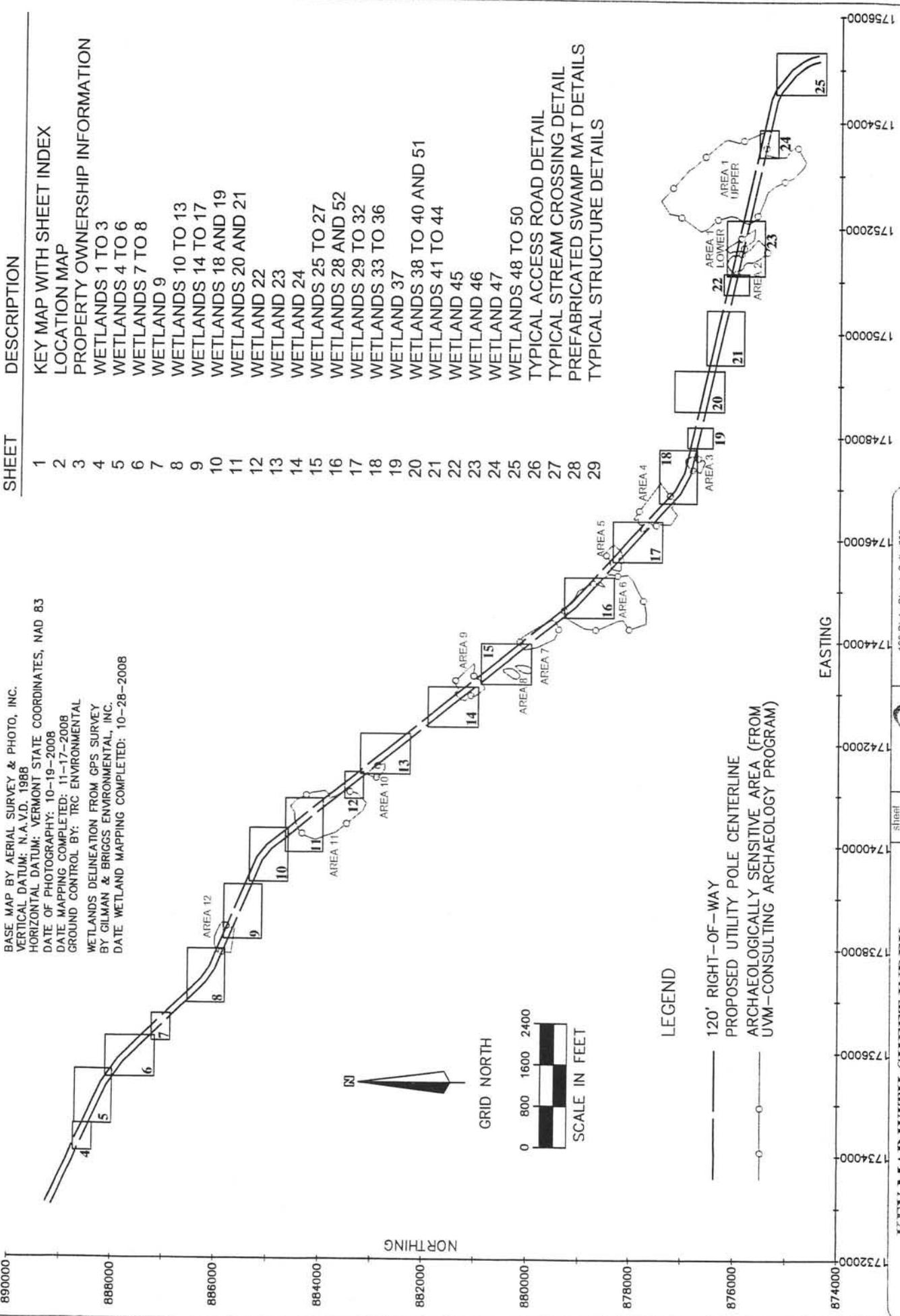


100 State Street, Suite 600
 Montpelier, VT 05602
 (802) 229-4600
 Drawn by: TJK Date: 8/14/09
 Chk'd by: SAS Date:
 Scale: As Shown Project: 1-0329-9

CAD\ACOE.dwg

BASE MAP BY AERIAL SURVEY & PHOTO, INC.
 VERTICAL DATUM: N.A.V.D. 1988
 HORIZONTAL DATUM: VERMONT STATE COORDINATES, NAD 83
 DATE OF PHOTOGRAPHY: 10-19-2008
 DATE MAPPING COMPLETED: 11-17-2008
 GROUND CONTROL BY: TRC ENVIRONMENTAL
 WETLANDS DELINEATION FROM GPS SURVEY
 BY GILMAN & BRIGGS ENVIRONMENTAL, INC.
 DATE WETLAND MAPPING COMPLETED: 10-28-2008

SHEET	DESCRIPTION
1	KEY MAP WITH SHEET INDEX
2	LOCATION MAP
3	PROPERTY OWNERSHIP INFORMATION
4	WETLANDS 1 TO 3
5	WETLANDS 4 TO 6
6	WETLANDS 7 TO 8
7	WETLAND 9
8	WETLANDS 10 TO 13
9	WETLANDS 14 TO 17
10	WETLANDS 18 AND 19
11	WETLANDS 20 AND 21
12	WETLAND 22
13	WETLAND 23
14	WETLAND 24
15	WETLANDS 25 TO 27
16	WETLANDS 28 AND 52
17	WETLANDS 29 TO 32
18	WETLANDS 33 TO 36
19	WETLAND 37
20	WETLANDS 38 TO 40 AND 51
21	WETLANDS 41 TO 44
22	WETLAND 45
23	WETLAND 46
24	WETLAND 47
25	WETLANDS 48 TO 50
26	TYPICAL ACCESS ROAD DETAIL
27	TYPICAL STREAM CROSSING DETAIL
28	PREFABRICATED SWAMP MAT DETAILS
29	TYPICAL STRUCTURE DETAILS



KEY MAP WITH SHEET INDEX
46 KV TRANSMISSION LINE REPLACEMENT
DERRY TO CHARLESTON, VERMONT

sheet 2 of 5

The Johnson Company

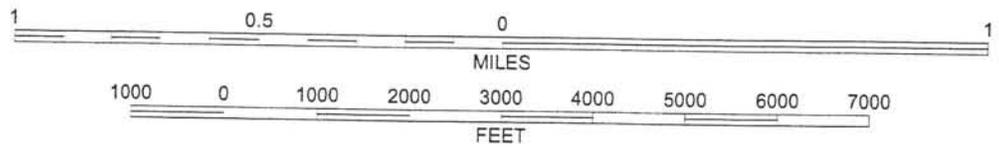
100 State Street, Suite 600
 Montpelier, VT 05602
 (802) 229-4600

Drawn by: TJK Date: 07/14/09
 Checked by: SAS Date:
 Scale: As Shown Project: 1-0329-0

Table 3 Quantification of Temporary and Permanent Impacts
VEC 46 kV Line Replacement Derby - West Charleston, VT

Wetland Number	Sheet Number	Permanent Fill Structure ¹ (sq. ft.)	Temporary Fill ² (sq. ft.)	Existing ROW Clearing Impact ³ (sq. ft.)	New ROW Clearing Impact ⁴ (sq. ft.)	Landowners	Stream (Y/N)	Stream Impact
1	4	0	0	0	355	Donald W. Kilborn, Jr. & Mary Chittenden Fletcher	N	
2	4	0	0	0	0	Donald W. Kilborn, Jr. & Mary Chittenden Fletcher	N	
3	4	30	0	0	960	Donald W. Kilborn, Jr. & Mary Chittenden Fletcher	N	
4	5	0	0	0	560	Donald W. Kilborn, Jr. & Mary Chittenden Fletcher	N	
5	5	0	0	0	1,875	Donald W. Kilborn, Jr. & Mary Chittenden Fletcher; Thomas Bailey, John Bailey, & Richard Bailey	N	
6	5	0	450	0	150	Thomas Bailey, John Bailey, & Richard Bailey	Y	temporary crossing
7	6	0	0	0	0	Thomas Bailey, John Bailey, & Richard Bailey	N	
8	6	36	4,350	0	10,290	Thomas Bailey, John Bailey, & Richard Bailey; Maurice A., Jr., and Marion L. Tice	N	
9	7	0	0	0	295	Ted & Amy Guillette; Susan M. Monteith; Town of Derby	Y	
10	8	6	0	0	780	U.S. Dept HUD; Denis and Sherry Aubin	N	
11	8	0	0	0	430	Denis and Sherry Aubin	N	
12	8	0	0	0	465	Denis & Sherry Aubin; Valerie P. & Edward H. Glover; Town of Derby	N	
13	8	0	0	0	1,170	Valerie P. and Edward H. Glover; Town of Derby	N	
14	9	0	0	0	110	Valerie P. and Edward H. Glover	Y	
15	9	0	0	0	75	Valerie P. and Edward H. Glover	N	
16	9	0	0	0	1,885	Valerie P. and Edward H. Glover	N	
17	9	30	0	0	640	Valerie P. and Edward H. Glover	N	
18	10	0	0	655	2,840	Randal J. and Elizabeth M. Bianchi; Ellis A. Gray & Angela M. Graves	N	
19	10	30	0	1,445	5,825	Ellis A. Gray & Angela M. Graves; Paul Abel Patenaude & Candace April Patenaude	N	
20	11	0	0	0	0	Armand F. and Patricia A. Fournier; Paul and Candace Patenaude	N	
21	11	0	0	0	0	Paul and Candace Patenaude	N	
22	12	0	0	0	535	Evan Therrien	N	
23	13	102	4,170	2,945	18,110	Evan Therrien, Joseph A. Duval; State of Vermont	Y	
24	14	6	0	1,700	9,460	John Ladd, Brenda E. Ladd, David S. Ladd, Maria M. Ladd; Andre & Julie A. Guillette	N	
25	15	36	0	865	9,010	Monique Lanoue; Robert L. Hall	N	
26-27	15	30	0	0	7,360	Robert L. Hall	Y	
28	16	0	240	0	0	Stephen F. and Deborah C. Gendreau	N	
29	17	0	0	0	470	Stephen F. and Deborah C. Gendreau	Y	
30	17	0	0	0	4,500	Jeffrey R. Sanborn & Donna L. Grenier; Donna Lee Grenier & Michael Vigeant	N	
31-32	17	0	215	0	6,460	Jeffrey R. Sanborn & Donna L. Grenier	Y	temporary crossing
33	18	0	0	0	570	Scott E. & Nicola A. Perkins	N	
34	18	0	0	0	1,345	Scott E. & Nicola A. Perkins; Eric J. Dean	N	
35	18	0	0	0	0	Eric J. Dean	N	
36	18	0	0	0	2,065	Winston E. & Kathleen E. Bowen	N	
37	19	0	340	700	770	Winston E. & Kathleen E. Bowen	Y	temporary crossing
38	20	0	0	0	415	Michael John Corporation; Michael and Cynthia Tetrault	Y	
39	20	0	0	0	0	John W. Campbell, Jr. & Evelyn Campbell; Nicholas Rivers	N	
40	20	36	0	0	3,645	John W. Campbell, Jr. & Evelyn Campbell; Nicholas Rivers	N	
41	21	0	0	0	380	Nancy E. & John D. Salesky	N	
42	21	0	0	0	0	Nancy E. & John D. Salesky	N	
43	21	0	0	0	0	Nancy E. & John D. Salesky	N	
44	21	0	0	0	1,005	Nancy E. & John D. Salesky; Peter Kashulines & Bonnie Lessig	Y	
45	22	0	0	0	1,085	Robert H. & Marsha A. Descheneau; George E. and Bonnie E. Wood; State of Vermont	Y	
46	23	6	4,695	0	3,375	Ronald E. & Diane E. Draper; Camil & Michelle S. Tetreault; Mark & Joann C. Lawson	Y	
47	24	0	0	0	0	Mark & Joann C. Lawson	N	
48	25	30	6,770	0	7,890	Great Bay Hydro Corporation	Y	temporary crossing
49	25	0	0	0	1,245	Great Bay Hydro Corporation	N	
50	25	0	0	0	0	Great Bay Hydro Corporation	N	
Total sq. ft.		378	21230	8310	108400			
Total Acres		0.009	0.5	0.2	2.5			

1. New structure 30 sq. ft.; removal and backfill of old structure 6 sq. ft.
2. Swamp Mats and temporary bridges
3. Clearing of trees within currently maintained ROW
4. Clearing of wooded wetland in additional cleared ROW required for project



CONTOUR INTERVAL 20 FEET



MAP LOCATION

BASE MAP: USGS 7.5 Minute Topographic Quadrangle ISLAND POND, VERMONT PROVISIONAL EDITION 1988

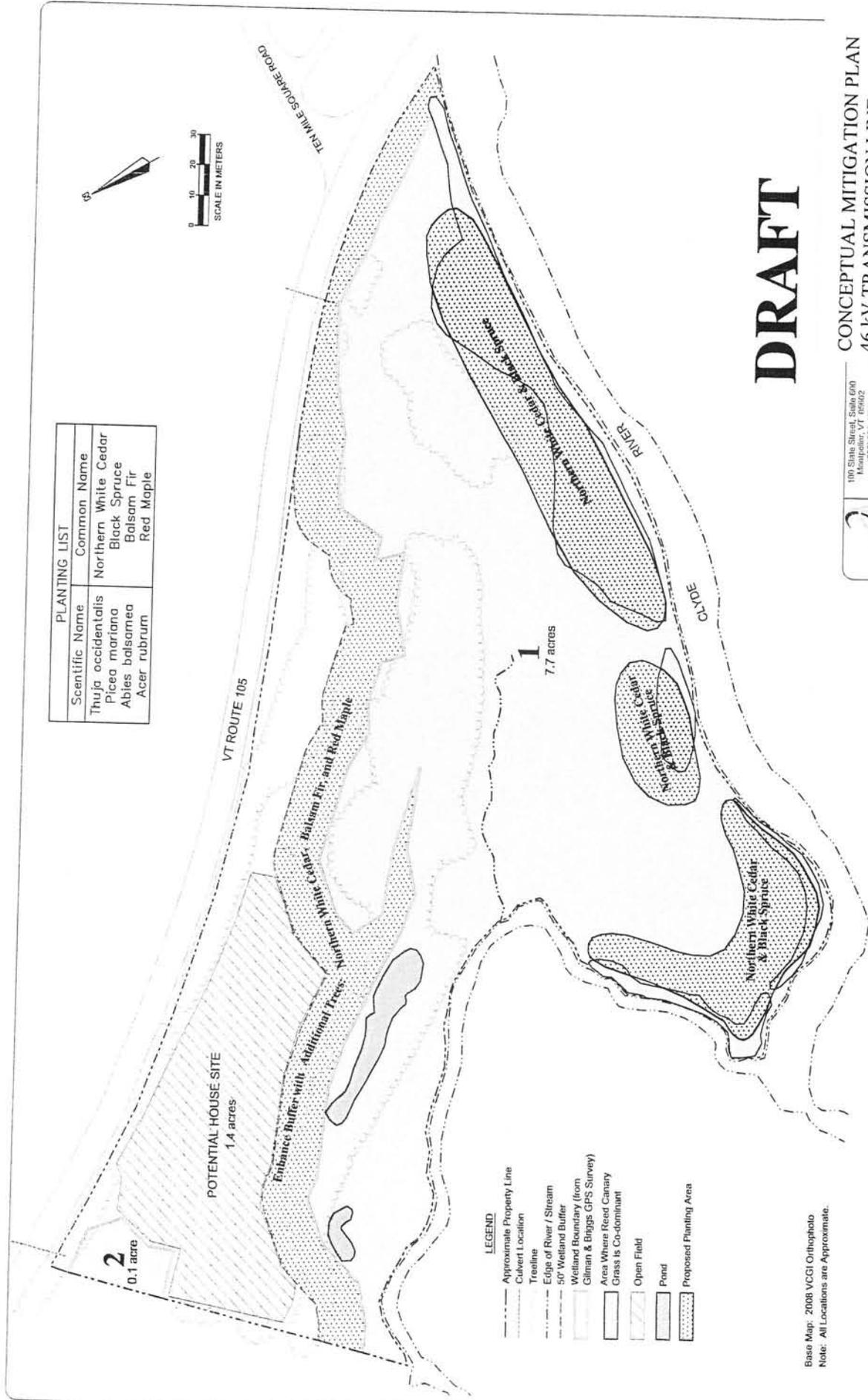
POTENTIAL MITIGATION SITE
 46 kV TRANSMISSION LINE
 REPLACEMENT
 DERBY TO CHARLESTON, VERMONT



100 State Street, Suite 600 Montpelier VT 05602	
Drawn by TJK	Date 1/5/10
Chk'd by SAS	Date
Scale As Shown	Project 1-0329-9

4/5

PLANTING LIST	
Scientific Name	Common Name
<i>Thuja occidentalis</i>	Northern White Cedar
<i>Picea mariana</i>	Black Spruce
<i>Abies balsamea</i>	Balsam Fir
<i>Acer rubrum</i>	Red Maple



DRAFT

CONCEPTUAL MITIGATION PLAN
 46 KV TRANSMISSION LINE
 REPLACEMENT
 DERBY TO CHARLESTON, VERMONT
 1/5/10

100 State Street, Suite 600
 Montpelier, VT 05602
 (802) 229-4670
 Drawn by: JLR Date: 10/11/10
 Check by: SAS Date: 1/5/10
 Scale: As Shown Project: 10329.6

The Johnson Company

Base Map: 2008 VCGI Orthophoto
 Note: All Locations are Approximate.