

Below is the original CE Application filed by Tri-Valley Transit's (TVT's) predecessor organization, Addison County Transit Resources (ACTR) in 2010, for which a permit was granted. TVT is the legal successor of ACTR, which merged with another Vermont transit agency in 2013. All references to ACTR now mean TVT.

Titles highlighted below in yellow indicate Sections which either have new Application language or contain status updates from TVT or both. Language that is "struck" is original application language that has been updated/replaced by DOT. The updated language is included in italics. This also includes new Sections that did not exist at the time of the 2010 application.

Updated TVT responses within the Sections are also italicized, including for new Sections.

October 27, 2010

Updated February 28, 2023

Grant Applicant: Addison County Transit Resources (ACTR)	<i>Tri-Valley Transit (TVT)</i>
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**UPDATED INFORMATION FOR
CATEGORICAL EXCLUSION
(SECTION 771.117(d))**

A. DETAILED PROJECT DESCRIPTION:

Addison County Transit Resources' (ACTR's) proposed facility that will accommodate administrative, operations, maintenance and bus storage needs. *The Addition is the "bus storage" portion of the original project.*

The project consists of approximately 13,000 square feet of space consisting of: administrative and operations office space, a maintenance bay, indoor bus storage for up to eight buses and vehicle wash bay. The project also includes employee and visitor parking for 36 automobiles and 15 bus parking spaces. *The Addition will accommodate 12 buses, rather than original 8, due to smaller vehicles.*

B. LOCATION (INCLUDING ADDRESS): ~~Attach a site map or diagram, which identifies the land uses and resources on the site and the adjacent or nearby land uses and resources. This is used to determine the probability of impact on sensitive receptors (such as schools, hospitals, residences) and on protected resources. Attach a project location map or diagram, such as a~~

USGS topographic map that identifies the project location. Clearly delineate the project and include streets and features specifically called out in the "detailed project description."

The location is 341 Creek Rd. Middlebury VT, 05753. The final address for 911 purposes was designated as 297 Creek Road, Middlebury VT, 05753.

State Plane Coordinates: X: 447033.6350005 Y: 166959.683942484

See Attached zoning and location maps, Attachment B-1a, B-1b and B-2. *Complies with updated CE Application language.*

C. METROPOLITAN PLANNING & AIR QUALITY CONFORMITY: ~~Is the proposed project "included" in the current adopted MPO plan, either explicitly or in a grouping of projects or activities? What is the conformity status of that plan? Is the proposed project, or are appropriate phases of the project included in the TIP? What is the conformity status of the TIP? Is the proposed project included in the current adopted MPO plan, either exclusively or in a grouping of projects or activities? What is the conformity status of that plan? Is the proposed project, or are appropriate phases of the project included in the TIP? What is the conformity status of the TIP? Is the project located in an air quality non-attainment area? Is the project exempt from a conformity review per Table 2 of 40 CFR 93.126.~~

The project site is not located within a Metropolitan Planning Area. Addison County is in attainment (conformance) with the National Air Quality Standards established in the Clean Air Act. *Complies with updated CE Application language.*

D. LAND USE AND ZONING: ~~Description of zoning, if applicable, and consistency with proposed use. Describe property zoning and consistency with proposed use. Attach a zoning map of the project area and surrounding area. Attach a land use map that identifies land and water uses in the project area.~~

No zoning changes are needed. The Town of Middlebury's Zoning Ordinance places the project parcel, which includes a Vermont Agency of Transportation Road Maintenance facility, in the Village Residential / Commercial (VCR) district. The proposed use was granted approval by the Middlebury Development Review Board, to which the Middlebury Select Board granted zoning responsibilities as noted on attachment D-1. See Attachment B-1a and B-2b for a zoning map and legend. *Complies with updated CE Application language.*

E. TRAFFIC IMPACTS: ~~Describe potential traffic impacts; including whether the existing roadways have adequate capacity to handle increased bus and other vehicular traffic. Describe potential traffic impacts; including short-term impacts during construction or demolition, and whether the existing roadways have adequate capacity for increased bus and other vehicular traffic as part of the proposed project. Examples of construction-related impacts include lane closures, detours, or dust abatement requirements. Briefly describe traffic control measures required to minimize impacts of construction.~~

The project will have no impact on the quality or quantity of transit service provided. It is four minutes and 1.4 miles from the existing leased operations center and 0.9 miles and two minutes closer to ACTR's transfer point at Merchant's Row in Middlebury. The project will be located on a side road with direct access to a major highway via one (1) signaled and two (2) non-signalized intersections that can handle the expected slight increase in traffic of 15 trips per hour with no significant impact. The project includes sufficient parking for all employees and visitors so will have no parking impact on the surrounding area. *Complies with updated CE Application language.*

F. CO HOT SPOTS: ~~If there are serious traffic impacts at any affected intersection, and if the area is non-attainment for CO, demonstrate that CO hot spots will not result.~~ *If there are serious traffic impacts at any affected intersection or area where the buses congregate, and if the area is in and air quality non-attainment area for CO, demonstrate that CO hot spots will not be created as a result of the project.*

The area is in attainment for CO. *There will be no serious traffic impacts as The Addition is for storage purposes only; the site use remains the same.*

G. PM2.5 AND PM10 HOT SPOTS: *If there are serious traffic impacts at any affected intersection or area where buses congregate, and if the area is a nonattainment or maintenance area for any particulate matter (PM2.5 or PM10), then demonstrate that PM2.5 or PM10 "hot spots" will not result.*

The area is in attainment for PM2.5 and PM10 and there will be no serious traffic impacts.

G. H. HISTORIC RESOURCES: ~~Describe any cultural, historic, or archaeological resource that is located in the immediate vicinity of the proposed project and the impact of the project on the resource.~~ *Describe any cultural, historic, or archaeological resources located in the immediate vicinity of the proposed project and the impact of the project on the resources. Show these resources on a map.*

There are no cultural, historical or archaeological resources within the vicinity of the project. There are no impacts on these resources. *The site was developed prior to the proposed addition.*

The Vermont State Division of Historic Preservation was consulted and has issued a letter stating that the proposed facility will have no impact historic or archaeological resources as noted in attachment G-1. *Complies with updated CE Application language.*

I. VISUAL QUALITY: *Describe the existing visual setting, identify any sensitive views/viewers, and describe the visual impact of the proposed project.*

The current visual setting is an open parking lot with a dozen or more buses visible behind TVT's administrative and maintenance facility. The Addition will improve the

current visual impact by placing all buses inside. The Addition will also be visually consistent with the current facility.

H. J. NOISE: ~~Compare the distance between the center of the proposed project and the nearest noise receptor to the screening distance for this type of project in FTA's guidelines. If the screening distance is not achieved, attach a "General Noise Assessment" with conclusions. Compare the distance between the center of the proposed project and the nearest noise receptor to the screening distance for this type of project in FTA's noise and vibration guidelines (Section 4.2 in FTA Guidelines). If the screening distance is not achieved, attach a "General Noise Assessment" with conclusions. Refer to FTA's *Transit Noise and Vibration Impact Assessment manual (May 2006).*~~

A General Noise Assessment was conducted in September 2010, in accordance with FTA guidelines (Transit Noise and Vibration Impact Assessment FTA-VA-90-1003-06, May 2006), and found that the project would have no impact. A summary of the FTA Noise Impact Assessment Findings is included as attachment H-1. *The Addition will place vehicles inside, which will reduce existing noise of TVT's operation.*

I. K. VIBRATION: ~~If the proposed project involves new or relocated steel tracks, compare the distance between the center of the proposed project and the nearest vibration receptor to the screening distance for this type of project in FTA's guidelines. If the screening distance is not achieved, attach a "General Vibration Assessment" with conclusions. If the proposed project includes new or relocated steel rails/tracks, compare the distance between the center of the proposed project and the nearest vibration receptor to the screening distance for this type of project in FTA's guidelines (Section 9.2 in FTA guidelines).~~

Project does not involve tracks. *Complies with updated CE Application language.*

J. L. ACQUISITIONS & RELOCATIONS REQUIRED: Describe land acquisitions and displacements of residences and businesses.

There is no land acquisition and no displacements of residences and businesses associated with this facility. The land is owned by the Vermont Agency of Transportation (VTrans), which will lease the land to ACTR. *Complies with updated CE Application language.*

K. M. HAZARDOUS MATERIALS: ~~If real property is to be acquired, has a Phase I site assessment for contaminated soil and groundwater been performed? If a Phase II site assessment is recommended, has it been performed? What steps will be taken to ensure that the community in which the project is located is protected from contamination during construction and operation of the project? State the results of consultation with the cognizant State agency regarding the proposed remediation? If real property has been acquired, has a Phase I site assessment for contaminated soil and groundwater been performed? If a Phase II site assessment is recommended, has it been completed? What steps will be taken to ensure that human and ecological receptors in the project area are protected from contamination encountered during construction and operation of the project? State the results of consultation with the State agency with jurisdiction over proposed remediation of soil and/or groundwater contamination.~~

There is no history of development on this site. *Complies with updated CE Application language.*

L. N. SOCIAL IMPACTS AND COMMUNITY DISRUPTION & ENVIRONMENTAL JUSTICE:

Provide a socio-economic profile of the affected community. Describe the impacts of the proposed project on the community. Identify any community resources that would be affected and the nature of the effect.

According to the latest available data from the VT Health Department and estimates by the Addison County Regional Planning Commission, Middlebury's population was estimated at 8,350 in 2007, including the Middlebury College enrollment of 2,350. According to the latest U.S. Census data (2000), the Town of Middlebury had 2,805 dwelling units, a poverty rate of 9.60% and a Median Household Income of \$37,723. ACTR has proven to be a vital resource across the socio-economic spectrum in the community and the proposed action will enhance their ability to provide services more cost-effectively. *Complies with updated CE Application language.*

O. ENVIRONMENTAL JUSTICE: *Identify the concentrations of minority and low-income populations in the area. Following FTA guidelines on environmental justice (FTA Circular 4703.1), define "minority" and "low-income" populations, and describe whether or not the project would result in disproportionately high and adverse impacts on minority or low-income populations.*

The Addition is located at the exact same site as the current facility and, thus, will be impacting only the same neighborhood as the current facility. The Addition will have no new negative impacts but, rather new positive impacts as described in Section I (Visual Quality), Section J (Noise) and Section U (Impacts on Safety & Security).

M. P. USE OF PUBLIC PARKLAND AND RECREATION AREAS: ~~Indicate parks and recreational areas on the site map. If the activities and purposes of these resources will be affected by the proposed project, state how.~~ *Indicate parks, recreational areas, wildlife refuges, and/or trails on a project location map (Section 4(f) resources). Describe how the activities and purposes of these resources will be affected by the project.*

The proposed action will have no impact on the activities and purposes of park and recreation resources. The Middlebury Area Land Trust (MALT) maintains a trail adjacent to the ACTR facility, which is shown on the site plan. The project will not impact the proposed trail and MALT supports the ACTR project as noted in Attachment M-1. See attachment M-2 for locations of existing public parks and recreation resources. *Complies with updated CE Application language.*

N. Q. IMPACTS ON WETLANDS: ~~Show potential wetlands on the site map. Describe the project's impact on on-site and adjacent wetlands.~~ *Show potential wetlands and boundaries on a map. Integrate data from the National Wetlands Inventory. Describe the project's impact on on-site and adjacent wetlands. If the project impacts wetlands, provide documentation of consultations and permits from the U.S. Army Corps of Engineers, as well as, minimization and*

mitigation efforts. If applicable, provide documentation to demonstrate that wetlands are not present, or the proposed project will not impact any wetland areas.

Please see Attachments N-1 and N-2 for a wetland delineation and site survey. There are Class II wetlands on the site. The wetland was taken into account in the site design and there will be no construction in the wetland. Army Corps wetlands permits will not be necessary since there will be no direct impact on the wetland. A Vermont Wetland Permit will be required due to the proximity of the project to the wetland. The project will have no undue adverse impact to the functions and values of the wetlands on the site. *The Addition will fall within the buffer by no more than 10 feet. A variance will be applied for the impact.*

Q. R. FLOODPLAIN IMPACTS: ~~Is the proposed project located within the 100-year floodplain? If so, address possible flooding of the proposed project site and flooding induced by proposed project due to its taking of floodplain capacity.~~ *Determine if the project is within a 100-year floodplain. Review FEMA 100-year FIRMs on the FEMA website. Include a FIRM floodplain map, if available. Include all floodplain FIRM numbers that occur in the project area and the effective or revision date for each FIRM. Include the FEMA FIRM numbers for the project area, even if the 100-year floodplain has not been delineated. If the proposed project is located within the 100-year floodplain describe what will be done to address possible flooding of the proposed project location and flooding induced by the project due to reduced capacity to retain storm water runoff.*

Project is not within the flood plain as indicated in Attachment O-1. Complies with updated CE Application language.

P. S. IMPACTS ON WATER QUALITY, NAVIGABLE WATERWAYS, & COASTAL ZONES: ~~If any of these are implicated, provide detailed analysis.~~ *If any of these resources are implicated, describe the project's potential impacts. Determine if National Pollutant Discharge Elimination System (NPDES) permits are applicable as a result of ground disturbance or point sources that will discharge pollutants into waters of the United States. Refer to BMPs at the U.S. EPA website. How will storm water be treated during and after construction? How will wastewater from bus washing facilities be treated? Determine if project area is in a sole-source aquifer, if not document in narrative (refer to the U.S. EPA website).*

The project is not located on a navigable waterway or coastal zone and therefore will have no significant impact on these resources. The project will include a bus wash that recycles water and will be connected to a municipal wastewater treatment plant. ACTR will obtain a State NPDES stormwater permit and will use best practices in stormwater retention and treatment so that impact from the increased impervious surface is minimal. The project will not have a significant impact on water quality. *Complies with updated CE Application language.*

Q. T. IMPACTS ON ECOLOGICALLY-SENSITIVE AREAS AND ENDANGERED SPECIES: ~~Describe any natural areas (woodlands, prairies, wetlands, rivers, lakes, streams, designated wildlife or waterfowl refuges, and geological formations) on or near the proposed~~

~~project area. If present, state the results of consultation with the state department of natural resources on the impacts to these natural areas and on threatened and endangered fauna and flora that may be affected. Describe any natural areas (woodlands, prairies, wetlands, rivers, lakes, streams, designated wildlife or waterfowl refuges, and geological formations) on or near the proposed project area. If present, state the results of consultation with the state department of natural resources and, if appropriate, the U.S. Fish and Wildlife Service on the impacts to critical habitats and on threatened and endangered fauna and flora that may be affected. Refer to the U.S. Fish and Wildlife Service website.~~

The project area is not ecologically sensitive nor is it known to contain species listed in the US Fish and Wildlife Service's Endangered Species Program. A map of Middlebury's Biologically Significant Areas is provided as attachment Q-1. Potential habitat for Vermont and Federal Rare and Endangered Species is noted as attachment Q-2.
Complies with updated CE Application language.

R. U. IMPACTS ON SAFETY AND SECURITY: ~~Describe the measures that would need to be taken to provide for the safe and secure operation of the project after its construction. Describe the measures that would need to be taken to provide for the safe and secure operation of the project after its construction. List any security measures that are planned as part of the project (e.g., security guards, fencing, secured access, lighting, cameras, etc.).~~

The proposed facility will be more secure and safe than the current arrangement for the following reasons:

All administrative, operations, maintenance and bus storage will be co-located in the same facility and the facility will not be shared with other organizations.

Bus maintenance will be conducted by ACTR employees rather than sub-contractors. This will allow closer monitoring of bus maintenance.

With The Addition, buses will now be stored indoors every night, thus reducing the possibilities of vandalism and/or theft, especially of high-value parts like catalytic converters. Cameras will be included in the facility design.

S. V. IMPACTS CAUSED BY CONSTRUCTION: ~~Describe the construction plan and identify impacts due to construction noise, utility disruption, debris and spoil disposal, air and water quality, safety and security, and disruptions of traffic and access to property. Describe the construction plan and identify construction impacts with respect to noise, dust, utility disruption, debris and spoil disposal, air quality, water quality, erosion, safety and security, and disruptions of traffic and access to businesses or residential property. Identify steps that will be taken to provide alternatives or mitigate the impacts of construction impacts. Cite applicable local, state, and federal regulations, and any standards or BMPs that will be followed. If applicable, please include any NPDES best practice measures (refer to the U.S. EPA website).~~

Design and construction plans will meet the requirements of the building code as well as State regulations regarding erosion and dust control. The project will follow the Town of

Middlebury Noise Ordinance which prohibits construction noise from 9PM to 7AM. The project is located on a side road and thus construction should proceed without disruptions to traffic flow and access to property. The project will also require a NPDES stormwater permit during the construction phase. *Complies with updated CE Application language.*

The action(s) described above meets the criteria for a NEPA categorical exclusion (CE) in accordance with 23 CFR Part 771.11

Agency Representative

Date

FTA Representative

Date