

STATE OF VERMONT

AGENCY OF NATURAL RESOURCES

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

ORDER APPROVING APPLICATION TO ALTER A DAM

10 V.S.A Chapter 43

Applicant:	Vermont State University
Application Number:	DS2026-1
Dam Name:	Castleton State College Dam
Dam ID Number:	43.04
Hazard Classification:	SIGNIFICANT Hazard Potential
Waterbody:	Hill Brook, Poultney River Basin
Town:	Castleton
Project:	Partially Remove Castleton State College Dam

FACTS

On January 5, 2026, an application under 10 V.S.A. Chapter 43 was filed with the Department of Environmental Conservation, Dam Safety Program (Department) by the Vermont State University for the partial removal of a dam known as Castleton State College Dam, located in Castleton, Vermont. The application was considered administratively complete on January 7, 2026. The partial removal is designed to lower the Hazard Potential Classification of the dam from SIGNIFICANT to MINIMAL by reducing the storage capacity of the dam and therefore the potential impact from a dam failure.

On February 4, 2026, public notice of the draft decision for the proposed project was made available via the Environmental Notice Bulletin to State and local officials along with other interested persons, providing an opportunity to file written comments or request a public informational meeting. The application and additional information were also made available via the Environmental Notice Bulletin. The end of the comment period was on March 6, 2026. No comments on the project were received.

The Department reviewed the documents filed by the applicant and others and finds it has sufficient information to determine that this project will serve the public good and should be approved as provided in 10 V.S.A. §1086.

FINDINGS AND CONCLUSIONS

1. **Jurisdiction:** Castleton State College Dam is in Castleton, Vermont, and is owned by the Vermont State University (applicant). The proposed project involves the partial removal (alteration) of a dam that is capable of impounding more than 500,000 cubic feet of water and sediment. The dam or project does not relate to and is not incident to the generation of electric energy for public use or as a part of a public utility system. The Department has jurisdiction over this project pursuant to 10 V.S.A. §1081(a); and the Department's authorization to perform this alteration is necessary under 10 V.S.A. §1082.
2. **Project Description:** The project is the partial removal of the Castleton State College Dam, an approximately 10-foot high by 290-foot-long concrete gravity structure with a 65-foot-long spillway with a SIGNIFICANT Hazard Potential Classification. A cofferdam will be installed so that work can be conducted in the dry while passing flow downstream. A section of dam roughly three feet tall by eighty feet long will be removed. A new trapezoidal primary spillway will be cut into remaining concrete with a 10-foot base width and 20-foot top width and 0.5-foot depth. Sediment directly upstream of the dam will be removed such that the elevation of the new spillway ties into bottom elevations to limit sediment movement. The sediment will be spread over a nearby upland grassy area and seeded and mulched. The newly exposed areas within the impoundment will be seeded with native vegetation for stabilization. Existing riprap downstream of the dam will be repositioned to match the elevation of the new lower spillway and dam elevations.
3. **Plans and Specifications:** The project is to be constructed in accordance with plans and specifications entitled Partial Dam Removal Castleton State College Dam, dated January

5, 2026. The Engineer of Record for the project is Bethel A.H. Stephens, PE, of Stephens Associates Consulting Engineers, 60 Northrup Drive, Brentwood, New Hampshire, 03833.

4. **Project Purpose:** The purpose of the project is to lower the Hazard Potential Classification of Castleton State College Dam from SIGNIFICANT to MINIMAL, reducing downstream flooding hazard and owner liability due to dam failure.

5. **Public Good Determination 10 V.S.A. §1086(a)**

Impact to public safety; The project will result in the lowering of the Hazard Potential Classification of Castleton State College Dam from SIGNIFICANT to MINIMAL, which is a reduction of risk to public safety downstream due to a dam failure. The plans entitled Partial Dam Removal Castleton State College Dam, dated January 5, 2026, are adequate to provide for public safety.

- 1) **The quantity, kind and extent of cultivated agricultural land that may be rendered unfit for use by the project, including both the immediate and long-range agricultural land use impacts;** No cultivated agricultural lands will be rendered unfit for use by the project, including both the immediate and long-range agricultural use impacts.
- 2) **Impact to scenic and recreational values;** There will be no change to scenic and recreational values as a pond will remain.
- 3) **Impact to fish and wildlife;** In accordance with 10 VSA §1084, the Department of Fish & Wildlife investigated the potential effects on fish and wildlife habitats for the proposal to alter Castleton State College Dam. Dams and instream impoundments degrade riverine habitats, alter sediment transport, increase water temperatures, and isolate aquatic populations. The partial removal of this dam will preserve this artificial impoundment, perpetuating these negative impacts. The following recommendations will minimize negative impacts on fish and wildlife.
 - Downstream flows must not be interrupted.
 - Work in the water should be completed during the period June 1 to October 1.
 - Erosion prevention and sediment control measures should be employed to prevent discharge of sediment to State waters
 - Seed exposed areas with native vegetation.
 - To protect the health and population of Vermont's fisheries, the capture and transport of live fish from the pond should not be allowed.
- 4) **Impact to forests and forest programs;** There will be no adverse impact or change in forests or forest programs from the project.
- 5) **[Repealed, Minimum Flows, see 10, below];**
- 6) **The existing uses of the waters by the public for boating, fishing, swimming and other recreational uses;** There will be no change in existing uses as a pond will remain.

- 7) **The creation of any hazard to navigation, fishing, swimming or other public uses;** The project will not create any hazards to navigation, fishing, swimming or other public uses.
- 8) **The need for cutting clean and removal of all lumber or tree growth from all or part of the flowage area;** The project does not involve the cutting clean and removal of all lumber or all trees in the existing flowage area.
- 9) **The creation of any public benefits;** The project will create public benefits by reducing the potential downstream impacts from a dam failure. The Hazard Potential Classification of the dam will decrease from SIGNIFICANT to MINIMAL due to its partial removal of and reduction of impoundment size.
- 10) **Attainment of the Vermont Water Quality Standards;** The project, with the conditions imposed through this Order, will be done in a manner that meets the Vermont Water Quality Standards. The completed project will continue to be a run-of-river.
- 11) **Impact to any applicable state, regional or municipal plans;** Retaining the dam and impoundment in this location will not have a negative impact on any state or regional plans or municipal plans.
- 12) **Impact to municipal grand lists and revenues;** The project will not impact the value of the property on the municipal list and revenues related thereto.
- 13) **Hydroelectric potential;** Castleton State College Dam was not related or incident to the generation of electric energy for public use or as part of a public power utility system. There is not significant hydroelectric potential at this site.

The Department concludes that this project satisfies and will serve the public good requirements of 10 V.S.A. §1086.

SPECIAL CONDITIONS

1. The applicant shall notify the Department's Dam Safety Program (Steven Hanna, 802-490-6123) and the Town of Castleton a minimum of **72 hours prior** to commencement of construction and provide the name and telephone number of the contact person for the construction project.
2. The applicant or their selected contractor for the project shall engage a professional engineer registered under Title 26 V.S.A. who has experience in the design and investigation of dams to design a cofferdam and control of water plan for the project. **The cofferdam design and the control of water plan shall be sealed by the engineer preparing the plan, reviewed and approved by the applicant's engineer (if different), and submitted to the Department for review and approval prior to the preconstruction meeting. Construction shall not start until a plan is approved by the Department.**

3. **A preconstruction meeting between the applicant or representative, the applicant's engineer or supervising representative, the selected contractor, and the Department shall be held prior to starting construction to review the project, the control of water plan, project schedule, and Order Conditions. The Department shall be provided with meeting minutes. In addition, if not already submitted to the Department, proof that the Order has been filed in the land records of the Town of Castleton shall be provided to the Department.**
4. **The Department shall be invited to a final completion meeting. The Department shall be provided with meeting minutes.**
5. The project is to be constructed in accordance with plans and specifications entitled Partial Dam Removal Castleton State College Dam, dated January 5, 2026. The Engineer of Record for the project is Bethel A.H. Stephens, PE, of Stephens Associates Consulting Engineers, 60 Northrup Drive, Brentwood, New Hampshire, 03833.
6. Full-time construction monitoring by the applicant's engineer shall be provided during the following work:
 - Installation of cofferdam.
 - Removal of the cofferdam and rewatering work area.
 - At such times as the engineer may consider appropriate.
7. The applicant's engineer monitoring construction shall submit via email on a weekly basis to the Department, a brief summary with observations and representative photographs that document the work.
8. Any construction problems or unanticipated circumstances encountered shall be immediately brought to the attention of the Department (Steven Hanna, 802-490-6123).
9. During the project inflow shall be passed and shall not be interrupted or otherwise stopped completely. The flow regime shall be run-of-river once the project is complete.
10. **The project shall be completed by October 15, 2028**, unless other dates are approved in writing by the Department. The applicant shall notify the Department at least 14 days prior to a deadline if an extension appears necessary.
11. Work in the water, defined as, work requiring water control, flow manipulation, manipulation of water levels, work directly in the water, or work below the normal water level in the pond, shall only occur during the period from June 1 to October 1 of any year. Requests to work outside of these dates must be made to the Department at least 14 days prior and include the following in a written narrative and plans (if applicable). If requested by the Department, a site visit to observe site conditions and review work requirements shall be held. Work performed during this period may be subject to additional inspection by State personnel and may be subject to immediate work stoppage if Order or extension requirements are not being met.

- Documentation there is no reasonable alternative and/or the task is an emergency.
 - Updated construction schedule with a list of tasks to be completed outside of the period with their anticipated duration, completion date, and winter shutdown date, if applicable.
 - A discussion of necessary water control measures and how this work will be sequenced to minimize the release of turbid waters.
 - A plan of improved erosion and sediment controls and site stabilization measures to minimize the release of turbid waters, including a plan for the timely containment of sediment discharges should the improved measures fail in any way.
 - A monitoring plan to observe, document, and report ambient and receiving water turbidity.
 - Work in the water before June 1 or after October 1 shall not be performed unless approved in writing by the Department after consultation with the Department of Fish & Wildlife.
12. Work not in the water in upland areas is limited to the period May 1 through October 31 of any year.
13. The applicant shall ensure that every reasonable precaution is taken to prevent the discharge of petrochemicals and debris into waters of the State. Machinery shall be fueled away from waters of the State and shall be maintained in good mechanical condition in terms of integrity of hoses, seals, and gaskets.
14. Erosion prevention and sediment control (EPSC) measures shall be employed as necessary to prevent discharge of sediment to State waters. Disturbed soil shall be effectively stabilized by October 1st. Stone check dams or rock filter berms installed to catch sediment shall be cleaned out weekly, before and after storm events, and as directed by the applicant's engineer. If elevated turbidity is observed, work shall stop immediately until corrective measures are employed. Post construction remediation measures shall be required if deemed necessary by the Department.
15. Any water quality problems shall be immediately brought to the attention of the Department (Steven Hanna, 802-490-6123).
16. Live fish shall not be captured and transported to other waters to protect the health and population of Vermont's fisheries.
17. Debris and excess material associated with the project and operation shall be transported and used or disposed of properly in accordance with State law.

GENERAL CONDITIONS

1. This Order may be appealed to the Environmental Court by an aggrieved person within thirty (30) days from its date (10 V.S.A. §1099).

2. **The applicant shall file this Order with the land records of the Town of Castleton within 10 days of the issuance of this Order. Proof of such filing shall be submitted to the Department within 10 days of the filing or at the preconstruction meeting, prior to the start of construction.**
3. Any proposed modifications to the approved plans and specifications shall be submitted in writing to the Department. Such proposed modifications shall not be made unless approved in writing by the Department.
4. Applicant shall engage a professional engineer registered under Title 26 V.S.A. who has experience in the design, investigation of dams to monitor the construction, alteration or other action authorized by this Order. (10 V.S.A. § 1090). The engineer shall:
 - a. Submit construction status reports with photographs or other reports required by the Special Conditions **weekly** to the Department;
 - b. Submit, **within one month** of completion of the project, record drawings of the completed work to the Department; and
 - c. Certify in writing to the Department that the project has been completed in accordance with the approved plans and specifications.
5. The project shall not be considered complete and in compliance with this Order until:
 - a. the record drawings, certification, and items required by Conditions 4(a) through (c) have been received and accepted by the Department;
 - b. the Department has inspected and approved the completed project; and
 - c. the Department has given its written acknowledgment that the project has been satisfactorily completed in accordance with this Order. **The written acknowledgement shall be filed with the land records of the Town of Castleton. Proof of the filing shall be provided to the Department.**
6. This Order does not grant exclusive rights or privileges, which would impair any rights possessed by other riparian or littoral owners or the State of Vermont. It does not grant any right, title or easement to or over any land not owned in fee simple by the applicants. Nor does it authorize any violation of Federal, State, or local laws or regulations.
7. Nothing in this Order shall relieve the owner or operator of the authorized dam and impoundment from their legal duties, obligations and liabilities resulting from such ownership or operation.
8. The applicant shall allow the Commissioner of the Department, or a duly authorized representative, at reasonable times and upon presentation of credentials to enter upon and inspect the property and the project to determine compliance with this Order.

- 9. The terms and conditions of this Order shall run with the land.
- 10. This Order may be suspended or revoked at any time after reasonable notice and opportunity to be heard upon failure of Applicant to comply with any condition of this Order, applicable rule, or law. Continuing jurisdiction is reserved for these purposes.

ORDER APPROVING APPLICATION

Based on due consideration of the factors that must be considered under the law and with the conditions contained herein, the Department hereby approves the project as applied for and authorization is hereby granted to carry out the proposed project in strict accordance with the approved plans and specifications entitled Partial Dam Removal Castleton State College Dam Removal dated January 5, 2026, and the Special and General Conditions that are contained in this Order

Date Signed 3/12/2026

Misty Sinsigalli, Commissioner
Department of Environmental Conservation

By: Emily Bird, Director
 Water Investment Division

Signed by:
Bird, Emily
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LAND USE PERMIT AMENDMENT

State of Vermont
Land Use Review Board
District 1 Environmental Commission
440 Asa Bloomer State Office Building
88 Merchants Row, 4th Floor
Rutland, VT 05701-5903
<https://act250.vermont.gov/>

Vermont State Colleges
62 Alumni Drive
Castleton, VT 05735

PERMIT NUMBER:
1R0669-13

LAW/REGULATIONS INVOLVED:
10 V.S.A. §§ 6000 – 6111 (Act 250)

The District 1 Environmental Commission (“Commission”) hereby issues Land Use Permit (“LUP”) amendment 1R0669-13, pursuant to the authority vested in it by 10 V.S.A. §§ 6000-6111. This permit amendment applies to the lands identified in Book 41, Page 115; Book 41, Pages 429-430; Book 50, Pages 50-51; Book 50, Page 144; Book 50, Pages 359-360; Book 50, Page 401; Book 50, Page 467-470; Book 51, Page 283; Book 51, Page 342; Book 1, Page 381; Book 51, Page 434; Book 52, Pages 359-360; Book 52, Pages 466-467; Book 54, Pages 278-279; Book 54, Pages 389-390; Book 55, Pages 307-308; Book 71, Page 118; and Book 97, Page 122 of the land records of the Town of Castleton, Vermont as the subject of deeds to Vermont State Colleges, the Permittee.

This permit specifically authorizes: the partial decommissioning of the Glen Brook Dam, specifically the removal/lowering the spillway by two- to three feet, to reduce downstream hazard and achieve reclassification to Minimal Hazard Potential; and restoration of the area of disturbance. No other construction of improvements (e.g., buildings, lots, roads) is proposed or authorized herein (the “Project”).

The Project is located at 190 University Drive in Castleton, Vermont (SPAN 129-040-10411).

Jurisdiction attaches because the Project constitutes a material change to a permitted development or subdivision and thus requires a permit amendment pursuant to Act 250 Rule 34.

1. The Permittee and its assigns and successors in interest are obligated by this permit to complete, operate, and maintain the Project as approved by the District Commission (the “Commission”) in accordance with the following conditions.
2. The Project shall be completed, operated, and maintained in accordance with the conditions of this permit; the permit application, plans, and exhibits on file with the Commission; and other material representations. In the event of any conflict, the terms and conditions of this permit shall supersede the approved plans and exhibits.

The approved plans are:

Cover Sheet - “Castleton State College Dam,” dated 1/5/2026 (Exhibit 005);

Notes Sheet - “Castleton State College Dam,” dated 1/5/2026 (Exhibit 006);

Existing Conditions Sketch - “Castleton State College Dam,” dated 1/5/2026 (Exhibit 007);

Proposed Plan - "Castleton State College Dam," dated 1/5/2026 (Exhibit 008);
Spillway Profile - "Castleton State College Dam," dated 1/5/2026 (Exhibit 009);
Temporary Construction Plan and Details - "Castleton State College Dam," dated 1/5/2026 (Exhibit 010); and
Project Relative to Wetland and Buffer Zones - "Castleton State College Dam," dated 1/5/2026 (Exhibit 011).

3. All conditions of Land Use Permit 1R0669 and amendments are in full force and effect except as further amended herein.
4. Representatives of the State of Vermont shall have access to the property covered by this permit, at reasonable times, for the purpose of ascertaining compliance with Vermont environmental and health statutes and regulations and with this permit.
5. **No change shall be made to the design, operation, or use of this Project without a permit amendment issued by the Commission or a jurisdictional opinion from the District Coordinator that a permit amendment is not required.**
6. **No further subdivision, alteration, or development on the tracts of land approved herein shall be permitted without a permit amendment issued by the Commission or a jurisdictional opinion from the District Coordinator that a permit is not required.**
7. Pursuant to 10 V.S.A. § 8005(c), the Commission or the Land Use Review Board may at any time require that the permit holder file an affidavit certifying that the Project is in compliance with the terms of this permit.
8. The conditions of this permit and the land uses permitted herein shall run with the land and are binding upon and enforceable against the Permittee and its successors and assigns.
9. The Permittee shall comply with all conditions of the Agency of Natural Resources ("ANR") Order Approving Application to Alter a Dam (Dam Safety Permit) #DS2026-1 (dam ID #43.04) issued on March 12, 2026 (Exhibit 023). Any nonmaterial changes to this permit shall be automatically incorporated herein upon issuance by the Agency of Natural Resources.
10. Construction hours shall be limited to Monday through Saturday from 7:00 AM to 6:00 PM, with no construction on Sundays and/or federal holidays.
11. Prior to soil disturbance on the Project Tract, the Permittee shall install and maintain a continuous line of temporary flagging or snow fencing to clearly delineate the construction limits, temporary construction access, stream and wetland buffers, and trees/tree lines and natural features to be retained; place diversion ditches on the uphill limits of the construction area; and place temporary siltation controls on the downhill limits of construction.
12. The construction access to the project area limits of work/disturbance shall be limited to use of the existing unpaved path depicted in Exhibit 005 and as represented in Exhibit 020.
13. All storage, staging, equipment, dumpsters, temporary construction debris and other related stockpiles shall be located only within the limits of work/disturbance depicted in Exhibits 008 through 011. (Exhibit 020)
14. The Permittee shall apply and maintain water and/or other agents approved by the Watershed Management Division in the Project's Erosion Prevention and Control Plan on all roadways, disturbed areas, and/or active storage piles within the Project tract during construction and until vegetation is fully established to control dust.

15. Sediment shall not be spread outside the area depicted in exhibit 011.
16. Storage and disposal of construction debris shall be in accordance with applicable federal, state, and local regulations.
17. There shall be no burning of construction or vegetative debris. Any extracted stumps, brush, or vegetative debris shall be disposed of at a state-certified stump and inert waste disposal facility or on-site above the seasonal high-water table, and not in any wetland or water body, so as to prevent groundwater pollution.
18. The Permittee shall implement and adhere to the pollution prevention measures represented in exhibit 006.
19. Any use of herbicides shall be as represented in exhibits 001 and 008.
20. For erosion prevention and sediment control, the Permittee shall, at minimum, comply with Exhibits 001, 006, 010, and the Vermont Department of Environmental Conservation's *Low Risk Site Handbook for Erosion Prevention and Sediment Control* (February 2020). The Permittee shall prevent the transport of any sediment beyond that area necessary for construction approved herein. All erosion prevention and sediment control devices shall be periodically cleaned, replaced, and maintained until vegetation is permanently established on all slopes and disturbed areas.
21. In addition to conformance with all erosion prevention and sediment control conditions, the Permittee shall not cause, permit, or allow the discharge of waste material into any surface waters. Compliance with the requirements of this condition does not absolve the Permittee from compliance with 10 V.S.A. (§§ 1250-1284) Chapter 47, Vermont's Water Pollution Control Law.
22. Except for the disturbances authorized herein, the Permittee shall maintain an undisturbed, naturally vegetated Class II wetland and 50-foot wetland buffer zone on the project tract as depicted on Exhibits 007, 008, and 010. The term "undisturbed" means that there shall be no activities that may cause or contribute to ground or vegetation disturbance or soil compaction, including but not limited to construction, earth-moving activities, storage of materials, tree trimming or canopy removal, tree, shrub, or groundcover removal; plowing or disposal of snow, grazing, or mowing.
23. The Permittee shall implement the restoration and revegetation plan as represented in exhibits 001 and 008. The grassed area within the limits of work/disturbance that is to be utilized for temporary storage and staging of equipment, dumpsters, construction debris and other related stockpiles, as well as the temporary construction access, shall be fully restored to existing [grassed] conditions upon completion of the project (Exhibit 020).
24. The Permittee shall provide each prospective purchaser of any interest in this Project with a copy of the Land Use Permit amendment before entering into any written contract of sale.
25. Pursuant to 10 V.S.A. § 6090(b)(1), this permit amendment is hereby issued for an indefinite term, as long as there is compliance with the conditions herein. Notwithstanding any other provision herein, this permit shall expire three years from the date of issuance if the Permittees has not commenced construction and made substantial progress toward completion within the three-year period in accordance with 10 V.S.A. § 6091(b).
26. **All site work and construction authorized herein shall be completed in accordance with the approved plans by October 15, 2029, unless an extension of this date is approved in writing by the Commission.** Such requests to extend must be filed prior to the deadline and approval may be granted without a public hearing.

27. Failure to comply with any condition herein may be grounds for permit revocation pursuant to 10 V.S.A. sec. 6027(g).

Dated March 31, 2026.

By /s/ Cort Jones
Cort Jones, Acting Chair in this matter
District 1 Commission

Members participating in this decision: Devon Fuller and Butch Shaw

Any party, or person denied party status, may file within 15 days from the date of a decision of the District Commission one and only one motion to alter with respect to the decision, pursuant to Act 250 Rule 31(A). Under Rule 31(A), no party, or person denied party status, may file a motion to alter a District Commission decision concerning or resulting from a motion to alter. Per Rule 31(A)(3), the running of the time for filing a notice of appeal is terminated as to all parties by a timely motion to alter.

Any person aggrieved by an act or decision of a District Commission or District Coordinator, or any party by right, may appeal to the Environmental Division of Vermont Superior Court within 30 days of the act or decision pursuant to 10 V.S.A. § 8504. Such appeals are governed by Rule 5 of the Vermont Rules for Environmental Court Proceedings. The appellant must file a notice of appeal with the clerk of the court and pay any fee required under 32 V.S.A. § 1431.

The appellant must also serve a copy of the Notice of Appeal on the Land Use Review Board and on other parties in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings. The Land Use Review Board's copy may be sent to act250.legal@vermont.gov and/or 10 Baldwin Street, Montpelier, VT 05633-3201.

Note, there are certain limitations on the right to appeal, including on interlocutory appeals. See, e.g., 10 V.S.A. § 8504(k), 3 V.S.A. § 815, and Vermont Rule of Appellate Procedure 5. There shall be no appeal from a District Commission decision when the Commission has issued a permit and no hearing was requested or held, or no motion to alter was filed following the issuance of an administrative amendment. 10 V.S.A. § 8504(k)(1). If a District Commission issues a partial decision under 10 V.S.A. § 6086(b), any appeal of that decision must be taken within 30 days of the date of that decision. 10 V.S.A. § 8504(k)(3). For additional information on filing appeals, see the Court's website at: <http://www.vermontjudiciary.org/GTC/environmental/default.aspx> or call (802) 951-1740. The Court's mailing address is Vermont Superior Court, Environmental Division, 32 Cherry Street, 2nd Floor, Suite 303, Burlington, VT 05401.

The foregoing statements regarding motions to alter and appeals are intended for informational purposes only. They neither supplant nor augment any rights or obligations provided for by law nor do they constitute a complete statement of the rights or obligations of any person or party.

**Authorization under the Flood Hazard Area & River Corridor General Permit
Reporting Activities Requiring an Application
10 V.S.A. § 754**

PERMIT #: FP-8-0045-GP

Date: 3/25/2026

Applicant: Vermont State University, c/o Sharron Scott

Contact: James Turner

Phone: 603-772-1417

Email: jeturner@stephensengineers.com

Project Location: 190 University Drive, Castleton, VT 05735

Flooding Source: Pond Hill Brook (aka Glen Brook)

Project Description: The project proposes to partially remove the Castleton State College (Glen Brook) Dam by lowering the elevation of the spillway ranging from 2 to 3.5 feet across the crest. The intention of the project is to reduce risk of dam breach, reduce the hazard classification to “Minimal Hazard Potential” under VT Statute and VT Dam Safety Program Administrative Rules, and reduce operation and maintenance costs. Construction access will be from an existing gymnasium parking lot south along the tree line to the dam location. Sediment removal is limited to the minimum amount necessary down to the proposed crest elevation (approx. 1’ vertical) to limit releases downstream. Excavated sediment will be spread on an adjacent field 1’ or less thickness, blended into adjacent grades, topped with 3 inches of topsoil and revegetated. Sediment placement area is above the modeled BFE and will not have an effect on flood patterns up to the base flood discharge. Temporary cofferdams and construction mats will be utilized during construction to keep the work area dry and allow equipment access. H&H modeling (detailed in *Design Summary for Partial Dam Removal Castleton State College Dam, VT ID 43.04, SA Project No. 141-20-001, dated March 8, 2024*) provided with the application indicates a 1.7’ reduction in WSE at the dam location and no change in WSE downstream at VT route 4A and the RR embankment. This authorization is based on review of design plans, *Partial Dam Removal, Castleton State College Dam, Castleton, Vermont, VT ID 43.04, SA Project No. 141-20-001, dated 01/05/2026, Issued for Permitting/Not for Construction*, prepared by Stephens Associates Consulting Engineers.

Based upon the Findings contained in this authorization, the Secretary has determined that the proposed project complies with the requirements of the 2021 Flood Hazard Area & River Corridor General Permit and the Flood Hazard Area & River Corridor Rule (Environmental Protection Rule, Chapter 29) and is hereby approved subject to the conditions of the 2021 Flood Hazard Area & River Corridor General Permit and this authorization.

I. Findings

The Secretary of Natural Resources has determined that:

- (a) The project is located within the special flood hazard area (Zone A). The project is also located within the river corridor.
- (b) This project is exempt from municipal regulation because it is a State-owned and operated institution or facility.
- (c) This project authorization includes construction activities necessary for partial removal/lowering of the Glen Brook Dam spillway including construction access, placement of temporary cofferdams, construction matting, EPSC installation, and regrading. Removed sediment must be spread on an adjacent field above BFE as shown in the plan set referenced in this authorization, topsoiled and revegetated. All disturbed areas from construction must be returned to pre-construction elevation contours and revegetated, as appropriate. Completed work must be constructed as shown in the design plans reviewed for this authorization titled *Partial Dam Removal, Castleton State College Dam, Castleton, Vermont, VT ID 43.04, SA Project No. 141-20-001, dated 01/05/2026, Issued for Permitting/Not for Construction*, prepared by Stephens Associates Consulting Engineers.
- (d) Based on the information provided by the applicant, the project is an eligible activity and will meet the standards in the above-referenced General Permit, if built as proposed.

II. General Conditions

- (a) **Compliance with General Permit and this Authorization.** The permittee shall comply with this authorization and all the terms and conditions of the 2021 Flood Hazard Area & River Corridor General Permit.
- (b) **Submission of As-Built Information.** The permittee shall submit as-built documentation prepared by a licensed land surveyor or professional engineer to the Floodplain Manager within 180 days of when the project is complete.
- (c) **Access to property.** By conducting any activity under this authorization, the permittee agrees to allow Agency representatives access to the property covered by this authorization, at reasonable times and upon presentation of credentials, for the purpose of ascertaining compliance with the Vermont Flood Hazard Area & River Corridor Rule and the General Permit. This authorization does not grant the permittee the right to enter onto any property not owned by the permittee.
- (d) **Authorization for Substantial Changes.** All activity shall be completed and maintained in accordance with the terms and conditions of the General Permit and this authorization. The permittee shall notify the Secretary of any planned changes to the authorized activity. The Secretary may require the permittee to submit additional information on any proposed changes. The Secretary will notify the permittee if, based on the proposed changes to the authorized activity, a revised application for an individual permit must be submitted.
- (e) **Remedial measures.** The Secretary maintains continuing jurisdiction over the activity authorized under this authorization and may at any time order remedial measures if it appears the activity is not in compliance with the General Permit or this authorization.
- (f) **Compliance with other regulations.** This authorization does not relieve the permittee of the responsibility to comply with any other applicable federal, state, and local laws, regulations, and permits.
- (g) **Legal responsibilities for damages.** The Secretary, by issuing this authorization, accepts no legal responsibility for any damage direct or indirect of whatever nature and by whomever suffered arising out of the approved activity.

- (h) **Revocation.** The Secretary may, after notice and opportunity for a hearing, revoke or suspend, in whole or in part, this authorization for cause, including:
- (1) Violation of the terms or conditions of the General Permit or this authorization;
 - (2) Obtaining authorization by misrepresentation or failure to fully disclose all relevant facts;
 - (3) A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized activity.
- (i) **Duty to comply; enforcement.** The permittee shall comply with all terms and conditions of the General Permit and this authorization. Any noncompliance constitutes a violation of the Flood Hazard Area & River Corridor Rule and may be cause for an enforcement action and/or revocation and reissuance, modification, or termination of this authorization.
- (j) **Transfer of Authorization.** This authorization may be transferred provided that a notice of transfer is submitted to the Secretary no later than five days prior to the transfer and the notice includes the following:
- (1) The name, mailing address, and contact information of the present permittee;
 - (2) The name, mailing address, and contact information of the prospective permittee;
 - (3) The proposed date of transfer; and
 - (4) A statement signed by the prospective permittee, stating that the prospective permittee has read and is familiar with the terms and conditions of the permit and the authorization and agrees to comply with the permit and authorization.
- (k) **Limitations.** This authorization conveys no vested rights or exclusive privileges. This authorization conveys no title to land nor authorizes any injury to public or private property.
- (l) **Appeals.**
- (1) **Renewable Energy Project.** If this decision relates to a renewable energy plant for which a certificate of public good is required under 30 V.S.A. § 248, any appeal of this decision must be filed with the Vermont Public Utility Commission pursuant to 10 V.S.A. § 8506. This section does not apply to a facility that is subject to 10 V.S.A. § 1004 (dams before the Federal Energy Regulatory Commission), 10 V.S.A. § 1006 (certification of hydroelectric projects), or 10 V.S.A. Chapter 43 (dams). Any appeal under this section must be filed with the Clerk of the Public Utility Commission within 30 days of the date of this decision; the appellant must file with the Clerk an original and six copies of its appeal. The appellant shall provide notice of the filing of an appeal in accordance with 10 V.S.A. § 8504(c)(2), and shall also serve a copy of the Notice of Appeal on the Vermont Department of Public Service. For further information, see the Rules and General Orders of the Public Utility Commission, available online at www.puc.vermont.gov. The address for the Public Utility Commission is 112 State Street, Montpelier, Vermont, 05620-2701 (Tel. # 802-828-2358).
 - (2) **All Other Projects.** Pursuant to 10 V.S.A. Chapter 220, any appeal of this decision must be filed with the clerk of the Environmental Division of the Superior Court within 30 days of the date of the decision. 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 Division; and must be signed by the appellant or the appellant's 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 permit 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 online

at www.vermontjudiciary.org. The address for the Environmental Division is: 32 Cherry St.; 2nd Floor, Suite 303; Burlington, VT 05401. Telephone # 802-951-1740.

If the development is constructed as described and according to the above conditions, there is no reason to expect an adverse impact on either the river corridor or flood hazard area.

This permit shall be effective on the date of signing and shall be valid for a period of three years.

Julia S. Moore, Secretary
Vermont Agency of Natural Resources



By _____ dated: 3/25/2026

Kyle Medash, Western Floodplain Manager
Rivers Program
Watershed Management Division