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State of Vermont

LAND USE PERMIT

AMENDMENT (REVISED)

CASE NO: 2S0351-12A-EB
APPLICANT: Okemo Mountain, Inc. by
Lawrence G. Slason, Esq.
Salmon & Nostrand
P.O. Box 535
Bellows Falls, VT 05101

LAWS/REGULATIONS INVOLVED
10 V.S.A. Chapter 151
(Act 250)

The Vermont Environmental Board hereby issues Land Use Permit Amendment #2S0351-12A-EB (Revised) pursuant to the authority vested in it by 10 V.S.A. Chapter 151. This permit amendment applies to the lands identified in Book 82, Pages 520-524 and Book 54, Page 209 of the Land Records of Ludlow, Vermont as the subject of a deed to Okemo Mountain, Inc. and Nash Brothers, Inc. and lands leased by Okemo Mountain, Inc. from the Vermont Department of Forests,, Parks and Recreation. Land Use Permit #2S0351-12 issued by the District #2 Environmental Commission on July 12, 1988 authorizes the construction of a pump house, an intake structure, 9,000 feet of welded steel pipe, and additional snowmaking pipeline. The' permit also authorizes the withdrawal of a maximum of 3,000 gallons of water per minute from the Black River for snowmaking purposes and requires that a minimum flow of 1.0 cubic feet'per second per square mile of upstream watershed area be maintained. This permit amendment authorizes Okemo Mountain, Inc. to increase its water withdrawal in the Black River as long as the rate of flow downstream from the point of withdrawal is maintained at least at 0.78 cubic feet per second per square mile and the rate of withdrawal is never greater than 3,000 gallons per minute. The project is located in Ludlow, Vermont.

The Permittee, and its assigns and successors in interest, is obligated by this permit amendment to complete, operate, and maintain this project only as approved by the District #4 Environmental Commission in accordance 'with the terms and conditions of Land Use Permit #2S0351-12 and in accordance with the conditions below and Findings of Fact and Conclusions of Law #2S0351-12A-EB (Revised).

CONDITIONS

1. The Permittee shall maintain a minimum flow of at least 0.78 csm downstream from the point of withdrawal in the Black River, and shall not withdraw at a rate greater than 3,000 gallons per minute.

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2. Within one year from issuance of this permit amendment, the Permittee shall submit a proposal for a habitat enhancement program, which shall include public access, streamside vegetation, and instream structures, to the District Commission for its review and approval.

Dated at Montpelier, Vermont, this 23rd day of July, 1992.

ENVIRONMENTAL BOARD

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