

# Notice of Intent (NOI) for coverage under Small MS4 General Permit Page 1 of 20

## Part I: General Conditions

### General Information

Name of Municipality or Organization:  State:

EPA NPDES Permit Number (if applicable):

### Primary MS4 Program Manager Contact Information

Name:  Title:

Street Address Line 1:

Street Address Line 2:

City:  State:  Zip Code:

Email:  Phone Number:

Fax Number:

### Other Information

Stormwater Management Program (SWMP) Location (web address or physical location, if already completed):

### Eligibility Determination

Endangered Species Act (ESA) Determination Complete?  Eligibility Criteria (check all that apply):  A  B  C

National Historic Preservation Act (NHPA) Determination Complete?  Eligibility Criteria (check all that apply):  A  B  C

Check the box if your municipality or organization was covered under the 2003 MS4 General Permit

### MS4 Infrastructure (if covered under the 2003 permit)

Estimated Percent of Outfall Map Complete?  If 100% of 2003 requirements not met, enter an estimated date of completion (MM/DD/YY):

*(Part II, III, IV or V, Subpart B.3.(a.) of 2003 permit)*

Web address where MS4 map is published:

*If outfall map is unavailable on the internet an electronic or paper copy of the outfall map must be included with NOI submission (see section V for submission options)*

### Regulatory Authorities (if covered under the 2003 permit)

<b>Illicit Discharge Detection and Elimination (IDDE) Authority Adopted?</b> <i>(Part II, III, IV or V, Subpart B.3.(b.) of 2003 permit)</i>	<input type="text" value="No"/>	Effective Date or Estimated Date of Adoption (MM/DD/YY):	<input type="text" value="11/01/19"/>
<b>Construction/Erosion and Sediment Control (ESC) Authority Adopted?</b> <i>(Part II, III, IV or V, Subpart B.4.(a.) of 2003 permit)</i>	<input type="text" value="No"/>	Effective Date or Estimated Date of Adoption (MM/DD/YY):	<input type="text" value="11/01/19"/>
<b>Post-Construction Stormwater Management Adopted?</b> <i>(Part II, III, IV or V, Subpart B.5.(a.) of 2003 permit)</i>	<input type="text" value="No"/>	Effective Date or Estimated Date of Adoption (MM/DD/YY):	<input type="text" value="11/01/19"/>



[Click to lengthen table](#)

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### Part III: Stormwater Management Program Summary

Identify the Best Management Practices (BMPs) that will be employed to address each of the six Minimum Control Measures (MCMs). For municipalities/organizations whose MS4 discharges into a receiving water with an approved Total Maximum Daily Load (TMDL) and an applicable waste load allocation (WLA), identify any additional BMPs employed to specifically support the achievement of the WLA in the TMDL section at the end of part III.

For each MCM, list each existing or proposed BMP by category and provide a brief description, responsible parties/departments, measurable goals, and the year the BMP will be employed (public education and outreach BMPs also requires a target audience). **Use the drop-down menus in each table or enter your own text to override the drop down menu.**

#### MCM 1: Public Education and Outreach

BMP Media/Category (enter your own text to override the drop down menu)	BMP Description	Targeted Audience	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal	Beginning Year of BMP Implementation
Brochures/Pamphlets	Publish outreach materials; Incorporate stormwater alerts into Water Smart system; Distribute New outreach materials to residents within Wetland Protection Areas; Distribute pet waste control information	Residents	DPW, Health Dept, Planning Dept, NR, Cape Cod Commission	Distribute at least two educational messages within the permit term (5 Years)	2018
Brochures/Pamphlets	Publish outreach materials; Distribute information to septic maintenance contractors; Include information in permit application materials	Businesses, Institutions and Commercial Facilities	DPW, Health Dept, Planning Dept, NR, Cape Cod Commission	Distribute at least two educational messages within the permit term (5 Years)	2018
Brochures/Pamphlets	Publish outreach materials; Distribute information to septic maintenance contractors; Include information in permit application materials	Developers (construction)	DPW, Health Dept, Planning Dept, NR, Cape Cod Commission	Distribute at least two educational messages within the permit term (5 Years)	2018

Brochures/Pamphlets	Publish outreach materials; Distribute information on industrial groups based on zoning and property use	Industrial Facilities	DPW, Health Dept, Planning Dept, NR, Cape Cod Commission	Distribute at least two educational messages within the permit term (5 Years)	2018
Web Page	Maintain stormwater website; Distribute stormwater outreach messages via Code Red Emergency Response Line; Provide outreach materials on website; Consider creating a Town Resident Notification System for stormwater alerts (e.g. severe weather, flooding)	Residents	DPW, Health Dept, Planning Dept, NR, Cape Cod Commission	Continue to maintain stormwater website	2018
Web Page	Maintain stormwater website; Distribute stormwater outreach messages via Code Red Emergency Response Line; Provide outreach materials on website	Businesses, Institutions and Commercial Facilities	DPW, Health Dept, Planning Dept, NR, Cape Cod Commission	Continue to maintain stormwater website	2018
Web Page	Maintain stormwater website; Distribute stormwater outreach messages via Code Red Emergency Response Line; Provide outreach materials on website	Developers (construction)	DPW, Health Dept, Planning Dept, NR, Cape Cod Commission	Continue to maintain stormwater website	2018
Web Page	Maintain stormwater website; Distribute stormwater outreach messages via Code Red Emergency Response Line; Provide outreach materials on website	Industrial Facilities	DPW, Health Dept, Planning Dept, NR, Cape Cod Commission	Continue to maintain stormwater website	2018



## Notice of Intent (NOI) for coverage under Small MS4 General Permit

### Part III: Stormwater Management Program Summary (continued)

#### MCM 2: Public Involvement and Participation

<b>BMP Categorization</b>	<b>Brief BMP Description</b> (enter your own text to override the drop down menu)	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Additional Description/ Measurable Goal</b>	<b>Beginning Year of BMP Implementation</b>
Public Review	SWMP Review	DPW, Health Dept, Planning Dept, NR, ConCom, Water Management Com	Allow annual review of stormwater management plan and posting of stormwater management plan on website	2018
Public Participation	SWMP Review	DPW, Health Dept, Planning Dept, NR, ConCom, Water Management Com	Allow public to comment on stormwater management plan annually	2018
Public Participation	Drug Take Back Day	Health Dept, Police Dept	Continue to host Drug Take Back Day. Offer drop-off box open 24/7 for disposal of unwanted medical waste	2018
Public Review	Public Meetings on Wastewater Planning Status	Health Dept	Update Board of Selectmen and Public on planning efforts	2018
Public Participation	Cape Cod Commission 208 Project	Health Dept, Cape Cod Commission	Work towards implantation of Regional Wastewater Planning efforts with Cape Cod Commission 208 Project. Conduct advanced characterization	2018
Public Participation	Cleanups - Shoreline/Waterbody	DPW, Health Dept, ConCom, Water Management Committee, Conservation	Host/participate in water sampling programs, aquatic vegetation surveys, and coastal/pond remediations	2018





## Notice of Intent (NOI) for coverage under Small MS4 General Permit

### Part III: Stormwater Management Program Summary (continued)

#### MCM 3: Illicit Discharge Detection and Elimination (IDDE)

<b>BMP Categorization</b> (enter your own text to override the drop down menu)	<b>BMP Description</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b> (all text can be overwritten)	<b>Beginning Year of BMP Implementation</b>
SSO inventory	Develop SSO inventory in accordance of permit conditions	Natural Resources, Health Dept	Complete within 1 year of effective date of permit	2018
Storm sewer system map	Create map and update during IDDE program completion	DPW, Natural Resources	Update map within 2 years of effective date of permit and complete full system map 10 years after effective date of permit	2018
Written IDDE program	Create written IDDE program	DPW, Natural Resources, Health Dept	Complete within 1 year of the effective date of permit and update as required	2018
Implement IDDE program	Implement catchment investigations according to program and permit conditions	DPW, Natural Resources, Health Dept	Complete 10 years after effective date of permit	2018
Employee training	Train employees on IDDE implementation	DPW, Natural Resources, Health Dept	Train annually	2018
Conduct dry weather screening	Conduct in accordance with outfall screening procedure and permit conditions	Natural Resources, Health Dept	Complete 3 years after effective date of permit	2018
Conduct wet weather screening	Conduct in accordance with outfall screening procedure	Natural Resources, Health Dept	Complete 10 years after effective date of permit	2018
Ongoing screening	Conduct dry weather and wet weather screening (as necessary)	Natural Resources, Health Dept	Complete ongoing outfall screening upon completion of IDDE program	2018



## Notice of Intent (NOI) for coverage under Small MS4 General Permit

### Part III: Stormwater Management Program Summary *(continued)*

#### MCM 4: Construction Site Stormwater Runoff Control

<b>BMP Categorization</b> (enter your own text to override the drop down menu or entered text)	<b>BMP Description</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b> (all text can be over-written)	<b>Beginning Year of BMP Implementation</b>
Site inspection and enforcement of Erosion and Sediment Control (ESC) measures	Complete written procedures of site inspections and enforcement procedures	Planning Department	Complete within 1 year of the effective date of permit	2018
Site plan review	Complete written procedures of site plan review and begin implementation	Planning Department, Conservation Commission	Complete within 1 year of the effective date of permit	2018
Erosion and Sediment Control	Adoption of requirements for construction operators to implement a sediment and erosion control program	DPW Operations	Complete within 1 year of the effective date of permit	2018
Waste Control	Adoption of requirements to control wastes, including but not limited to, discarded building materials, concrete truck wash out, chemicals, litter, and sanitary wastes	DPW Operations	Complete within 1 year of the effective date of permit	2018
Sand Nourishment	Require homeowners to do sand nourishment with sand of comparable grain size to what is natural with no debris	Conservation Commission	Continuation of goal for better compliance and quality of sand	2018
Pre-Construction/Coordination Meetings	Design Route 6 Drainage BMP for nitrogen reduction	DPW Operations, Board of Health, Planning Board	Plans developed - Pursue funding	2018
Groundwater Protection Regulation	Adopt Town-wide Nitrogen Loading Limitation Regulation	Board of Health, Planning Board	Implement BOH regulations and Zoning bylaw	2018



## Notice of Intent (NOI) for coverage under Small MS4 General Permit

### Part III: Stormwater Management Program Summary (continued)

#### MCM 5: Post-Construction Stormwater Management in New Development and Redevelopment

<b>BMP Categorization</b> (enter your own text to override the drop down menu or entered text)	<b>BMP Description</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b> (all text can be overwritten)	<b>Beginning Year of BMP Implementation</b>
As-built plans for on-site stormwater control	The procedures to require submission of as-built drawings and ensure long term operation and maintenance will be a part of the SWMP	DPW Operations, Conservation Commission, Planning Board	Require submission of as-built plans for completed projects	2018
Target properties to reduce impervious areas	Identify at least 5 permittee-owned properties that could be modified or retrofitted with BMPs to reduce impervious areas and update annually	DPW Operations, Conservation Commission, Planning Board	Complete 4 years after effective date of permit and report annually on retrofitted properties	2018
Allow green infrastructure	Develop a report assessing existing local regulations to determine the feasibility of making green infrastructure practices allowable when appropriate site conditions exist	DPW Operations, Conservation Commission, Planning Board	Complete 4 years after effective date of permit and implement recommendations of report	2018
Street design and parking lot guidelines	Develop a report assessing requirements that affect the creation of impervious cover. The assessment will help determine if changes to design standards for streets and parking lots can be modified to support low impact design options.	DPW Operations, Conservation Commission, Planning Board	Complete 4 years after effective date of permit and implement recommendations of report	2018



## Notice of Intent (NOI) for coverage under Small MS4 General Permit

### Part III: Stormwater Management Program Summary *(continued)*

#### MCM 6: Municipal Good Housekeeping and Pollution Prevention

<b>BMP Categorization</b> (enter your own text to override the drop down menu or entered text)	<b>BMP Description</b>	<b>Responsible Department/Parties</b> (enter your own text to override the drop down menu)	<b>Measurable Goal</b> (all text can be overwritten)	<b>Beginning Year of BMP Implementation</b>
O&M procedures	Create written O&M procedures including all requirements contained in 2.3.7.a.ii for parks and open spaces, buildings and facilities, and vehicles and equipment	DPW Operations	Complete and implement 2 years after effective date of permit	2018
Inventory all permittee-owned parks and open spaces, buildings and facilities, and vehicles and equipment	Create inventory	DPW Operations, Building Maintenance	Complete 2 years after effective date of permit and implement annually	2018
Infrastructure O&M	Establish and implement program for repair and rehabilitation of MS4 infrastructure	DPW Operations	Complete 2 years after effective date of permit	2018
Stormwater Pollution Prevention Plan (SWPPP)	Create SWPPPs for maintenance garages, transfer stations, and other waste-handling facilities	DPW Operations, Facilities Manager	Complete and implement 2 years after effective date of permit	2018
Catch basin cleaning	Establish schedule for catch basin cleaning such that each catch basin is no more than 50% full and clean catch basins on that schedule	DPW Operations	Clean catch basins on established schedule and report number of catch basins cleaned and volume of material moved annually	2018
Street sweeping program	Sweep all streets and permittee-owned parking lots in accordance with permit conditions	DPW Operations	Sweep all streets and permittee-owned parking lots once per year in the spring	2018
Road salt use optimization program	Establish and implement a program to minimize the use of road salt	DPW Operations	Implement salt use optimization during deicing season	2018



Inspections and maintenance of stormwater treatment structures	Establish and implement inspection and maintenance procedures and frequencies	DPW Operations	Inspect and maintain treatment structures at least annually	2018
O&M Program (General)	Fertilizer and Pesticide Reduction	Board of Health	Enforce policy; Conduct sustainable gardening education program and discuss BMP/proper use of fertilizer to protect the environment	2018
O&M Program (General)	Aerate sand and remove debris from beaches	DPW Operations	Continue beach cleaning program	2018







Part IV: Notes and additional information

Use the space below to indicate the part(s) of 2.2.1 and 2.2.2 that you have identified as not applicable to your MS4 because you do not discharge to the impaired water body or a tributary to an impaired water body due to nitrogen or phosphorus. Provide all supporting documentation below or attach additional documents if necessary. Also, provide any additional information about your MS4 program below.

Attachments:

Figure: MS4 Outfalls

USFWS Correspondence

The outfalls included in Part II: Summary of Receiving Waters were selected based on a 100 foot distance from any waters of the U.S. Coordinates listed under unnamed water segments are based on the NAD 1983 StatePlane Massachusetts FIPS 2001 (US Feet) Coordinate System, and are listed as latitude/longitude in decimal degrees.

Regarding the ESA section 7 consultation, I agree that the MS4 Permit will not adversely affect the Northern Long-eared Bat, the Piping Plover, the Red Knot, nor the Roseate Tern in the MS4 area. The USFWS Concurrence Letter is attached.

Regarding the National Historic Preservation Act, under 36 CFR 800, this facility is an existing facility authorized by the previous Permit, and is not undertaking any activity involving subsurface land disturbance less than 1 acre. This MS4 Permit will have "no potential to cause effects," in accordance with 36 CFR 800.3(a)(1).

# Notice of Intent (NOI) for coverage under Small MS4 General Permit

## Part V: Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name:

Jacqueline W. Beebe

Title:

Town Administrator

Signature:

JW Beebe

Date:

9.27.18

[To be signed according to Appendix B, Subparagraph B.11, Standard Conditions]

Note: When prompted during signing, save the document under a new file name







# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

New England Field Office  
70 Commercial St, Suite 300  
Concord, NH 03301-5087  
<http://www.fws.gov/newengland>

September 24, 2018

To whom it may concern:

The U.S. Fish and Wildlife Service (USFWS) reviewed the stormwater discharge activities associated with the 2016 National Pollutant Discharge and Elimination System (NPDES) Massachusetts (MA) Small Municipal Separate Storm Sewer System (MS4) general permit (MA MS4 General Permit) issued by the Environmental Protection Agency (EPA). We determined those activities may affect, but are not likely to adversely affect, certain species listed under the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) when specific conditions are met. When these conditions are met, we do not need to review individual projects. These comments are provided in accordance with section 7 of the ESA and complement existing 2016 MA MS4 General Permit Appendix C Guidance. We understand the applicant is acting as a non-Federal representative of the EPA for the purpose of consultation under section 7. **This letter provides additional guidance for meeting Criterion B and should be submitted as part of your application package to the EPA.**

If the USFWS Information for Planning and Consultation website (<https://ecos.fws.gov/ipac/>) indicates your MA MS4 General Permit project action area may contain one or more of the following federally listed endangered species: roseate tern (*Sterna dougallii*), northern red-bellied cooter (*Pseudemys rubriventris*), dwarf wedgemussel (*Alasmidonta heterodon*), rusty patched bumble bee (*Bombus affinis*), northeastern bulrush (*Scirpus ancistrochaetus*), or American chaffseed (*Schwalbea americana*); threatened species: piping plover (*Charadrius melodus*), bog turtle (*Glyptemys muhlenbergii*), Puritan tiger beetle (*Cicindela puritana*), northeastern beach tiger beetle (*Cicindela dorsalis*), or red knot (*Calidris canutus rufa*); or their federally designated critical habitat; and the specific conditions listed below are met, you may submit this letter to complete the **MA MS4 General Permit Appendix C: Step 4** in place of a concurrence letter for informal consultation as documentation of ESA eligibility for **USFWS Criterion B**.

In addition, this letter also satisfies the requirement in the **MA MS4 General Permit Appendix C: Step 2 (3)** to contact the USFWS and obtain a concurrence letter, if you have not yet done so. If your project action area includes one or more of the above-listed species *and* one or more of the



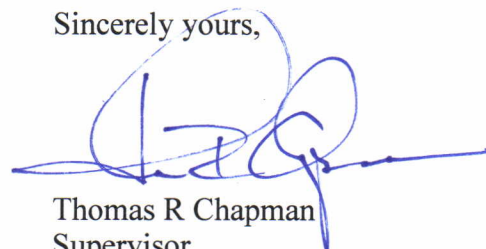
species listed under **Criterion C**,<sup>1</sup> you may still use this letter to certify under **Criterion B**. All existing guidance regarding requirements for certifying eligibility according to the USFWS Criterion A, B, or C for coverage by the 2016 MS4 Permit (see MA MS4 General Permit Appendix C – Endangered Species Guidance) remains unchanged.

We have determined that proposed stormwater discharge activities covered under the 2016 MS4 Permit *may affect, but are not likely to adversely affect*, the above-listed species and the species' critical habitat when the following are true:

1. all stormwater discharges are pre-existing or previously permitted by EPA;
2. any planned operations and maintenance work covered by this permit will only affect previously disturbed areas where stormwater controls are already installed. In these situations the chance of encountering any of the subject species is discountable;
3. the project implements EPA MS4 Best Management Practices (BMPs) and meets Clean Water Act and Massachusetts Water Quality Standards. Although permitted discharges may reach the environment used by these species, BMPs reduce pollutants to the extent that discharges are not known to have measurable impacts on these species or their habitat;
4. no new construction or structural BMPs are proposed under this permit at this time; and
5. you agree that if, during the course of the permit term, you plan to install a structural BMP not identified in the Notice of Intent (NOI), you will re-initiate consultation with the USFWS as necessary (see **MA MS4 General Permit Appendix C: Step 2 (5)**).

If the above criteria are met, further consultation with the USFWS under section 7 of the ESA is not required at this time; however, if the proposed action changes in any way such that it may affect a listed species in a manner not previously analyzed or if new information reveals the presence of additional listed species that may be affected by the project, the applicant or the EPA should contact us immediately and suspend activities that may affect those species until the appropriate level of consultation is completed with our office. Thank you for your cooperation, and please contact David Simmons of this office at (603) 227-6425 if you have questions or need further assistance.

Sincerely yours,



Thomas R Chapman  
Supervisor  
New England Field Office

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<sup>1</sup> Criterion C includes guidance for project action areas that may contain species for which EPA has already made a determination. These species include the northern long-eared bat (*Myotis septentrionalis*), sandplain gerardia (*Agalinis acuta*), small whorled pogonia (*Isotria medeoloides*), and/or American burying beetle (*Nicrophorus americanus*) (MA MS4 General Permit Appendix C: Step 3 – Determine if You Can Meet Eligibility USFWS Criterion C).