

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

Page 1 of 22

Part I: General Conditions

General Information

Name of Municipality or Organization: Hamilton

State: MA

EPA NPDES Permit Number (if applicable): MA 041196

Primary MS4 Program Manager Contact Information

Name: Timothy J. Olson

Title: Director of Public Works

Street Address Line 1: 577 Bay Road

Street Address Line 2: P.O. Box 429

City: Hamilton

State: MA

Zip Code: 01936

Email: tolson@hamiltonma.gov

Phone Number: (978) 626-5227

Fax Number: (978) 468-5582

Other Information

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

To Be Completed During Permit Year 1 and Posted to Town Website (2018-2019).

Eligibility Determination

Endangered Species Act (ESA) Determination Complete? Yes

Eligibility Criteria

(check all that apply):

☐ A ☐ B ☒ C

National Historic Preservation Act (NHPA) Determination Complete? Yes

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

100%

If 100% of 2003 requirements not met, enter an
estimated date of completion (MM/DD/YY):

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)*

A PDF of the Town's Drainage Map, including all outfalls and receiving waters is attached.

Regulatory Authorities (if covered under the 2003 permit)

Illicit Discharge Detection and Elimination (IDDE) Authority Adopted?
(Part II, III, IV or V, Subpart B.3.(b.) of 2003 permit)

Yes

Effective Date or Estimated
Date of Adoption (MM/DD/YY):

10/22/07

Construction/Erosion and Sediment Control (ESC) Authority Adopted?
(Part II, III, IV or V, Subpart B.4.(a.) of 2003 permit)

Yes

Effective Date or Estimated
Date of Adoption (MM/DD/YY):

10/22/07

Post- Construction Stormwater Management Adopted?
(Part II, III, IV or V, Subpart B.5.(a.) of 2003 permit)

Yes

Effective Date or Estimated
Date of Adoption (MM/DD/YY):

10/22/07

Part II: Summary of Receiving Waters

Massachusetts list of impaired waters: Massachusetts 2014 List of Impaired Waters- <http://www.mass.gov/eea/docs/dep/water/resources/07v5/14list2.pdf>

Check off relevant pollutants for discharges to impaired waterbodies (see above 303(d) lists) without an approved TMDL in accordance with part 2.2.2.a of the permit. List any other pollutants in the last column, if applicable.

[illegible]

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
Displays/Posters/Kiosks	Continue to increase General Public-Knowledge of the impact of stormwater discharges to water bodies within the community. Identify ways the public can reduce pollutants in stormwater runoff.	Residents	DPW Operations	Supply Town offices/library/schools with displays and/or posters. Track number of posters/displays utilized.	FY2019
Brochures/Pamphlets	Distribute educational materials to locations likely to impact stormwater regarding best management practices, including equipment, waste disposal, dumpster maintenance, use and storage of de-icing materials, and parking lot sweeping	Industrial Facilities	DPW Operations	Track the number of industrial facilities reached.	FY2019
Brochures/Pamphlets	Continue to educate Contractors on the Town's stormwater erosion and sediment control requirements.	Developers (construction)	Planning/DPW Operations	Distribute/make brochures available at Town Hall and maintain a list of all recipients.	FY2020

Web Page	Update the Town's website to include information on vehicle maintenance, fertilizer use, parking lot sweeping, ice removal optimization, and waste/material storage for local businesses.	Businesses, Institutions and Commercial Facilities	DPW Operations/Town Manager	Modify the ThinkBlue targeted information for use on the Town's website and track interaction with the site.	FY2020
Web Page	Continue to maintain and update the Town's website to provide information to residents regarding stormwater management and the Town's illicit discharge detection and elimination program.	Residents	Dpw Operations/ Town Manager	Continue to update website annually, track interaction with the site and who the information is reaching.	FY2021
Brochures/Pamphlets	Make available to developers information on green infrastructure practices for construction projects.	Developers (construction)	Planning/DPW Operations	Distribute/make brochures available at Town Hall and maintain a list of all recipients.	FY2021
Brochures/Pamphlets	Distribute educational materials to industrial properties regarding stormwater best management practices, including equipment inspection, waste disposal, dumpster maintenance, use and storage of de-icing materials, and parking lot sweeping.	Industrial Facilities	DPW Operations	Track the number of industrial facilities reached.	FY2022

[illegible]

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

Part III: Stormwater Management Program Summary (continued)

MCM 2: Public Involvement and Participation

BMP Categorization	Brief BMP Description (enter your own text to override the drop down menu)	Responsible Department/Parties (enter your own text to override the drop down menu)	Additional Description/ Measurable Goal	Beginning Year of BMP Imple- mentation
Public Review	SWMP Review	DPW Operations	Allow for public review of the SWMP annually. Post the SWMP and Annual Reports on the Town's website and/or make them available at Town Hall.	FY2019
Public Participation	Clean-up Day	DPW Operations	Support annual Clean-up Days. Report on amount of debris collected annually through this event.	FY2019
Public Participation	Monitoring Teams	DPW Operations	Make public announcements to gain participation in inspection and monitoring of catch basins, culverts, and drainage structures.	FY2019
Public Participation	Household hazardous waste	DPW Operations	Allow for residents to dispose of hazardous waste annually in the fall. Track number of residents that participate, and amount and types of materials collected.	FY2019
Public Participation	Stormwater Hotline	DPW Operations	Continue to support stormwater hotline to encourage residents to report issues to DPW. Track number of calls received.	FY2019
Public Participation	Electronic Waste Collection	DPW Operations	Allow for residents to dispose of electronic waste on a monthly basis.	FY2019

[illegible]

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)

BMP Categorization (enter your own text to override the drop down menu)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Implementation
SSO inventory	The Town does not have any municipally owned or maintained sanitary sewers in Town so this BMP is not applicable.	N/A	N/A	N/A
Update GIS Drainage Map	Update drainage map in accordance with permit conditions and update annually during IDDE program implementation.	DPW Operations	Update map within 2 years of effective date of permit and complete full system map 10 years after effective date of permit	FY2020
Written IDDE program	Create written IDDE program to meet permit conditions.	DPW Operations	Complete within 1 year of the effective date of permit and update as required.	FY2019
Implement IDDE program	Implement catchment investigations according to program and permit conditions.	DPW Operations	Begin within two years of permit effective date, and complete 10 years after effective date of permit. Track annually the number of illicit connections that are identified and removed.	FY2020
Employee training	Train employees on IDDE program components and implementation.	Health Department/DPW Operations	Provide training to municipal employees annually. Track the number of employees that receive training.	FY2019
Conduct dry weather screening and sampling	Conduct dry weather outfall screening and sampling in accordance with permit conditions.	DPW Operations	Complete within 3 years of permit effective date. Track number of outfalls that are screened and sampled annually.	FY2021

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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

BMP Categorization (enter your own text to override the drop down menu or entered text)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Imple- mentation
Site inspection and enforcement of Erosion and Sediment Control (ESC) measures	Review existing written procedures for site inspections and enforcement and update as needed to meet permit requirements.	Planning, DPW Operations	Complete within 1 year of the effective date of permit. Report on the number of site inspections and enforcement actions annually.	FY2019
Site plan review	Develop written procedures for site plan review that meet permit requirements and begin implementation.	Planning, DPW Operations	Complete within 1 year of the effective date of permit. Report on the number of site plan reviews conducted, inspections conducted, and enforcement actions taken annually.	FY2019
Erosion and Sediment Control	Continue to enforce the Town's existing Stormwater Management Rules and Regulations requiring sediment and erosion controls. Review and update existing regulations as needed to ensure that construction operators implement a sediment and erosion control program that includes BMPs that are appropriate for conditions at the construction site in accordance with permit requirements.	Planning, DPW Operations	Continue to enforce existing sediment and erosion control requirements, and update regulations as needed within one year of the permit effective date.	FY2019

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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

BMP Categorization (enter your own text to override the drop down menu or entered text)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Implementation
As-built plans for on-site stormwater control	Continue enforcing existing procedures requiring submission of as-built drawings and an Operation & Maintenance Plan for projects disturbing more than 1 acre. Update as-built requirements, and O&M requirements as needed to comply with permit requirements.	Planning, DPW Operations	Require submission of as-built plans and long term O&M for completed projects. Complete within 2 years of permit effective date.	FY2020
Target & rank properties for BMP retrofitting	Identify at least 5 permittee-owned properties that could be modified or retrofitted with BMPs to reduce frequency, volume, and pollutant loads associated with stormwater discharges, and update annually.	DPW Operations	Complete 4 years after effective date of permit and report annually on retrofitted properties.	FY2022
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.	Planning, DPW Operations	Complete 4 years after effective date of permit and implement recommendations of report, where feasible.	FY2022

[illegible]

[illegible]

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

BMP Categorization (enter your own text to override the drop down menu or entered text)	BMP Description	Responsible Department/Parties (enter your own text to override the drop down menu)	Measurable Goal (all text can be overwritten)	Beginning Year of BMP Implementation
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.	FY2020
Inventory all permittee-owned parks and open spaces, buildings and facilities, and vehicles and equipment	Create inventory	DPW Operations	Complete 2 years after effective date of permit and update annually.	FY2020
Infrastructure O&M	Establish and implement program for repair and rehabilitation of MS4 infrastructure.	DPW Operations	Complete 2 years after effective date of permit	FY2020
Stormwater Pollution Prevention Plan (SWPPP) Development, Inspections and Training	Create SWPPPs for DPW garage, and other waste-handling facilities	DPW Operations	Complete and implement 2 years after effective date of permit. Perform quarterly site inspections and train employees on SWPPP implementation. Record inspections performed and number of employees that receive training.	FY2020
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 removed annually.	FY2019

[illegible]

Part III: Stormwater Management Program Summary (continued)

Use the drop-down menus to select the applicable TMDL, action description to meet the TMDL requirements, and the responsible department/parties. If no options are applicable, or more than one, **enter your own text to override drop-down menus.**

[illegible]

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

Part III: Stormwater Management Program Summary (continued)

Actions for Meeting Requirements Related to Water Quality Limited Waters

Use the drop-down menus to select the pollutant causing the water quality limitation and enter the waterbody ID(s) experiencing excursions above water quality standards for that pollutant. Choose the action description from the dropdown menu and indicate the responsible party. If no options are applicable, or more than one, **enter your own text to override drop-down menus.**

[illegible]

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.

Through consultation with the US Fish & Wildlife, it was determined that the only threatened species within Hamilton are the northern long-eared bat and the small whorled pogonia . Actions currently proposed within this Notice of Intent will not affect these species. As Best Management Practices are constructed in the future, the Town will consult with US Fish & Wildlife prior to construction activities.

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

Page 22 of 22

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.

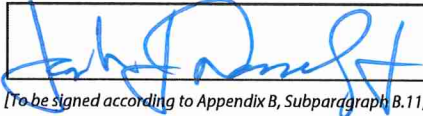
Name:

Joseph J. Domelowicz, Jr.

Title:

Town Manager

Signature:


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

Date:

9/28/18

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 Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104
<http://www.fws.gov/newengland>



In Reply Refer To:
Consultation Code: 05E1NE00-2018-SLI-2571
Event Code: 05E1NE00-2018-E-06022
Project Name: Hamilton - MS4 Permit Compliance

July 31, 2018

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
(603) 223-2541

Project Summary

Consultation Code: 05E1NE00-2018-SLI-2571

Event Code: 05E1NE00-2018-E-06022

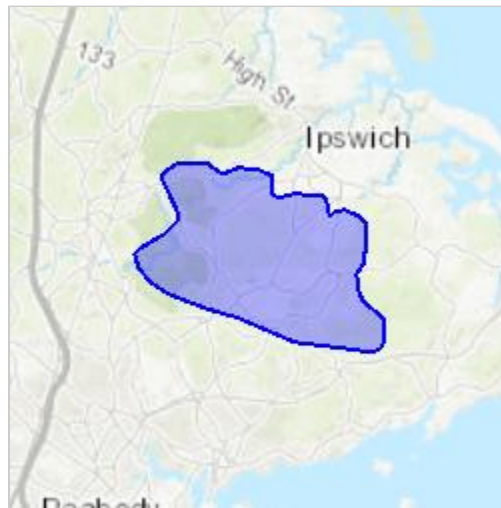
Project Name: Hamilton - MS4 Permit Compliance

Project Type: ** OTHER **

Project Description: Location is the Town of Hamilton. The purpose is to complete an endangered species determination to assist the Town in obtaining coverage under the Massachusetts MS4 Permit, which became effective on July 1, 2018.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/42.62750730902007N70.86661104118672W>



Counties: Essex, MA

Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Flowering Plants

NAME	STATUS
Small Whorled Pogonia <i>Isotria medeoloides</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1890	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.
