

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):

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)

Illicit Discharge Detection and Elimination (IDDE) Authority Adopted? Effective Date or Estimated Date of Adoption (MM/DD/YY):

Construction/Erosion and Sediment Control (ESC) Authority Adopted? Effective Date or Estimated Date of Adoption (MM/DD/YY):

Post- Construction Stormwater Management Adopted? Effective Date or Estimated Date of Adoption (MM/DD/YY):

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]

Unnamed Wetlands East of The Reservoir (41.86177, -70.93035)	3	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Unnamed Wetlands near Cedar Swamp River (41.78730, -70.98108)	2	☐	☐	☐	☐	☐	☐	☐	☐	☐	
Waterbody segment that receives flow from the MS4	Number of outfalls into receiving water segment	Chloride	Chlorophyll-a	Dissolved Oxygen/ DO Saturation	Nitrogen	Oil & Grease/ PAH	Phosphorus	Solids/ TSS/ Turbidity	E. coli	Enterococcus	Other pollutant(s) causing impairments
Unnamed Wetlands to Poquoy Brook (41.88547, -70.95010)	1	☐	☐	☐	☐	☐	☐	☐	☐	☐	
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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; Distribute new resident packets to residents within Wetland Protection Areas; Distribute pet waste control information to residents when they (re)apply for a pet license; distribute information to septic maintenance contractors.	Residents	Highway Dept. / Conservation / Town Clerk / Board of Health	Distribute at least two educational messages within the permit term (5 years)	2018
Brochures/Pamphlets	Include information in permit materials.	Businesses, Institutions and Commercial Facilities	Building Dept.	Distribute at least two educational messages within the permit term (5 years)	2018
Brochures/Pamphlets	Include information in permit materials; Review and Update application forms to meet the new requirements.	Developers (construction)	Building Dept. / Planning Board	Distribute at least two educational messages within the permit term (5 years)	2018
Brochures/Pamphlets	Distribute information to industrial groups based on zoning and property use.	Industrial Facilities	Building Dept. / Planning Board / Assessors	Distribute at least two educational messages within the permit term (5 years)	2018

[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	Highway Dept. / Town Administrator	Allow annual review of stormwater management plan and posting of stormwater management plan on website	2019
Public Participation	SWMP Review	Highway Dept. / Town Administrator	Allow public comment on SWMP	2019
Public Participation	Partnership - Advocacy Groups	Conservation Committee / Town Administrator	Maintain/acquire membership with local stormwater groups (Southeastern Massachusetts Stormwater Collaborative, Taunton River Watershed Alliance,).	2018
Public Participation	Local Events	Highway Dept.	Engage in and host local events that are open to and advertised to the public (DPW Open House).	2018
Public Participation	Household haz. waste/used oil collection	Highway Dept.	Continue to host Town hazardous waste collection days with various groups.	2018
Public Participation	Cleanups - Roadside/General	Highway Dept. / Conservation	Continue to host Town clean-up days with various groups.	2018
Public Participation	Stormwater Committee/Task Force	Conservation Committee	Continue to work towards nominating Cedar Swamp as an area of critical environmental concern (ACEC).	2018
Public Participation	Stormwater Committee/Task Force	Conservation Committee	Continue to research the naming of streams.	2018

[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	Develop SSO inventory in accordance of permit conditions	Board of Health / Consultant	Complete within 1 year of effective date of permit	2018
Storm sewer system map	Create map and update during IDDE program completion	Highway Dept. / Consultant	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	Highway Dept. / Consultant	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	Highway Dept. / Consultant	Complete 10 years after effective date of permit	2018
Employee training	Train employees on IDDE implementation	Highway Dept. / Consultant	Train annually	2018
Conduct dry weather screening	Conduct in accordance with outfall screening procedure and permit conditions	Highway Dept. / Consultant	Complete 3 years after effective date of permit	2018
Conduct wet weather screening	Conduct in accordance with outfall screening procedure	Highway Dept. / Consultant	Complete 10 years after effective date of permit	2018
Ongoing screening	Conduct dry weather and wet weather screening (as necessary)	Highway Dept. / Consultant	Complete ongoing outfall screening upon completion of IDDE program	2018

[illegible]

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 Implementation
Site inspection and enforcement of Erosion and Sediment Control (ESC) measures	Complete written procedures of site inspections and enforcement procedures	Conservation / Building Dept. / Consultant	Complete within 1 year of the effective date of permit	2018
Site plan review	Complete written procedures of site plan review and begin implementation	Building Dept. / Planning Board / Consultant	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	Conservation / Building Dept. / Planning Board	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	Conservation / Building Dept. / Planning Board	Complete within 1 year of the effective date of permit	2018

Town of Lakeville

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[illegible]

Notice of Intent (NOI) for coverage under Small MS4 General PermitPart 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	The procedures to require submission of as-built drawings and ensure long term operation and maintenance will be a part of the SWMP	Building Dept. / Planning Board / Highway Dept.	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	Highway Dept. / Town Administrator / Consultant	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	Building Dept. / Planning Board / Consultant	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.	Building Dept. / Planning Board / Consultant	Complete 4 years after effective date of permit and implement recommendations of report	2018

[illegible]

Notice of Intent (NOI) for coverage under Small MS4 General PermitPart 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	Highway / Parks Dept. / Building Dept. / School Dept. / Consultant	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	Highway Dept. / Town Administrator / Consultant	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	Highway Dept. / Consultant	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	Highway Dept. / Consultant	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	Highway Dept. / Consultant	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	Highway Dept. / Consultant	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	Highway Dept.	Implement salt use optimization during deicing season	2018

[illegible]

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

Part III: Stormwater Management Program Summary (continued)

Actions for Meeting Total Maximum Daily Load (TMDL) Requirements

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.

Attachments:

Figure - MS4 Outfalls

Figure - Town Watersheds

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, nor the Plymouth Redbelly Turtle in the MS4 area. An MS4 Project Review Request Letter has been mailed to U.S. Fish and Wildlife Service on August 16, 2018 and was delivered on August 17, 2018. Once the ESA Determination is approved by USFWS, I will resubmit the first page of this NOI with the ESA Determination marked as Complete.

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

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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.

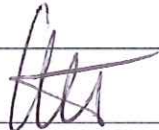
Name:

Aaron Burke

Title:

Chairman, Board of Selectmen

Signature:



Date:

9-10-18

[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

1900 Crown Colony Drive, Suite 402
Quincy, MA 02169

August 14, 2018

To: U.S. Fish and Wildlife Service
New England Field Office
70 Commercial St., Suite 300
Concord, NH 03301

RE: Project Review Request, Stormwater MS4, Lakeville, MA, 05E1NE00-2018-SLI-2435

We have reviewed the referenced project using the Environmental Protection Agency's (EPA) project review process for our Municipal Separate Storm Sewer System (MS4) and have followed all guidance and instructions in completing the review. We completed our review on July 18, 2018, and are submitting our project package in accordance with the instructions for further review. The U.S. Fish and Wildlife Service's (Service) Information for Planning and Consultation (IPaC) species list indicated these species may be present in the project area: Northern Long-eared Bat *Myotis septentrionalis*, and the Plymouth Redbelly Turtle *Pseudemys rubriventris bangsi*. We are submitting this letter as a non-Federal representative of the EPA pursuant to the requirements of the EPA's process for NPDES/MS4 permits.

Our proposed action consists of stormwater management projects including the evaluation for best management practices (BMPs) to reduce pollutant discharges and general pollutant load reduction through MS4 Permit implementation and enforcement. The Town of Lakeville will be continuing stormwater maintenance and activities listed in the Year 15 NPDES PII Small MS4 General Permit Annual Report, which is included in the attachments. Planned activities within the MS4 area will not pose a disturbance to the habitats of the aforementioned species.

The location action area is identified on the enclosed map. This USGS topographic quadrangle displays the entirety of the Lakeville MS4 project area. The MS4 area is designated using both the 2000 and 2010 U.S. census urbanized area.

Permit implementation will begin in the fall of 2018 and the permit has an expiration date of June 30, 2022.

This is a request for review by the Service pursuant to section 7 of the Endangered Species Act. We determined that the project may affect, but is not likely to adversely affect the above listed species, because:

- This project does not involve tree cutting or manipulating a structure that could be used by the Northern Long-eared Bat. For a variety of reasons, this project would have no effect on the Northern Long-eared Bat and no additional explanation is needed in this letter.
- Although discharges from the Lakeville MS4 may reach the habitat of the Plymouth Redbelly Turtle, the project implements activities that would diminish pollutants to the extent that discharge is not known to adversely affect the Plymouth Redbelly Turtle.

The enclosed project package provides the information about the species and/or critical habitat

considered in our review, and we identified our determinations for the resources that may be affected by the project. We request you concur with our determination that the project may affect, but is not likely to adversely affect the species described above.

For additional information, please contact Eric Kelley at the address listed above, by phone at 617-657-0282, or eak@envpartners.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "E. Kelley", with a stylized flourish at the end.

Environmental Partners Group, Inc.
Eric A. Kelley, P.E.
Project Manager
P: (617) 657-0282
E: eak@envpartners.com

Enclosures:

- 1) IPaC Report
- 2) Year 15 NPDES PII Small MS4 General Permit Annual Report – Town of Lakeville, MA
- 3) USGS Topographic Quadrangle – Town of Lakeville, MA



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-2435
Event Code: 05E1NE00-2018-E-05653
Project Name: Lakeville

July 18, 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-2435

Event Code: 05E1NE00-2018-E-05653

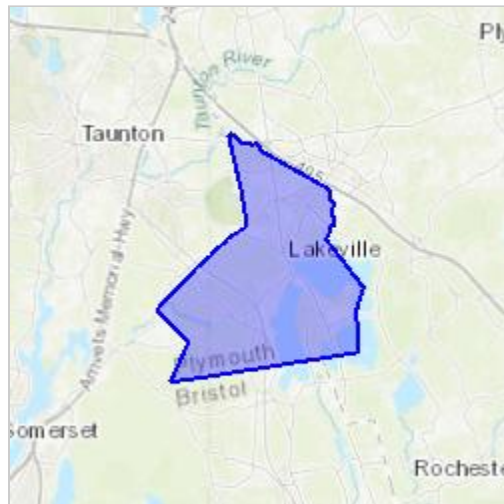
Project Name: Lakeville

Project Type: ** OTHER **

Project Description: Stormwater MS4

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/41.843188348678154N70.95515020695004W>



Counties: Bristol, MA | Plymouth, 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

Reptiles

NAME	STATUS
Plymouth Redbelly Turtle <i>Pseudemys rubriventris bangsi</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/451	Endangered

Critical habitats

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

Municipality/Organization: TOWN OF LAKEVILLE

EPA NPDES Permit Number: MAR041125

MaDEP Transmittal Number: W040596

**Annual Report Number
& Reporting Period:** No. 15: March 2018

NPDES PII Small MS4 General Permit Annual Report

Part I. General Information

Contact Person: Rita Garbitt **Title:** Town Administrator

Telephone #: 508-946-8803 **Email:** rgarbitt@lakevillema.org

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, 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.

Signature: 

Printed Name: Aaron Burke

Title: Chairman, Board of Selectmen

Date: April 4, 2018

Part II Self-Assessment

The Town has substantially completed Tasks 1, 2, 4 and 5. Task 6 needs to be addressed, but has not been due to lack of financial resources. Over the last three (3) years, state aid has been reduced and like all Massachusetts municipalities, we have had to deal with reductions in staff and operating budgets. It has not only become more difficult to oversee the implementation of the plan, we have lost our funding for our outside consultant.

Part III. Summary of Minimum Control Measures

1. Public Education and Outreach

BMP ID #	BMP Description	Responsible Dept./Person Name	Measurable Goal(s)	Progress on Goal(s) – Permit Year 13 (Reliance on non-municipal partners indicated, if any)	Status/Future Activities
1.1	Prepare Press Releases on Phase II Stormwater Program	Phase II Stormwater Coordinator	Publish basic information in local newspapers.	Issued press release on November 23, 2004	None. BMP Completed
1.3	Publicize new requirements pursuant to passage of the local by-laws	Stormwater Coordinator		BMP complete. No action on this BMP for this year	None. BMP Completed
1.4	Prepare Phase II Annual Reports	Town Boards	Complete Annual Report in a timely manner	Issue Report	Issue Report
1.5	Encourage recycling of hazardous materials at the transfer station	Highway Department/ Transfer Station		Transfer Station employees encourage residents to recycle hazardous materials in face to face manner. We let residents know where these can be recycled. The Highway Department did distribute recycling information to residents at the transfer station regarding recycling of used motor oil, car batteries, tires, used antifreeze etc.	None. BMP Completed
1.6	Contact Long Pond landowners	Water Study Board	Mail informational brochure	Informational meeting held in July 2007 to present the results of the study and identify suitable alternatives. Preferred solution was to connect to New Bedford sewer line.	Lakeville's Sewer Construction Project was on the State Revolving Fund Loan Priority List for several years, but Town Meeting denied the borrowing request every year. There are no plans to move forward with the project.

1.7	Water Conservation Practices	Stormwater Coordinator	Develop brochure and distribute to all residents and businesses w/tax bills by Spring 05	Mailed brochures on water conservation practices with FY 05 Real Estate Tax Bills on December 31, 2004.	None. BMP Completed
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2. Public Involvement and Participation

BMP ID #	BMP Description	Responsible Dept./Person Name	Measurable Goal(s)	Progress on Goal(s) – Permit Year 13 (Reliance on non-municipal partners indicated, if any)	Status/Future Activities
2.1	Establish River Action Focus Team (RAFT)	Open Space Committee	Establish RAFT for Poquoy Brook and Assawompsett Pond/Nemasket River Watersheds	Activity planned for this BMP delayed. Will pursue when time and financial resources permit. (Open ended goal)	Activity planned for this BMP delayed. Will pursue when time and financial resources permit. (Open ended goal)
2.2	Assist Lakeville Historical Commission to name presently unnamed streams	Open Space Committee, Conservation Commission, and Historical Commission	Identify and name at least unnamed 3 streams with perennial flow.	Research is on-going	Name a second brook
2.3	Nominate Assonet Cedar Swamp as an ACEC	Open Space Committee	ACEC Status for Assonet Cedar Swamp	Activity planned for this BMP delayed. Open Space Committee has been working with Mass Audubon, and they will pursue when time and financial resources permit. (Open ended goal)	Activity planned for this BMP delayed. Open Space Committee will continue working with Mass Audubon, and they will pursue when time and financial resources permit. (Open ended goal)
2.4	Organize volunteers for weed control	Water Study Board	Work with State Legislators for funding	Purchased benthic barriers and received training from DCR/Lake and Ponds Program. Installed barrier in spring of 07	None. BMP Completed.
2.5	Conduct hazardous waste collection days	Highway Department	Increase volume of waste collected	The Town held a free Hazardous Waste Disposal Day for residents on October 28, 2017.	Another free Hazardous Waste Disposal Day is scheduled for November 10, 2018.
2.6	Catch Basin Stenciling	Highway Department	Coordinate stenciling with Boy Scout Troop with completion by Spring 07	Stenciling of catch basins took place in the Fall of 2006 as Eagle Scout project.	None. BMP Completed

3. Illicit Discharge Detection and Elimination

BMP ID #	BMP Description	Responsible Dept./Person Name	Measurable Goal(s)	Progress on Goal(s) – Permit Year 13 (Reliance on non-municipal partners indicated, if any)	Status/Future Activities
3.1	Map outfalls	Highway Department	Outfall Map by Spring of 05	Completed mapping of outfalls.	None. BMP Completed
3.2	Draft Illicit Discharge By-law	Highway Department, Planning Board, Stormwater Coordinator	Prepare by-law for submission to 2006 Annual Town Meeting	Finalize by-law and submitted to 2006 Town meeting. Passed	None. BMP Completed
3.3	Enact and implement Illicit Discharge By-law	Town Meeting, Planning Board, Highway Department	By-law is passed by Town Meeting on Spring 2006	By-law passed by Town meeting on May 8, 2006	None. BMP Completed
3.4	Develop and Implement system to identify and eliminate illicit discharges	Highway Department, Stormwater Coordinator	Develop system of the appropriated cost and size	In 2014, Lakeville joined the Southeastern Massachusetts Stormwater Collaborative as part of a state funded stormwater grant. Part of this grant was to develop and implement a stormwater website for collaborating towns to use to help train residents and businesses regarding illicit discharges. http://www.semastormwater.org/home/pages/residents-and-small-businesses Based on citizen complaints and observations by Town officials, the DPW compiled a list of illicit discharges and the identified discharges were addressed.	None. BMP Completed
3.5	Establish illicit discharge hotline	Highway Department	Establish hotline	Sent out notice with 12/07 tax bill explaining the illicit discharge by-law and the establishment of a hotline and its purpose.	None BMP completed
3.6	Survey mapped outfalls for illicit discharges	Highway Department	Complete survey by Spring 07 and have discharges removed by Spring 2018.	No activity planned for this BMP in Permit Year 15 as funding is not available for this activity.	Will continue to pursue funding.

4. Construction Site Stormwater Runoff Control

BMP ID #	BMP Description	Responsible Dept./Person Name	Measurable Goal(s)	Progress on Goal(s) – Permit Year 13 (Reliance on non-municipal partners indicated, if any)	Status/Future Activities
4.1	Draft Construction Site Runoff Control By-law	Highway Department, Planning Board, Stormwater Coordinator	Prepare by-law for submission to 2005 Annual Town Meeting	BMP 4.1 completed. No further action required.	None. BMP Completed
4.2	Enact Construction Site Runoff Control By-law	Town Meeting	By-law is passed by Town meeting	BMP 4.2 completed. No further action required	None. BMP Completed
4.3	Implement Construction Site Runoff Control By-Law	Planning Board, Conservation Commission	Revise by-law, and Conservation Commission and Planning Board's Rules & Regulations	BMP 4.3 completed. No further action required	None. BMP Completed
4.4	Conduct Inspections for Erosion Control	Conservation Commission	Implement a site inspection program by Spring 07.	Conservation Commission agent inspects active construction sites for compliance with SWPPP and Erosion and Sediment Control Plans	This is an on-going activity that will continue to take place this year.

5. Post-Construction Stormwater Management in New Development and Redevelopment

BMP ID #	BMP Description	Responsible Dept./Person Name	Measurable Goal(s)	Progress on Goal(s) – Permit Year 13 (Reliance on non-municipal partners indicated, if any)	Status/Future Activities
5.1	Draft Post-Construction Site Runoff Control By-law	Highway Department, Planning Board, Stormwater Coordinator	Prepare by-law for submission to 2005 Annual Town Meeting	BMP 5.1 completed No further activity planned	BMP 5.1 completed
5.2	Enact Post - Construction Site Runoff Control By-law	Town Meeting	By-law is passed by Town meeting	By-law enacted	BMP 5.2 completed. No further action required.
5.3	Develop and Implement Post- Construction Site Runoff Control By-Law	Planning Board, Conservation Commission	Revise by-law, and Conservation Commission and Planning Board's Rules & Regulations	Planning Board conducts site plan review. Conservation Commission agent conducts site inspections to verify that stormwater BMPs have been constructed as approved	Continue same as in Year 14

6. Pollution Prevention and Good Housekeeping in Municipal Operations

BMP ID #	BMP Description	Responsible Dept./Person Name	Measurable Goal(s)	Progress on Goal(s) – Permit Year 13 (Reliance on non-municipal partners indicated, if any)	Status/Future Activities
6.1	Review stormwater management at town facilities for compliance with bylaw and stormwater management goals	Highway Dept./All Departments	Conduct review and issue report with recommendations to address deficiencies by Spring 06	Reviews and recommendations to correct deficiencies and improve stormwater management practices did not take place this past permit year, but will for year 15.	No progress made on this BMP in year 14.
6.2	Develop SWPPP for Highway Department facility	Highway Department	Develop SWPP Plan	No activity for this BMP in Permit Year 14. Highway Department has continually requested capital funding for this project, but without success.	A SWPPP will need to be developed in conjunction with the new MS4 permit.
6.3	Employee Training	Highway Department	Develop biannual training program	Lakeville recently joined SERSG (Southeastern Regional Services Group) and is also now part of the Southeastern Massachusetts Stormwater Collaborative, which developed training for highway employees. However, this was a one time training. For future training, the BMP will continue to be delayed due to lack of funding.	Develop training program.
6.4	O&M Program for town-owned Structural Stormwater BMP	Highway Department	Implement O&M program by Spring 07	Lack of funding to put together an O&M program for town owned BMP's has caused this to be delayed.	Implement O&M Plans at Town owned facilities

7. BMPs for Meeting Total Maximum Daily Load (TMDL) Waste Load Allocations (WLA) <<if applicable>>

NOT APPLICABLE FOR TOWN OF LAKEVILLE

Part IV. Summary of Information Collected and Analyzed

Part V. Program Outputs & Accomplishments (OPTIONAL)

Programmatic

Stormwater management position created/staffed	(y/n)	No
Annual program budget/expenditures	(\$)	0.00

Education, Involvement, and Training

Estimated number of residents reached by education program(s)	(# or %)	Unknown. Website established to help educate residents and businesses. Continue to use website as resource. http://www.semastormwater.org/home/pages/residents-and-small-businesses
Stormwater management committee established	(y/n)	No
Stream teams established or supported	(# or y/n)	
Shoreline clean-up participation or quantity of shoreline miles cleaned	(y/n or mi.)	
Household Hazardous Waste Collection Days		
▪ days sponsored	(#)	1
▪ community participation	(%)	5%
▪ material collected	(tons or gal)	3,043.75 gallons
School curricula implemented	(y/n)	No

Legal/Regulatory

	In Place Prior to Phase II	Under Review	Drafted	Adopted
Regulatory Mechanism Status (indicate with "X")				
▪ Illicit Discharge Detection & Elimination				
▪ Erosion & Sediment Control				
▪ Post-Development Stormwater Management				
Accompanying Regulation Status (indicate with "X")				
▪ Illicit Discharge Detection & Elimination				
▪ Erosion & Sediment Control				
▪ Post-Development Stormwater Management				

Mapping and Illicit Discharges

Outfall mapping complete	(%)	99% (May 2014)-New developments
Estimated or actual number of outfalls	(#)	205
System-Wide mapping complete	(%)	99%
Mapping method(s)		
▪ Paper/Mylar	(%)	100%
▪ CADD	(%)	
▪ GIS	(%)	100%
Outfalls inspected/screened	(# or %)	
Illicit discharges identified	(#)	
Illicit connections removed	(#) (est. gpd)	
% of population on sewer	(%)	
% of population on septic systems	(%)	

Construction

Number of construction starts (>1-acre)	(#)	
Estimated percentage of construction starts adequately regulated for erosion and sediment control	(%)	
Site inspections completed	(# or %)	
Tickets/Stop work orders issued	(# or %)	
Fines collected	(# and \$)	
Complaints/concerns received from public	(#)	
<i>Highway Department designed and installed stormwater system (catch basins, infiltration chambers) to solve drainage issue at local town owned park driveway.</i>		

Post-Development Stormwater Management

Estimated percentage of development/redevelopment projects adequately regulated for post-construction stormwater control	(%)	
Site inspections completed	(# or %)	
Estimated volume of stormwater recharged	(gpy)	

Operations and Maintenance

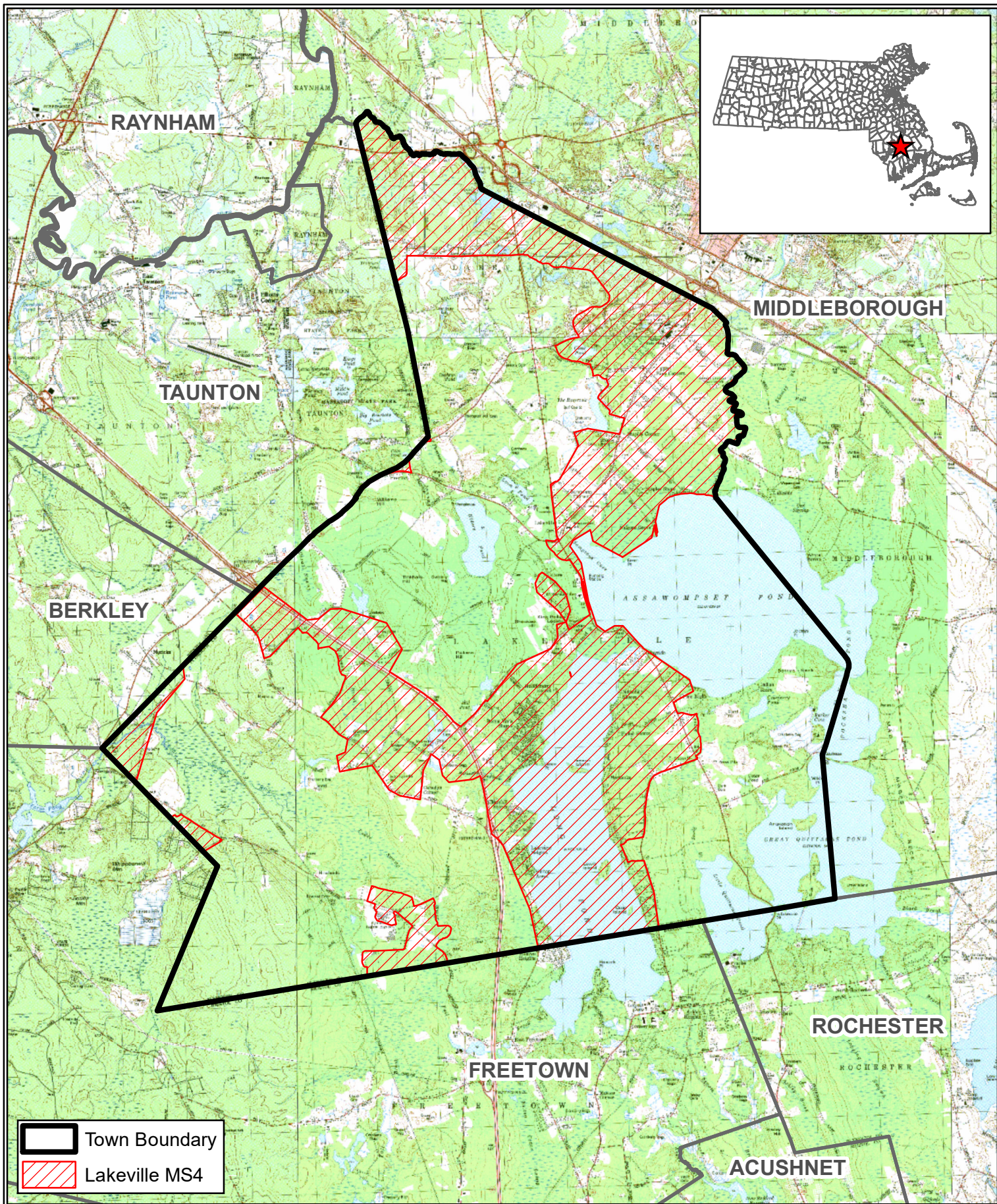
Average frequency of catch basin cleaning (non-commercial/non-arterial streets)	(times/yr)	1/yr
Average frequency of catch basin cleaning (commercial/arterial or other critical streets)	(times/yr)	1/yr
Total number of structures cleaned	(#)	1300
Storm drain cleaned	(LF or mi.)	
Qty. of screenings/debris removed from storm sewer infrastructure	(lbs. or tons)	
Disposal or use of sweepings (landfill, POTW, compost, recycle for sand, beneficial use, etc.)		
Cost of screenings disposal	(\$)	

Average frequency of street sweeping (non-commercial/non-arterial streets)	(times/yr)	1/yr
Average frequency of street sweeping (commercial/arterial or other critical streets)	(times/yr)	1/yr
Qty. of sand/debris collected by sweeping	(lbs. or tons)	

Disposal of sweepings (landfill, POTW, compost, beneficial use, etc.)	(location)	Highway applying for BUD. Have not gotten response from MassDEP
Cost of sweepings disposal	(\$)	N/A
Vacuum street sweepers purchased/leased	(#)	N/A
Vacuum street sweepers specified in contracts	(y/n)	N/A

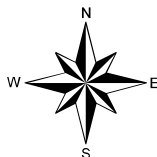
Reduction in application on public land of: (“N/A” = never used; “100%” = elimination)		
▪ Fertilizers	(lbs. or %)	
▪ Herbicides	(lbs. or %)	
▪ Pesticides	(lbs. or %)	

Anti-/De-Icing products and ratios	% NaCl % CaCl ₂ % MgCl ₂ % CMA % Kac % KCl % Sand	50% 50%
Pre-wetting techniques utilized	(y/n)	Yes
Manual control spreaders used	(y/n)	Yes
Automatic or Zero-velocity spreaders used	(y/n)	No
Estimated net reduction in typical year salt application	(lbs. or %)	
Salt pile(s) covered in storage shed(s)	(y/n)	Yes
Storage shed(s) in design or under construction	(y/n)	No



0 3,000 6,000 12,000 Feet

Environmental Partners
A partnership for engineering solutions.



USGS Topographic Quadrangle
Lakeville, Massachusetts



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

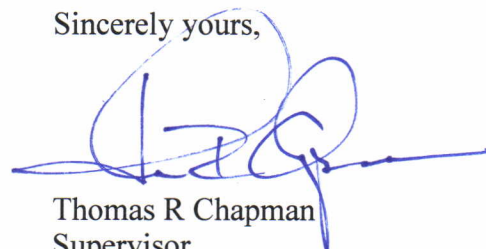
species listed under **Criterion C**,¹ you may still use this letter to certify under **Criterion B**. All existing guidance regarding requirements for certifying eligibility according to the USFWS Criterion A, B, or C for coverage by the 2016 MS4 Permit (see MA MS4 General Permit Appendix C – Endangered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

¹ 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).